



General Information about Neighbourhood Planning and Neighbourhood Plan Referendums

What is neighbourhood planning?

Neighbourhood planning was introduced under the Localism Act 2011 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.

Who can prepare a neighbourhood plan?

Neighbourhood plans can be prepared by Parish Councils or neighbourhood forums (in areas not covered by a Parish). The Bradleys Both Neighbourhood Plan has been prepared by Bradleys Both Parish Council.

What is a neighbourhood area?

The neighbourhood area is the area to which the neighbourhood plan relates. For Town and Parish council's there is a strong presumption that the neighbourhood area will be the same as the parish boundary. However, a neighbourhood area may be focused around a smaller area, such as a town or local centre. Once the area has been identified, it will need to be submitted to the local planning authority for designation.

What can be included in a Neighbourhood Plan?

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 the European Convention on Human Rights.

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

Process of Preparing a Neighbourhood Plan

There is a statutory process that must be followed for the making of a neighbourhood plan. There can only be one neighbourhood plan for each designated 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. The final draft plan is then formally submitted to the local planning authority who arranges a 6 week consultation period, where the public are given an opportunity to submit comments. An independent examiner, appointed by the local planning authority, reviews these comments and examines whether the neighbourhood plan meets the basic conditions and other requirements set out in the regulations. The examiner then reports whether any modifications should be made to the plan and whether it should proceed to referendum stage.

Following receipt of the examiner's report, the local planning authority then decide, having regard to the statutory criteria, whether to accept the recommendations and proceed through to referendum. If the neighbourhood plan proceeds to referendum, the Council are responsible for organising the referendum.

What is a neighbourhood plan referendum?

The referendum will be conducted in accordance with procedures similar to those used at local government (council) elections.

The referendum will consider whether the local planning authority should use the neighbourhood plan, containing the modifications recommended by the independent examiner, 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 and will be asked the following question:

Do you want The North Yorkshire Council to use the neighbourhood plan for Bradleys Both to help it decide planning applications in the neighbourhood area?

The local planning authority must make or adopt the neighbourhood plan (i.e. make it part of the development plan) if more than half of those voting in the referendum vote 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.