Policy writing for your Neighbourhood Plan

Stella Scrivener
Planning Aid England Advisor
Session Aims

• To understand the difference between a policy and a project
• To explore other Neighbourhood Plan policies
• To be clear on the format our policies should take
1. Define the Neighbourhood area
2. Decide on boundary for the area
3. Prepare statement of suitability
4. Prepare statement of how the group qualify to do a Plan
5. Submission of application to the LPA
6. Formal Consultation on the application (min 6 weeks)
7. Decision is then made and group allowed to carry on
8. Apply for Neighbourhood Forum Status
9. Development of a Neighbourhood Forum
10. Prepare formal application
11. Submission of application to the LPA
12. Formal consultation on application
13. Decision is then made and group allowed to carry on
14. Prepare a project plan to get from A to Z
15. Develop a strategy to engage with the community and begin the conversation
16. Analyse that community engagement
17. Identify a vision for the Neighbourhood Plan
18. Review or develop an evidence base to back up what you want to do
19. Carry out site assessments of land to be made available for development if needed
20. Develop policies, proposals and justifications to become the backbone of your neighbourhood plan
21. Engage with community a second time on your emerging options for the neighbourhood
22. A draft plan should be emerging now and will need to be assessed against the Basic Conditions
23. The sustainability of the policies in the plan will need to be tested in a process along with any other impacts on Env
24. Agree a plan process for the formal consultation phase on the draft neighbourhood plan
25. Consult those who live, work and do business in the area and statutory consultees for a minimum of 6 weeks
26. Prepare a Consultation Statement on How, When and Where the community were consulted along the way from start to finish
27. Amend or adjust anything in the plan after your consultation
28. Submission of your new draft plan with supporting statements Basic Conditions, Consultation, (Sustainability Check)
29. LPA publicise the draft plan to those who live, work and do business in the area and statutory consultees
30. Working alongside your LPA an independent examiner will be appointed to examine the draft plan by the LPA
31. Agree when the examination should take place, how long would it take etc.
32. Provide draft plan and supporting statements to the examiner – you may want to provide extra evidence to help
33. Independent examination takes place and plan is tested against the Basic Conditions by the examiner
34. LPA Receive examiners report that advises and helps LPA to make their decision
35. Report will say that the Plan should proceed to Referendum, should proceed with changes or should not proceed.
36. Referendum funded by LPA
37. Agree date and process with LPA/Council
38. Prepare for referendum
39. Referendum takes place
40. Referendum takes place

50% or more of the turnout say YES plan is adopted by LPA
The Basic Conditions

1. Must have appropriate regard to national policy
2. Must be in general conformity with strategic elements of the Local Plan
3. Contributes toward sustainable development
4. Has special regard to desirability of preserving character and setting of listed buildings (NDO only)
5. Has special regard to desirability of preserving character and appearance of conservation areas (NDO only)
6. Compatible with EU obligations
Part of the Planning System

National Government documents:
- Secondary legislation (Regulations & Orders)
- National Planning Policy Framework (NPPF)

Produced by Surrey Heath:
- Saved Policies of the Adopted Local Plan 2000
  - Core Strategy 2012
  - Community Infrastructure Levy Policy
    Consultation closed 4th November

Produced by Chobham:
- Neighbourhood Plans
Chobham 2028 – a Vision

• Chobham in 2028 will be a vibrant, sustainable community with appropriate development that reflects the areas local distinctiveness, settled in greenbelt and a conservation area.

• **Housing** development will meet local needs with appropriate scale, size and mix.

• Preserve and enhance the **special characteristics** of the greenbelt, conservation area and **open spaces**.

• Support and encourage **commercial development** that meets local needs.

• Create a safe village with improved **connectivity** by foot and bike.

• Preserve and enhance **leisure facilities** and seek to provide one central facility.
An area in the green belt

- Enhancing the landscape, visual amenity and biodiversity
- Outdoor sport and recreation, cemeteries.
- Improve damaged or derelict land
- Buildings for agriculture and forestry;
- Extensions and alterations, Replacement of existing buildings, Re-use of buildings
- Infill
- Affordable homes
- Creating a Community Right to Build Order.
Planning policies should:

• be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency;

NPPF Paragraph 17
Beginning at the end...

- A planning application by private individuals, or sometimes public bodies, to a local council to seek approval for either a development or a change in the use of land or buildings is made.

- When a local authority receives a planning application, it will consider it against national planning policy and its own set of planning policies set out in its Development Plan/Local Plan.
There are 336 local planning authorities (not including county councils) of Local Authorities contain designated neighbourhood planning areas.

59% of Local Authorities contain designated neighbourhood planning areas.

