



Neighbourhood Planning Frequently Asked Questions

What is Neighbourhood Planning?

The Localism Act 2011 introduced Neighbourhood Planning in England.

Neighbourhood planning gives communities more of a say in the development and growth in their local area (within certain limits and parameters). They are able to choose where they want new homes, shops and offices to be located, what those buildings should look like, what infrastructure should be provided and can grant planning permission for new buildings that the community would like to see go ahead.

Neighbourhood plans have to be subjected to an independent examination and referendum before they can be used and form part of the Lancaster District Local Plan.

What are the benefits of developing a Neighbourhood Plan?

- Enable communities to play a much stronger role in shaping their local area.
- Form part of the formal development plan and sits alongside local plan documents prepared by Lancaster City Council (unlike previous parish, village and town plans).
- Planning application decisions will be made using both the local plan and the neighbourhood plan and any other material considerations.
- Gain 25% of the revenues from the development Community Infrastructure Levy (if in place) which could be used to develop local facilities (if there isn't a parish/town council, Lancaster City Council would agree with community how to best spend the neighbourhood funding).

Who should lead on a Neighbourhood Plan?

Three types of organisation (known as 'qualifying bodies') can lead a neighbourhood plan including parish/town councils, neighbourhood forums or a community organisation.

A parish/town council would lead in a neighbourhood area which contains all (or part) of a parish/town council administrative area.

It is important to work with other members of the community (interested or affected) to encourage them to play an active role in its preparation. The relationship between any group and the formal functions of the town or parish council should be transparent to the wider public.

What should a Neighbourhood Plan address?

A neighbourhood plan should support the strategic development needs set out in the Local Plan and plan positively to support local development in accordance with the National Planning Policy Framework (paragraph 16).



Neighbourhood plans generally seek to address the development and use of land. However, wider community aspirations than those relating to development (and use of land) can be included in a neighbourhood plan, but actions dealing with non-land-use matters should be clearly identifiable.

If policies and proposals are to be implemented as the community intended, a neighbourhood plan needs to be deliverable. The National Planning Policy Framework requires that the sites (and scale of development) identified in a plan should not be subject to such a scale of obligations and policy burdens that may affect their viability.

Working with Lancaster City Council, a neighbourhood plan can allocate sites for development following an appraisal potential options and an assessment of identified sites against clearly identified criteria. Advice on how to undertake such assessments are set out in the National Planning Practice Guidance.

Consideration may be given to what infrastructure needs to be provided in their neighbourhood area alongside development such as homes, shops or offices. Infrastructure is needed to support development and ensure that a communities can grow in a sustainable way.

How the Community should be Involved in the preparation of a Neighbourhood Plan?

The preparation of a neighbourhood plan should be inclusive and open, ensuring that the wider community is kept fully informed of what is being proposed, are able to make their views known throughout the process, have opportunities to be actively involve and made aware of how their views have informed the preparation of a neighbourhood plan.

This is a legal requirement at various stages of the neighbourhood plan-making process.

Consultation must take place with all organisations who are considered to be affected by the draft neighbourhood plan. Lists of consultation bodies can be provided by the local planning authority. Other public bodies, landowners and the development industry should be involved in preparation of a neighbourhood plan, this will ensure that the plans prepared delivery sustainable development which benefit the local community whilst avoiding placing unrealistic pressures on the cost and deliverability of that development.

What weight does an emerging Neighbourhood Plan have?

A neighbourhood plan attains the same legal status as the local development plan once it has been agreed at a referendum and is brought into force by Lancaster City Council. At this point it becomes part of the district's Local Plan.

Planning applications are decided in line with the Local Plan, unless material considerations indicate otherwise eg an emerging neighbourhood plan. Factors to consider include the stage of plan preparation and the extent to which there are unresolved objections. The National Planning Policy Framework provides more detail on this (paragraph 216).



Can a Neighbourhood Plan come into place before the Local Plan?

A neighbourhood plan (when brought into force by Lancaster City Council) becomes part of the formal development plan for the area, they can be developed before or at the same time as the council is producing its Local Plan.

A draft neighbourhood plan must be in line with emerging Local Plan evidence and policies and the neighbourhood plan lead and Lancaster City Council must agree the relationship between emerging policies.

