

General Information Document on Town and Country Planning, including Neighbourhood Planning

Introduction

In light of the forthcoming referendum to be held in Bridge on its proposed Neighbourhood Plan, this document is intended to explain how the planning system and Neighbourhood Plans work.

It is important to note the following:

- a Neighbourhood Plan will NOT preclude additional housing development that is not contained in the Neighbourhood Plan - it simply does not have the power to do so. See 7.3 below
- the planning system is not normally concerned with issues around land ownership

Background information

1. The planning system

1.1 The planning system manages the use and development of land and buildings with the aim of creating sustainable places to live and work. Without a planning system in place, development would not be controlled and could take place anywhere with considerable impact on people and the environment. Potential development activity is managed through planning applications, using local plans as a basis to make decisions.

1.2 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 over a period of time.
- **development management** – where planning decisions are made through the assessment of planning applications.

1.3 Not all forms of development require planning permission as some proposed development, depending on the scale and type, is covered by permitted development rights. For development that requires planning permission, Canterbury City Council is responsible for deciding whether the development should go ahead.

Decisions on planning applications in Bridge parish are currently based on the National Planning Policy Framework (NPPF), the adopted Canterbury District Local Plan (2017) and the Kent Minerals and Waste policies.

If 'made' (adopted) the Bridge Neighbourhood Plan 2022-2037 will also become part of the Development Plan and be used in decision making on planning applications within the parish.

2. National Planning Policy Framework (NPPF)

2.1 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 (NPPG) supports the NPPF and provides further guidance on planning issues such as neighbourhood planning.

3. Local Plans

3.1 Local Plans are prepared by Local Planning authorities and set out the strategic priorities and planning policies for the 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.

Policies relating to managing climate change, conservation and enhancement of the natural and historic environment are also included.

Local Plans must be positively prepared, justified, effective and consistent with national policy in line with s20 of the Planning and Compulsory Purchase Act 2004 (as amended) and the NPPF.

3.2 The current Local Plan is the adopted Canterbury District Local Plan (2017). Further information on the adopted Local Plan can be found here: canterbury.gov.uk/localplan

4. Neighbourhood Planning

4.1 Neighbourhood Planning was introduced under the 2011 Localism Act. It provides an opportunity for communities to shape future development in their area.

4.2 In parished areas, neighbourhood plans can be produced by parish councils which are referred to as the Qualifying Body. In this case, the Qualifying Body is Bridge Parish Council.

4.3 Neighbourhood plans have to meet a number of basic conditions in order to proceed to the referendum stage. An independent examiner, or inspector, is appointed to check a plan meets the basic conditions which are set out below:

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

- prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection within the proposal for the Neighbourhood Plan.
- complies with The Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018 which came into force on 28 December 2018 and added a further Basic Condition.
- the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017(7).

5. What is a Neighbourhood Plan Area?

5.1 A neighbourhood plan must apply to a specific designated area which can range from single streets or large rural or urban areas.

5.2 The boundary of the neighbourhood area for the Bridge Neighbourhood Plan was approved by Canterbury City Council in April 2019 and follows the parish boundary. The council agreed with the examiner's recommendation to proceed to a referendum based on the Bridge Neighbourhood Area as approved by Canterbury City Council.

6. Neighbourhood Plan referendum

6.1 The Bridge Neighbourhood Plan has been examined by an independent examiner - Derek Stebbing BA (Hons) DipEP MRTPI - who provided his report to the council on 17 November 2023.

His report recommended, subject to his modifications proposed, the Neighbourhood Plan should proceed to referendum based on the Bridge Neighbourhood Area as approved by the council.

The council accepted and agreed to all the modifications proposed and was subsequently satisfied that the Neighbourhood Plan met the basic conditions and all other legislative requirements. The council confirmed on 19 December 2023 the Neighbourhood Plan could proceed to referendum.

6.2 The Bridge Neighbourhood Plan referendum will be held on Thursday 28 March 2024.

6.3 The proposed Neighbourhood Plan needs to gain the approval of the majority of voters (more than 50%) in the local community for the Local Planning Authority to 'make' the neighbourhood plan.

7. Implementation of a Neighbourhood Plan

7.1 If the Neighbourhood Plan is made then it will become part of the Development Plan for Canterbury City Council and will be used in the determination of planning applications in Bridge parish.

7.2 Planning applications for development will typically be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

7.3 This means there may be circumstances, even where a Neighbourhood Plan is made, that decisions on applications do not follow the policies in the plan. This may occur, for instance, where the district wide housing supply falls below government targets or where additional evidence produced at planning application stage justifies a departure from the relevant policy.

7.4 Where Neighbourhood Plans include specific site development allocations, these may include certain criteria which a planning application would be expected to meet, for instance regarding the amount of development, its layout and its infrastructure requirements.

7.5 While it is reasonable to expect a development to come forward on an allocated site at some point during the period of the Neighbourhood Plan, the allocation itself does not grant planning permission. This would be a separate planning application process where additional detail will be required to inform the determination of the planning application.

7.6 Making a Neighbourhood Plan may mean specific policy constraints apply in certain areas of a parish, which would place restrictions on development and would be considered as part of any relevant planning application.

7.7 However, having a Neighbourhood Plan in place does not prevent development proposals coming forward - even where the Neighbourhood Plan includes a development allocation, and where this meets the local housing requirement figure.

7.8. Neighbourhood Plans apply policy weight to the views of the community and are therefore a significant tool for ensuring these views are reflected in decision making on individual planning applications. However, Canterbury City Council remains the Local Planning Authority and will continue to determine planning applications.

7.9 More information on neighbourhood planning is available on the following website:
<https://www.gov.uk/guidance/neighbourhood-planning--2>