

Factsheet: Neighbourhood planning (clause 1-5)

What is neighbourhood planning?

Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. For the first time communities can produce plans that have real statutory weight in the planning system. Over 2,000 groups have started the neighbourhood planning process since 2012, in areas that cover nearly ten million people across England. Over 280 successful neighbourhood planning referendums have taken place, with an average 'yes' vote of 89%. Over 260 plans have come into force as part of the development plan for their area and are being used as the starting point for determining local planning applications¹.

What is the policy hoping to achieve and where are we now?

The Government places communities at the heart of the planning system. The Conservative election manifesto committed to "encourage communities engaged in neighbourhood planning to complete the process and to assist others to draw up their own plans"². The Government is not placing unrealistic expectations on local planning authorities, nor are we ignoring questions about how neighbourhood plans are used by decision makers when considering planning applications. The reforms in the Housing and Planning Act 2016 to speed up and simplify neighbourhood planning came into force on 1 October. The Bill will build on these reforms to further strengthen neighbourhood planning and ensure communities have a stronger say in the planning of their area.

Why is legislation needed?

With over 280 successful neighbourhood planning referendums so far, the Bill looks ahead to ensure that the neighbourhood planning process is suitably flexible to respond to future changes in community aspirations. Legislation is needed to make changes to the process to ensure that there is a robust but proportionate way to make modifications to plans to keep them up-to-date, and legislation is also needed to deliver our other reforms.

How do we see this working in practice?

The measures in the Bill will give communities confidence that neighbourhood plans that have been independently examined will be given proper consideration in planning decisions. Additionally neighbourhood plans will have full legal effect at an earlier stage. The Bill introduces a streamlined procedure for modifying neighbourhood plans and areas. Our proposals should also encourage more communities to take part in plan-making by requiring local planning authorities to set out their policies for meeting their existing duty to advise or assist neighbourhood planning groups.

How can I find out more?

A six week public consultation on the detail of regulations required to implement some of the measures in the Bill closed on 19 October. A summary of consultation responses and a Government response setting out the proposed content of those regulations has been published³.

¹ Figures taken from informal monitoring of local authority websites and other published sources.

² [2015 Conservative election manifesto, page 45](#)

³ [Technical consultation on implementation of neighbourhood planning provisions in the Neighbourhood Planning Bill \(DCLG2016\)](#)

Key questions & answers:**Does the Bill address issues previously raised about neighbourhood plans being respected in decisions on planning applications?**

- We listened carefully to issues raised during the passage of the Housing and Planning Act. The measures in the Bill put beyond doubt that once a neighbourhood plan has been independently examined - and the decision taken to put the plan to a referendum - it must be taken into account when determining a planning application, in so far as the policies in the plan are material to the application. This is in addition to our reforms in the Housing and Planning Act, which require any conflict with a neighbourhood plan to be set out in the committee report, that will inform any planning committee decision, where that report recommends granting planning permission for development that conflicts with a made neighbourhood plan.

What support is there for communities that want to prepare a neighbourhood plan, and for local planning authorities to support those communities?

- We are supporting neighbourhood planning across England through a £22.5 million support programme which has made over 1,800 payments to groups since April 2015. All groups can apply for a grant of up to £9,000. Additional grant and technical support is available to priority groups, including those in urban and more deprived areas.
- The Government's rigorous New Burdens doctrine ensures local planning authorities receive the relevant resources to meet their statutory obligations under neighbourhood planning. Under current arrangements, local planning authorities receive: £5,000 for each of the first five neighbourhood areas they designate; £5,000 for each of the first five neighbourhood forums they designate (where there are no parish council); and £20,000 for all neighbourhood plans when a referendum date has been set, after the plan has been through a rigorous independent examination.

Should a community produce a neighbourhood plan where the Local Plan may not be up-to-date?

- Where an up-to-date Local Plan is not in place, the community and the local authority should work together to produce complementary plans. The National Planning Policy Framework is very clear that where a planning application conflicts with a neighbourhood plan that has been brought into force, planning permission should not normally be granted⁴. However, communities who have been proactive and worked hard to bring forward neighbourhood plans are often frustrated that their plan is being undermined because their local planning authority cannot demonstrate a five-year land supply of deliverable housing sites. Building on proposals in the Bill the Minister of State for Housing & Planning has made clear, through a Written Ministerial Statement (HCWS346)⁵, that where communities plan for housing in their area in a neighbourhood plan, those plans should not be deemed to be out-of-date unless there is a significant lack of land supply for housing in the wider local authority area.

Isn't neighbourhood planning just a tool for those who want to block development?

- Neighbourhood planning enables communities to shape the development of their local area in a positive way. With over 260 plans now in force, early findings suggest that when communities get a say over how their area is developed they recognise the benefits that appropriate development can bring. Recently updated analysis⁶ suggests that neighbourhood plans in force that provide a housing number have on average planned for approximately 10% more homes than the number for that area set out by the relevant local planning authority.

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⁴ [National Planning Policy Framework \(DCLG, 2012\)](#)

⁵ <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2016-12-12/HCWS346/>

⁶ [Neighbourhood planning: progress on housing delivery \(DCLG, 2016\)](#)