Neighbourhood Plans

What is a Neighbourhood Plan?
A local community can prepare a neighbourhood plan to help shape future development in its area.

If it successfully passes all the stages (including being supported by a majority of votes in a referendum) the neighbourhood plan will become part of the official ‘development plan’ for the area, alongside the District Council’s local plan. It then must be taken into account when the District Council, or a planning inspector, is deciding planning applications in the area.

Who can prepare a Neighbourhood Plan?
A neighbourhood plan is prepared by the relevant parish/town council.

What can be in a Neighbourhood Plan?
Neighbourhood plans are about ‘development’ (broadly speaking building construction and changes in the use of land). A neighbourhood plan can shape the future development in an area, but it cannot stop all development, or plan for less than that included in the District’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, and
- comply with relevant legislation; e.g. ensure environmental matters are taken into account, protect certain species and habitats, human rights, etc.
- specify the period it will cover.

While a neighbourhood plan must be in general conform to the local plan strategic policies for the area (e.g. the overall role of the area, the general scale and type of development planned), it can vary in detail from the local plan. This can involve additional or different allocations of land for development, different development boundaries, different design and other criteria to be applied in the area, etc. Where there is a contradiction between a neighbourhood plan and the local plan, it is the most recent one that counts.

Neighbourhood plans often contain policies to reinforce the local character of the area, to protect local green spaces and other features of particular local importance, plus measures to address particular local problems or shortages.

There is no set format for a neighbourhood plan. It could be very brief and focused (perhaps just one policy) or very long and complex. Much will depend on what are the agreed local priorities, and what resources, interests and skills are available in the local community who prepare it.
How is a Neighbourhood Plan prepared?
Because neighbourhood plans will affect what may, or may not, receive planning permission they must go through stages of formal consultation to make sure everyone has an opportunity to comment on them, and that they meet tests laid down in legislation. These procedures include examination by an independent expert, to decide whether the plan meets the legal tests mentioned above, and a referendum to gauge the level of local support for the plan.

The District Council (as local planning authority) has to administer key parts of this process. The decisions it has to make in this process are not whether the District Council agrees with or supports the content of the neighbourhood plan, but 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 (or commission consultants to do this for them) and make the decisions on what they want in their plan, although the District Council will provide advice and assistance.

For more information please see the Neighbourhood Plans page of the South Norfolk Council website.

Town and Country Planning
Background
The town and country planning system exists to protect and promote the public interest in the way land is used and developed. All advanced economies have formal planning systems, though the details of how they operate vary, while simpler societies usually have less formal controls on new building.

The current British planning system was established in 1947, and grew out of concern that uncoordinated development in the 19th and early 20th century had resulted in severe adverse impacts on health, economic efficiency, quality of life and the environment. Owners of property in Britain do not have a right to build or change the use of land as they please, but must obtain planning permission to do so. (Some development, typically minor changes, is ‘permitted development’; thus benefits from an automatic permission.)

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.

More broadly the system aims to balance the needs and aspirations of the immediate site or locality with those for the wider area and country within which it sits, and to balance current concerns against longer term interests.

Inevitably 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 include something in a plan. (Planning decisions often seem easy if only one consideration is taken into account!)

Local Planning Decisions

The responsibility for making most of these difficult decisions is given by Parliament to the local planning authority which, in this area, is South Norfolk District Council.

Planning authorities cannot, however, make a decision any way they may please. Prior public consultation is required in most cases. Decisions on applications must be made in accordance with the adopted development plan, unless there are proper planning considerations suggesting otherwise.

One of the important considerations which must be taken into account is national (government) planning policy, including the National Planning Policy Framework. This tells local planning authorities which issues they should consider most important, how decisions should be reached, how plans should be prepared and what they should contain, etc.

Decisions are made by elected councillors, advised by specialist planning officers, though routine decisions (e.g. planning applications clearly in accordance with, or contrary to, adopted plans) will usually be delegated by councillors to senior officers; because of the volume of work and pressures of time.

There is provision for the planning decisions of the local planning authority to be challenged and reviewed by an independent planning inspector (or, if the issue is the legality of the decision or the way it was reached, the courts).

Local Plans

The local planning authority has to produce local plans for the future development of the area. Local plans (previously known as local development frameworks) may consist of one or more separate plans or documents. These would commonly include (as is the case in South Norfolk) a core strategy document setting out the overall scale and broad location of development, and a site allocations document identifying the specific sites and the type and amount of development sought on each area.

Local plans usually look forward at least 15 years, and must provide for enough housing and employment development to meet the anticipated growth in the area over that period, and have to be in general accordance with national planning policy. Ideas for how this might be done are refined and reconsidered through successive rounds of consultation and discussion, often over a period of several years, but rarely is consensus reached; so the local planning authority must make difficult choices between competing views and proposals. Once the local planning authority has decided the plan it wishes to adopt it is 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 and brought into force.

