

A NEIGHBOURHOOD PLAN:

EXECUTIVE SUMMARY:

The Rushcliffe Borough Council (RBC) is currently revising its Local Development Plan for future development in the Borough and when approved it will become a **Statutory Local Development Plan** to inform planning applications.

In addition to this Statutory Local Development Plan, a community can prepare a **Neighbourhood Plan** and a **Community Plan**, or both. *If adopted, a Neighbourhood Plan will form part of the RBC's Statutory Local Development Plan, whereas a Community Plan will not.* A Community Plan can cover all things that are important to a community such as housing, health, education and transport, etc; *but a Neighbourhood Plan can only relate to the use and development of land.*

At present, a Radcliffe Community Plan is being prepared and the Parish Council has representatives on its Steering Committee.

The **Community Infrastructure Levy** (CIL) is a new financial levy that RBC *can choose* to charge on new developments in Rushcliffe. This levy is designed to be fairer, faster and more transparent than the **Section 106 Agreement** (of the Town & Country Planning Act 1990) that is currently used by RBC. However, it is not known if the RBC will adopt the new CIL.

The CIL charges are based on the size and type of new development and the money raised can be used to support infrastructure projects such as new or safer roads, or a new health centre, or extensions to schools. The CIL rewards communities that have new development in their area by giving them either 15% of the financial levy collected in their area, *or 25% "as of right" if they have an approved Neighbourhood Plan.*

The Parish Council needs to decide if it wishes to promote a Neighbourhood Plan for Radcliffe. If it does, *and once the NP area is approved by RBC, the RBC has a statutory or legal duty* to provide technical advice and financial support to the Parish Council, eg, arranging meetings, providing data, checking the plan, advice on planning matters, providing technical support, publicising the plan and organising the referendum. etc.

BACKGROUND LEGISLATION & INFORMATION FOR A NEIGHBOURHOOD PLAN:

1. **The Localism Act 2011** introduced new powers for a community to make a Neighbourhood Plan with effect from April 2012. A Neighbourhood Plan sets policies and proposals for future development in a neighbourhood, *but only for the development and use of land*, eg, where new homes should be built, what they should look like, and which green spaces should be protected. *It can provide more detailed policy than RBC might have in its Strategic Local Development Plan* and it can specify the design quality of houses and places and buildings to be preserved because of environmental quality.
2. A Neighbourhood Plan is *usually promoted by a Parish Council* for its area.
3. If adopted by the RBC, *a Neighbourhood Plan will have more weight in planning decisions than a Community Plan, because it will form part of the statutory process and it will be used in making decisions on planning applications.*

4. A Neighbourhood Plan should focus on guiding development rather than stopping it. It should set out some ground rules for future development in Radcliffe, but it must be in broad conformity with the strategic policies in RBC's Statutory Local Development Plan and the National Planning Policy Framework. The Neighbourhood Plan must take into account the RBC's assessment of housing and other development needs for the local area. It would for example have to accept the RBC's current proposal for 400 new homes in Radcliffe and the constraints of the Green Belt around the village.
5. *If the CIL is used by the RBC, then the Radcliffe Parish Council will receive "as of right" 25% of the funds collected in its area from new development and this could be a significant amount.*

THE PROCESS:

1. *Only the Parish Council can start the Neighbourhood Plan process* and it has to agree the area to be designated, usually the Parish Boundary. The Parish Council submits a proposed NP area, including a map and statement of its competency, to RBC and asks them for a date on when they will make a decision. *Work on a Neighbourhood Plan can only commence formally when the NP area has been designated by RBC.*
2. If the proposal is approved by RBC, the Parish Council is the "qualifying body" for leading and producing the NP and *it may choose* to put together a working or steering group of community representatives to assist in the process. This helps to ensure that the NP is community-led and the Community Plan will be useful in this process.
3. *There are several sources of advice and financial support for neighbourhood planning in addition to RBC which by law has to assist*, namely, "The Supporting Communities in Neighbourhood Planning Programme" which can give support from 1 May 2013 by either direct support and advice with an average value of equivalent to £9,500 or a grant payment of up to £7,000 to costs incurred by the group preparing the NP or both; the Planning Aid Organisation; and the Prince's Foundation for the Built Environment. The Government has provided £50 million until March 2015 to support Neighbourhood Planning. (Keyworth received about £20,000).
4. The Parish Council submits its proposed Neighbourhood Plan to RBC and they will check that the proper procedures have been followed.
5. RBC will publish the plan for consultation and representations from the public to be made.
6. Following a period of publicity, RBC will arrange and pay for *an independent examination* of the NP, usually by a planning consultant, to test that the plan complies with their Local Development Plan, any adjoining Neighbourhood Plans, National Planning Policy and EU legislation. *If the NP is not in broad conformity then it will not be adopted and time, effort and money will have been wasted.*
7. RBC organises and pays for *a public referendum* where a straightforward majority of the votes cast is required for the NP to be adopted by RBC. The referendum ensures that the local community has the final say on whether or not the Neighbourhood Plan comes into force in their area.