Neighbourhood Planning

From the Ground Up
How plans are addressing issues:

• Housing
  • Upper Eden: older people, housing density
  • Exeter St James and Broughton Astley: windfall/infill
  • Thame and Cringleford: Mix of housing types
  • Woodcote: type, number, mix, infill
  • Arundel: housing supply

• Design
  • Upper Eden and Sprowston: Good quality design
  • Norland: Detailed design policies
  • Thame, Tattenhall, Cringleford and Cuckfield: Reinforce local character
  • Cringleford: High standard layouts
  • Tattenhall: Building for Life
How plans are addressing issues:

• **Open Spaces**
  - Exeter St James, Broughton Astley, Arundel and Cringleford: Protect green spaces
  - Tattenhall: Landscape and environment
  - Ascot and the Sunnings: appearance, separation,
  - Edith Weston: Open spaces, countryside, environment

• **Commercial Development**
  - Thame: Improve existing employment areas
  - Woodcote: Employment and Skills
  - Lyn Plan: Local Economy, Loss of High Street uses
  - Ascot: Attractive shopping centre
  - Broughton Astley: Shopping
How plans are addressing issues:

• Connectivity
  • Exeter St James: sustainable transport
  • Tattenhall: Transport and Communications
  • Thame, Cringleford and Ascot: Providing good pedestrian and cycle connections

• Leisure and sports facilities
  • Lynplan: Loss of local services and facilities, Improvement to and new provision of services and facilities
  • Broughton Astley: Improved leisure facilities
Let’s take a look at some Neighbourhood Plans.

What do you think?

Are the policies positively phrased?
Are the policies clear?
Can you see the evidence?
Would it work here?
What makes a good policy?

• A policy that meets the basic conditions?
• A policy that can be understood by your community?

• A policy that can be understood (and interpreted correctly) by the development management officers who will be implementing it?

• A policy that will deliver what you want it to?

• A policy that adds value to the existing planning policy framework in place?
What do the basic conditions mean for policy writing?

- Policies that fit into a clear strategy that underpins your NP where this strategy, as a whole, contributes towards the achievement of sustainable development
- Positively worded policies
- Clear and unambiguous wording
- Policies that are supported by evidence that demonstrate that the policy will contribute towards the achievement of sustainable development
Clear Strategy:

Written correctly, a series of planning policies taken together should be an expression of a clear strategy. A “strategy” can be defined as a plan of action designed to achieve a long-term or overall aim.

A good neighbourhood plan should have an overall aim – or set of aims – that forms a strategy.
Positive Language

Planning can and should be a means of planning positively for your community and for its common good.

The way in which you write your policies – the words you use – can have a major impact on their “tone” and therefore on the “story” you are telling.

“We will not allow development unless…”

“Planning permission will be granted provided that…”
Clear and unambiguous wording

You won’t achieve the goals of your neighbourhood plan if the policies it contains are muddled, long and complex or use overly technical language. Those who read your policies need to easily understand how to respond to their requirements. You need to be able to explain them to others and therefore be able to make reasoned and consistent decisions based upon them.
Sustainable development and deliverability

• A policy needs to be capable of implementing the strategy set out in your plan.
• Your plan needs to be deliverable. Your strategy will probably have a timescale attached to it (for instance 2013 – 2028) within which your policies will need to have the desired impact.
• Being clear about what that desired impact should be is a crucial part of the plan making process.
Making policies sustainable and relevant over the life of the plan

NPPF sets out guidelines on sustainability:

- **Economic** – contributes to a strong, responsive and competitive economy;
- **Social** – supporting strong, vibrant and healthy communities with housing to meet the needs of the present and future generations;
- **Environmental** – protecting and enhancing our natural, built and historic environment, improving biodiversity, minimise waste and pollution and promoting a low carbon economy.

One of the Basic Conditions
The “Do’s and Don’ts” of policy writing

Do:
• Write in plain English, avoiding jargon
• Be clear and precise
• Support with evidence, not just local opinion
• Write in positive terms, where possible
• Check against national planning policy and the strategic objectives in the Local Plan
• Make sure the policy can have an affect during the life of the plan
• Work with your Local Planning Authority
The “Do’s and Don’ts” of policy writing

Don’t:
• Try covering every eventuality
• Duplicate other planning documents
• Develop unsupported statements
• Use double negatives
• Use ambiguous wording e.g. ‘normally’
• Develop a policy if it is already covered sufficiently in the NPPF or Local Plan
Recommended format

• Intention – what do we want?

• Justification - why is this right for our area?
  – Evidence, National Policy, Local Policy, Engagement findings

• Policy
  – Planning Permission will be granted provided that...
Writing a policy

• Let’s have a go at drafting a policy for the Neighbourhood Plan:
  – What objective will the policy help achieve?
  – What is the policy trying to achieve?
  – Why is this the right approach for our area?
  – The technical bit – how could we word the policy?
Documents to prepare:

• The Neighbourhood Development Plan

• The Basic Conditions Statement

• The Consultation Statement
Next steps:

• Draft of NDP prepared

• Regulation 14 Consultation

• Submission for Examination

• Examination

• Referendum
Session Aims

• To understand the difference between a policy and a project
• To explore other Neighbourhood Plan policies
• To be clear on the format our policies should take
How to get in touch with us

Stella Scrivener  Tel: 0203 206 1894  
Email: stella.scrivener@planningaid.rtpi.org.uk

National
Advice Line: 0330 123 9244
E-mail: advice@planningaid.rtpi.org.uk
Web: www.rtpi.org.uk/planningaid