Under current national policy if local plans are not successfully brought up-to-date and adopted, or less housing development than needed actually takes place, it will be difficult for the local planning authority to refuse a planning application for housing development unless it seriously contravenes national policy, even if it contravenes the local or neighbourhood plan.

Neighbourhood Planning

Parish and town councils are statutory consultees for planning applications and local plans. This means they are consulted about these and are able to put forward any views they may have on these.

The 2011 Localism Act gave them (and communities in unparished areas that had successfully applied for designation as a neighbourhood forum) additional new planning 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. (For further information on neighbourhood plans, see section above.)
Voting in the Referendum

The Referendum area

The Referendum area is identified as the parish area of Mulbarton and is identical to the area which has been designated as the Mulbarton Neighbourhood Plan area.

Referendum Expenses

The Referendum expenses limit that will apply in relation to the Referendum is £2,362, plus the number of persons entitled to vote in the Referendum by reference to which that limit has been calculated; i.e. number of entries in the current register (2795) x 5.9p.

Specified Documents

A copy of the specified documents, that is the documents listed below, may be inspected at the following:-

- South Norfolk Council, Swan Lane, Long Stratton, Norwich NR15 2XE between the hours of 8.15am to 5.00pm Monday to Friday. Tel: (01508) 533704 or email elections@s-norfolk.gov.uk.

- Mulbarton Parish Council Office, The Common, Mulbarton, Norfolk, NR14 8AE Tel:(01508)578134 or email mulbartonparish@btinternet.com

The specified documents are:-

- The draft Mulbarton Neighbourhood Plan
- Report of the Independent Examiner
- Summary of the representations submitted to the Independent Examiner
- Statement by the Local Planning Authority that the Draft Plan meets the basic conditions
- A statement that sets out general information as to town and country planning including neighbourhood planning and the Referendum

All of the above documents can be viewed on the Council’s website.

Can I Vote?

You can vote in the Referendum if you live in the Parish of Mulbarton and:-

- You are registered to vote in Local Government Elections, and
- You are 18 years of age or over on 10 December 2015
You have to be registered to vote by 24 November 2015 to vote in the Referendum. You can check if you are registered to vote by calling (01508) 533704.

The Referendum will be conducted in accordance with the procedures which are similar to those used at Local Government Elections.

Ways of Voting

There are three ways of voting:

**In person on 10 December 2015**

- Most people vote in person at their local polling station. It is easy and the staff on duty will always help if you are not sure what to do.
- In Mulbarton the polling station is:
  - Mulbarton Village Hall, The Common, Mulbarton, Norwich. NR14 8AE
- You will receive a poll card telling you that this is your polling station.
- If you do not receive your poll card you can contact us on (01508) 533704.
- The polling station will be open from 7am to 10pm.
- If you are not in the queue for a ballot paper by 10pm you will not be able to vote; so make sure you arrive in plenty of time.

**By post**

- To vote by post you need to complete an application form and send it to Electoral Services, South Norfolk Council, Swan Lane, Long Stratton, Norwich, NR15 2XE to arrive by 5pm on Wednesday 25 November 2015.
- Ballot papers can be sent overseas, but you need to think about whether you will have time to receive and return your ballot papers by 10pm on 10 December 2015.
- You should receive your Postal Vote about a week before polling day. If it does not arrive in time, you can get a replacement up to 5pm on Friday 4 December.

**By Proxy**

- If you cannot go to the polling station, and do not wish to vote by post, you may be able to vote by proxy. This means allowing somebody you trust to vote on your behalf.
- To vote by proxy, you need to complete an application form and send it to Electoral Services, South Norfolk Council, Swan Lane, Long Stratton, Norwich, NR15 2XE to arrive by 5pm on Wednesday 2 December 2015.
  This is for a new Proxy only. Changes to existing arrangements need to be made by 5pm on Wednesday 25 November 2015.
- When you apply for a proxy vote you must say why you cannot vote in person.
- Anyone can be your proxy as long as they are eligible to vote and are willing to vote on your behalf. You will have to tell them how you want to vote.

Postal and proxy vote application forms are available from us on (01508) 533704.

**Am I Registered to Vote?**

- If you are not registered you will not be able to vote.
- If you are not on the Electoral Register, you will need to complete an Invitation to Register form and send it to Electoral Services, South Norfolk Council, Swan Lane, Long Stratton, Norwich, NR15 2XE to arrive no later than Tuesday, 24 November 2015.

Registration forms are available from Electoral Services on (01508) 533704 or alternatively you can register yourself at [www.gov.uk/registertovote](http://www.gov.uk/registertovote).