# NEIGHBOURHOOD PLAN REFERENDUM – General Information Statement on Town and Country Planning (including neighbourhood planning)

Date issued: August 2024

Wealden District Council

## Neighbourhood Plans

*Neighbourhood Planning*

The 2011 Localism Act gave Parish and Town Councils new powers to produce neighbourhood development plans, or to grant planning permission for specified developments or types of development (neighbourhood development orders and community right to build orders). Of these, neighbourhood plans have been by far the most popular. Neighbourhood Plans give communities the opportunity to shape the development of their area so that it is locally distinctive.

*What is a Neighbourhood Plan?*

A local community can prepare a neighbourhood plan to help shape future development in its area. In Wealden, this must be led by either a Town or Parish Council. If the plan has been prepared via a public consultation and in accordance with the relevant legislation, it can then proceed to a referendum if recommended to do so by an Independent Examiner. If the neighbourhood plan is supported by a simple majority of votes in the referendum (at least 50% of votes cast), it can then become part of the statutory "development plan" for the area alongside the District Council's Local Plan. The neighbourhood plan must then be taken into account when deciding on whether to grant planning permission for planning applications in the area.

*Who can prepare a Neighbourhood Plan?*

A neighbourhood plan can be prepared by the relevant parish/town council where there is one or by an appropriate Community Forum in non-parished areas (both parish/town councils and community forums are sometimes referred to as a Qualifying body). In Wealden, as there is complete coverage by Parish and Town Councils, it is these bodies that lead on creating a neighbourhood plan, if they choose to do so.

*What can be included in a Neighbourhood Plan?*

Neighbourhood plans are generally about 'development' (broadly speaking this includes new buildings, other construction and changes of use of land) although they can sometimes include community actions and projects. A neighbourhood plan can help shape future development in an area, but it cannot stop development or plan for less development than that included in the District Council's Local Plan. A neighbourhood plan must:

- Support sustainable development;
- Generally conform to the strategic policies in the local plan;
- Have regard to national planning policies;
- Comply with relevant legislation; and
- Specify the period it will cover.

A neighbourhood plan may include allocations of land for development, design and other criteria to be applied in the area. Neighbourhood plans often contain policies to reinforce the local distinctive character of the area, to protect local green spaces and other community assets of local importance, plus measures to address specific local issues that may not always be dealt with at a more strategic level.

*How is a Neighbourhood Plan prepared?*

Neighbourhood plans will affect what may, or may not, receive planning permission so they must go through stages of formal consultation to provide opportunities to comment and to meet the tests laid down in legislation. The process for preparing a neighbourhood plan includes examination by an Independent Examiner to decide whether the plan meets the legal tests mentioned above, and a referendum to test the local support for the plan.

Wealden District Council (as the local planning authority) must administer key parts of this process, particularly at the later stages of plan preparation, such as the appointment of the Independent Examiner, the holding of the Referendum and the Neighbourhood Plan's final adoption.

The decisions it must make in this process relate to whether the plan complies with nationally laid down rules and policies. It is the local community's plan, and it is they who will have to do most of the work and make the decisions on what they want in their plan, although the District Council will provide advice and assistance as the local planning authority.

**Town and Country Planning**

*Background*

The current British planning system was established in 1947 and grew from concerns that arose from uncoordinated development in the 19th and early 20th centuries which had resulted in severe adverse impacts on health, economic efficiency, quality of life and the environment.

The system seeks to ensure that owners of property in Britain do not have a right to build or change the use of land as they please, but rather must obtain planning permission to do so. The planning system endeavours to:

- Co-ordinate the activities of different developers and agencies;
- Protect features and qualities of acknowledged public interest;
- Provide a degree of certainty for investors, landowners, residents and other stakeholders; and
- Co-ordinate the provision of infrastructure and other facilities.

These different aims and considerations are often in tension, and so there are difficult and controversial decisions to be made in balancing them when considering whether to grant planning permission or to include something in a plan.

*National Planning Policy Framework (NPPF)*

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The framework 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 to be followed which include environmental, social and economic aspects. National Planning Practice Guidance (PPG) supports the NPPF and provides further guidance on planning issues such as neighbourhood planning.

*Local Planning Decisions*

Decisions on applications must be made in accordance with the adopted development plan, unless there are proper planning considerations (known as material considerations) indicating otherwise. One of the important considerations which must be taken into account is national (government) planning policy, including the NPPF and associated PPG. This tells local planning authorities which issues they should consider, how decisions should be reached, how plans should be prepared and what they should contain.

Decisions are made by elected councillors, although advised by specialist planning officers. Some routine decisions (e.g. planning applications clearly in accordance with, or contrary to adopted plans) will usually be delegated by councillors to officers to avoid unnecessary delays.

A local planning authority's decision to refuse planning permission can be challenged and reviewed by an independent planning inspector appointed by the Secretary of State. This is known as an appeal.

*Local Plans*

The planning system should be plan-led. The local planning authority is required to produce a local plan for the future development of the area. Local plans commonly include policies setting out the overall scale and location of development, and more detailed policies identifying the specific sites and the type and amount of development sought in each area together with other policies that manage impacts on the environment and other characteristics of an area.