What are the key actions for preparing a Neighbourhood Plan?

Step 1: Designation of a Neighbourhood Area / Neighbourhood Forum

- A qualifying body (parish / town council, neighbourhood forum or community organisation) submits an application to Lancaster City Council to designate a neighbourhood area.
- Lancaster City Council will consider the application made and consult with key stakeholders if legislation required it to do so
- Lancaster City Council will designate a neighbourhood area.

Step 2: Preparing a Draft Neighbourhood Plan

The qualifying body develops proposals (advised or assisted by Lancaster City Council) including:

- Gathering baseline information and evidence.
- Engage and consult those living and working in the neighbourhood area and those with an interest in or affect by the proposals (i.e. service providers).
- Talk to landowners and the development industry.
- Identify and assess options and determine whether European Directives may apply.
- Start to prepare proposal documents (i.e. basic conditions statement).

Step 3: Pre-Submission Publicity and Consultation

The qualifying body:

- Publicises the draft plan and invites representations.
- Consults the consultation bodies as appropriate.
- Sends a copy of the draft neighbourhood plan to Lancaster City Council.
- Where European Directives apply, comply with relevant publicity / consultation requirements.
- Consider consultation responses and amend the plan if appropriate.
- Prepare a consultation statement and other proposal documents.

Step 4: Submission of a Neighbourhood Plan

- Qualifying body submits the plan to Lancaster City Council.
- Lancaster City Council checks that the submitted proposal complies with all relevant legislation.



- If the plan meets the relevant legislation then Lancaster City Council will publicise the proposed plan for a minimum of 6 weeks and invite representations, notify relevant consultation bodies and appoint an independent examiner (with the agreement of the qualifying body).

Step 5: Independent Examination

- Lancaster City Council send the plan and representations to the independent examiner.
- The independent examiner undertakes the examination.
- The independent examiner issues a report to Lancaster City Council and Qualifying Body.
- Lancaster City Council publish the report.
- Lancaster City Council consider the report and reaches their own view on its outcomes.
- Lancaster City Council takes a decision on whether to send the plan to referendum.

Steps 6 & 7: The Referendum and Making the Neighbourhood Plan

- Lancaster City Council publishes an information statement and notice of referendum.
- Polling takes place and results are declared.
- Subject to the results the Lancaster City Council consider the plan in relation to EU obligations.
- If the plan is compatible with EU obligations Lancaster City Council brings the plan into legal force.

What role should Lancaster City Council play in Neighbourhood Planning?

Lancaster City Council must take decisions at the key stages of the neighbourhood planning process and provide advice and assistance to the town / parish council, neighbourhood forum or community organisation that is producing the neighbourhood plan.

The council should be proactive in providing information to communities about neighbourhood planning, fulfil its duties and take decisions as soon as possible, set out clear and transparent decision making timetable and share this with those wishing to prepare a neighbourhood plan and constructively engage with the community throughout the process.

Lancaster City Council are responsible for publicity at various stages and organising and funding an independent examination and referendum.

The council must ensure that a neighbourhood plan submitted for independent examination complies with all the relevant statutory requirements (required to meet a set of basic conditions which can be found in Town and Country Planning Act (paragraph 8(2) schedule 4b).

Detailed Lancaster City Council Neighbourhood Planning Guidance is available on the council's neighbourhood planning web page. This provides a step by step guide on how to take a neighbourhood plan forward in the Lancaster District.

What other organisations can provide advice and support on neighbourhood planning?

The Department for Communities and Local Government has made funding available to provide support and grants and you can apply now via the My Community website: <http://locality.org.uk/projects/building-community/>.

A wide range of other support is available and details can be found on the 'my community rights' website mycommunityrights.org.uk

Who should I contact about neighbourhood planning?

For further information about neighbourhood planning, please contact the Planning and Housing Policy Team by emailing planningpolicy@lancaster.gov.uk or 01524 582383.

Planning and Housing Policy Team
Lancaster City Council
Town Hall
Dalton Square
Lancaster
LA1 1PJ

The 'my community rights' web page communityrights.org.uk provides a wealth of information on neighbourhood planning.

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