

Neighbourhood Planning

General information statement on Town & Country planning, including Neighbourhood Planning and the Referendum



May 2023

Introduction

This statement has been produced to support North Norfolk District Council's role in organising Neighbourhood Plan referendums. It provides general information about the planning system, and in particular the role of Neighbourhood Plans, and summarises how they are produced, their role and purpose.

The Planning System

The planning system manages the use and development of land, with the aim of creating sustainable places to live and work. Planning law requires that applications for planning permission are determined in accordance with the Development Plan unless material considerations indicate otherwise.

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways:

These are an economic objective, a social objective and an environmental objective.

These objectives should be delivered through the preparation and implementation of positively prepared plans and the application of the policies in the wider Development Plan in the determination of proposals. The planning system is genuinely plan-led and the Plans that make up the Development Plan should be up to date and provide a positive vision for the future of each area. Collectively, the Development Plan provides the framework for addressing housing needs and other economic, social, and environmental priorities such as the need for community facilities and infrastructure as well as a basis for conserving and enhancing the natural and historic environment, mitigating, and adapting to climate change, and achieving well designed places. Without a planning system in place, development would not be controlled and could potentially take place anywhere and in any form, resulting in considerable impact on the environment, local infrastructure provision, services, and facilities. Potential development is managed through planning applications, using the adopted Development Plan as the basis to make decisions, and which is made up of the District Local Plan, Norfolk County Council's Minerals & Waste Local Plan, the National Planning Policy Framework, and relevant neighbourhood plans.

The planning system has two parts which are usually the responsibility of the local planning authority:

- Plan making - setting out proposals for development and policies to guide development.
- Development management – where planning decisions are made through the assessment of planning applications.

Not all forms of development require planning permission as some proposed development, depending on the scale and type, is covered by national permitted development rights. In the case of development that requires planning permission, North Norfolk District Council is responsible for deciding whether this development should go ahead on proposals that fall inside the District but outside the Broads Authority Executive Area. Proposals that accord with an up to date Development Plan should be approved without delay.

National Planning Policy Framework

The [National Planning Policy Framework \(2021\)](#) (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. The NPPF gives guidance to local planning authorities in drawing up Development Plans and on making decisions on planning applications. The NPPF includes a presumption in favour of sustainable development and sets out core planning principles. [Planning Practice Guidance \(PPG\)](#) supports the NPPF and provides further guidance on planning issues, including Neighbourhood Planning.

Local Plans

Local Plans are prepared by local planning authorities (North Norfolk District Council and the Broads Authority) and set out the strategic priorities and planning policies for each local authority area. The policies in a Local Plan set out to deliver key development including homes and jobs required, the provision of retail and community facilities and infrastructure. They also set out key policies relating to managing and adapting to climate change, conservation and enhancement of the natural and historic environment and address local priorities at a strategic District level. Local Plans must be positively prepared, justified, effective, and be consistent with national policy.

[North Norfolk Local Plan](#)

The current adopted Local Plan comprises two parts:

- The Core Strategy & Development Management Policies (2008); and,
- Site Allocations (2011)

A number of Supplementary Planning Guidance Documents (SPDs) also sit alongside these development plan documents and provide additional detail and guidance around how the Council will implement policies in the Local Plan. More information can be obtained at www.north-norfolk.gov.uk/ldf

[Emerging updated Local Plan](#)

The Council is in the advanced stages of updating the Core Strategy and Site Allocations document and has submitted to the Secretary of State for examination an updated Local Plan. Once examined and adopted this new Local Plan will replace the Core Strategy and Site Allocations as the most up to date Development Plan. More information on this and the examination process can be obtained at www.north-norfolk.gov.uk/localplan

Neighbourhood Planning

Neighbourhood planning was introduced under the 2011 Localism Act. It provides the opportunity for local communities to shape future development in their local area, through the development of a neighbourhood plan, which will be used alongside local and national planning policies when determining planning applications.

Neighbourhood plans can be developed before, after, or in parallel with a Local Plan, but the law requires that they must be in general conformity with the strategic policies in the adopted Local Plan for the area (and any other strategic policies that form part of the statutory development plan where relevant).

Neighbourhood plans are not obliged to contain policies addressing all types of development, nor should they repeat or duplicate existing policy approaches in the wider Development Plan. Policies should be clear, concise, precise, and take account of and be informed by the latest up to date evidence. Policies in neighbourhood plans should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared. As with the wider development Plan any neighbourhood plan needs to be in general conformity with the approaches set out in the Local Plan and the NPPF and only seek to add local distinction where necessary and justified through proportionate evidence.

The development of a neighbourhood plan is led by a 'qualifying body', which in the case of North Norfolk is a relevant town or parish council.

Neighbourhood plans have to be produced in accordance with the requirements set out in statute and meet a number of "basic conditions", as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990, in order to proceed to referendum stage. An independent examiner is first appointed to check that an emerging plan meets the basic conditions, as set out below:

- Have regard to national policies and advice contained in guidance issued by the Secretary of State;
- Contribute to the achievement of sustainable development;
- Be in general conformity with the strategic policies of the development plan for the area; and,
- Be compatible with European Union (EU) and European Convention on Human Rights.

There is a statutory process that must be followed in order to produce and adopt a neighbourhood plan. The neighbourhood area (area to which the plan relates) must be designated by the District Council following an application from the qualifying body. 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 engagement and consultation with local residents' businesses and be supported by the Local Authority and must be subject to formal consultation periods as outlined in the statutory regulations, providing the opportunity for all interested parties to make comments. All comments received must then be assessed and, where relevant and justified, reflected in refinements to the plan.

Once a draft neighbourhood plan has been completed it is submitted to the Local Planning Authority for independent examination and a further consultation is undertaken to inform the examination process. The independent examiner will assess whether the neighbourhood plan meets the basic conditions mentioned above and consider the representations received at the time of the final consultation. The examination concludes with the publication of an examination report, advising the local planning authority if the submitted plan meets the basic conditions tests, or first requires modifications and whether or not the neighbourhood plan should proceed to referendum.

The District Council will then decide, having regard to the statutory criteria, whether to accept the recommendations and proceed through to referendum. Such notification is publicised through the issuing of the Decision Statement. Any Referendum is organised by the local planning authority.

People who are registered electors in the neighbourhood area will be entitled to vote in the referendum and will receive a poll card and further information at the time. Referendums are conducted following similar procedures to those used at local government elections. For further information on the conduct of the referendum, including deadlines for registration, postal and proxy votes can be found on the Referendum Information Statement published with the referendum documents on the appropriate neighbourhood planning web pages accessed through www.north-norfolk.gov.uk/neighbourhoodareas

If more than 50% of people voting in the referendum support the neighbourhood plan, the local planning authority must bring it into force. The local planning authority must "make" the neighbourhood plan as soon as reasonably practicable after the successful outcome of a referendum. Once made, a neighbourhood plan will be part of the statutory development plan and be used in determining planning applications within the neighbourhood area.

More information on neighbourhood planning can be obtained from www.north-norfolk.gov.uk/neighbourhoodplans. For specific questions regarding the content of neighbourhood plans enquirers should be directed to the relevant town or parish council as the author and qualifying body.