Local plans must provide for enough housing and employment development to meet the anticipated growth in an area, usually for at least the next fifteen years, and have to be in general accordance with national planning policy.

Once the local planning authority has decided the plan it wishes to adopt it is then tested against legal requirements and national policy by an

independent planning inspector who will consider the views of those who oppose or support the plan and decide whether it can be adopted.

**Referendum on the Neighbourhood Plan**

The Referendum will be held on Thursday 26 September 2024. It will be administered by Wealden District Council. The Referendum will ask you to vote Yes or No to the following question through a ballot paper:

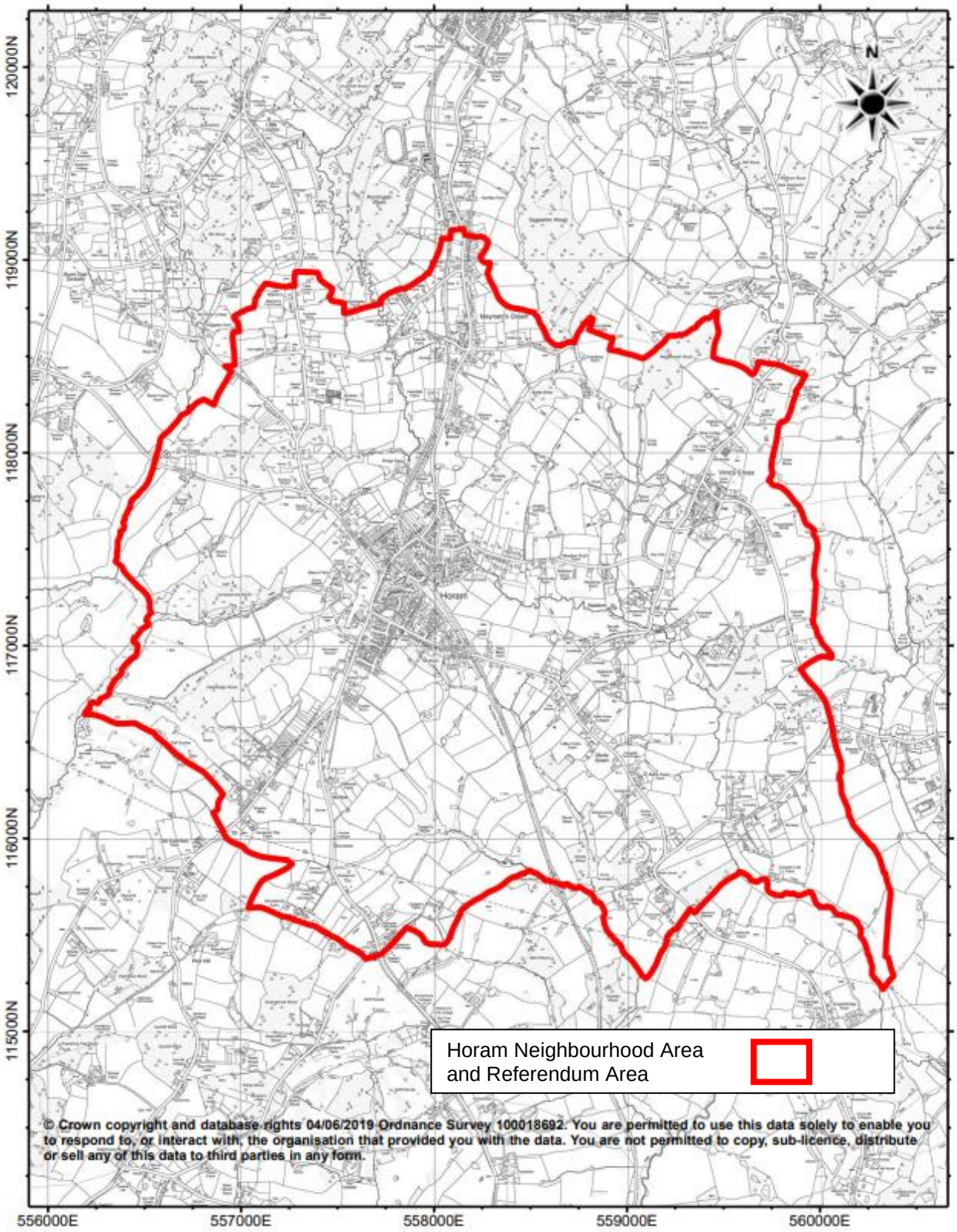
*Do you want Wealden District Council to use the neighbourhood plan for Horam to help it decide planning applications in the neighbourhood area?*

*What does the vote mean?*

If more people vote “Yes” than “No” in this Referendum, then the Horam Neighbourhood Plan will be able to become part of the development plan for Wealden. Wealden District Council will then use the Neighbourhood Plan to help it decide planning applications in the Horam area. If more people vote “No” than “Yes”, or if the vote is tied, then the Neighbourhood Plan will not form part of the development plan.

*The Referendum area*

The Referendum area is identified as the Horam Parish boundary and is identical to the area which has been designated as the Horam Neighbourhood Plan Area. This is shown on the page below.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