

General information about the Planning System and Neighbourhood plans

Regulation 4(3)(b)(v) of the Neighbourhood Planning (Referendum) Regulations 2012 (as amended)

The Planning System

Planning involves making decisions about the future of our cities, towns and countryside and considering the sustainable needs of future communities. Most new buildings, major changes to existing buildings or major changes to the local environment need some form of planning consent. Without a planning system everyone could construct buildings or use land in any way they wanted, no matter what effect this would have on other people who live and work in their area.

Daventry District Council is responsible for making decisions on whether applications for planning permission are appropriate. The starting point for decision making is the development plan, unless material considerations indicate otherwise. Material considerations include National Planning Policy and Guidance.

National Planning Policy and Guidance

The National Planning Policy Framework (NPPF) was published on 27 March 2012. The framework gives guidance to local councils in drawing up local plans and on making decisions on planning applications. It includes a presumption in favour of sustainable development.

The National Planning Policy Guidance launched in 2013 contains further guidance to support the delivery of the main objectives of the NPPF.

Development Plan (Local Plans)

The West Northamptonshire Joint Core Strategy Local Plan (Part 1) was adopted in December 2014. It sets out the long-term planning vision and objectives for the whole of the West Northamptonshire area up to 2029. It establishes a spatial strategy, identifies specific locations for new strategic housing and employment and policies for transport infrastructure and other supporting facilities.

The Joint Core Strategy Local Plan (Part 1) will be supported by Part 2 Local Plans to be produced by each of the individual Local Planning Authorities within West Northamptonshire. Daventry District Council carried out consultation on Issues and Options Documents for its Settlements and Countryside Local Plan (Part 2a) and the Gypsy and Travellers and Travelling Showpeople Local Plan (Part 2b) in January/February 2016. The Council subsequently decided to combine the Part 2 Plans into a single plan. The Part 2 Plan will help support the strategic objectives of the Part 1 plan and will help to further guide development at a District wide level. The timetable for production of the Part 2 Plan is set out in the Local Development Scheme adopted in December 2017.

Further to the above there are currently a number of policies that remain saved from the 1997 Local Plan and form part of the current Development Plan in the District with the Joint Core Strategy.

Further information on Local Plans is available on the District Council's website;

<https://www.daventrydc.gov.uk/living/planning-policy/>

Neighbourhood Planning

Neighbourhood planning was introduced under the Localism Act to give members of the community a more hands on role in the planning of their neighbourhoods. It introduced new rights and powers to allow local communities to shape new development in their local area by coming together to prepare neighbourhood development plans (usually referred to as neighbourhood plans). It enables communities to develop a shared vision for their neighbourhood and deliver the sustainable development they need through planning policies relating to the development and use of land. Neighbourhood plans can be prepared by Parish Councils or neighbourhood forums (in areas not covered by a Parish).

The local community can decide what to include in a neighbourhood plan, but it must meet the following 'Basic Conditions':

- Must have regard to national planning policy and advice contained in guidance issued by the Secretary of State
- Must contribute to the achievement of sustainable development
- Must be in general conformity with strategic policies in the development plan for the local area (i.e. the Local Plan)
- Must be compatible with EU obligations and human rights requirements.

Furthermore neighbourhood plans should not promote less development than set out in the Local Plan or undermine its strategic policies.

There is a statutory process that must be followed for the making of a neighbourhood plan. The neighbourhood area (area to which the plan relates) must be designated and there can only be one neighbourhood plan for each neighbourhood area. The neighbourhood plan must also specify a period for which it is to have effect.

The draft plan must be prepared through a process of consultation with local residents and businesses and the final draft plan must be subject to a set 'publicity period', where people are given an opportunity to submit comments. An independent examiner reviews these comments and checks whether the neighbourhood plan meets the basic conditions and other requirements set out in the regulations. This is to make sure that referendums only take place when proposals are workable and of a decent quality. The examiner then reports whether any modifications should be made to the plan and whether it should proceed to referendum stage.

The Council then decide, having regard to the statutory criteria, whether to accept the recommendations and proceed through referendum. If the neighbourhood plan proceeds to referendum, the Council are responsible for organising the referendum. The referendum will consider whether the local planning authority should use the neighbourhood plan for the area concerned to help it decide planning applications. All those registered to vote within the neighbourhood area are entitled to vote in the referendum.

The local planning authority must make a neighbourhood plan which is the subject of a Referendum if more than half of those voting have voted in favour of the plan. The local planning authority must make or adopt the plan as soon reasonably practicable after the Referendum is held if the vote is in favour of the plan. Once made and adopted the neighbourhood plan will be part of the statutory development plan and will be used in determining decisions on planning applications.

Additional information in relation to neighbourhood planning is available on the following website:

<https://www.gov.uk/neighbourhood-planning>