

Cabinet Member for Strategic Communities

Supplementary Agenda

Date: Monday, 8th July, 2013
Time: 10.00 am
Venue: Committee Suite 1,2 & 3, Westfields, Middlewich Road,
Sandbach CW11 1HZ

4. **Brereton Neighbourhood Area Application** (Pages 1 - 22)

To consider the designation of Brereton Parish Neighbourhood Area.

This is the Neighbourhood Planning Guide referred to as appendix 4 in the report on the main agenda.

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Neighbourhood Planning: A Guide



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How to use this guide

This guide has been produced to provide an overview of Neighbourhood Planning, the processes involved and some of the issues that may be encountered in producing a plan.

To provide more extensive coverage of these issues, the guide includes many links to external websites and can be separated out into sections depending on what is most important to the user.



Neighbourhood Planning: A Guide

Cheshire East Council is committed to engaging local communities in the planning and development of their areas. To enable this, the Council is providing more information on the new powers available to participate in Neighbourhood Planning and to set out what Neighbourhood Planning could mean for local people in the Borough.

This guide provides information on Neighbourhood Planning legislation, tools, requirements, finance, a step by step guide and links to further information from sources outside Cheshire East.

Further information is available through the Cheshire East website, including an introductory 'Quick Guide to Neighbourhood Planning'.

What is Neighbourhood Planning?

Neighbourhood Planning is a way for local communities to shape the development of the area in which they live.

Preparing a Neighbourhood Plan can help communities to play a greater role in shaping the future of their area by setting their own local planning priorities and aspirations within the broader planning system.

Once complete, a Neighbourhood Plan will sit alongside the Council's Local Plan and be used to make decisions on new development proposals.

A Neighbourhood Plan should bring together residents, businesses, local groups, landowners and developers to share ideas and build consensus about what needs to be accomplished in the area and allows communities to take charge of two key parts of planning: allocating land for development and writing policies to shape how development takes place.

However, you do not have to do Neighbourhood Planning, there are alternatives that may be more appropriate. It is up to local communities to decide whether to use some or all of the new powers available, or whether other planning tools may be a better way of realising local ambitions.

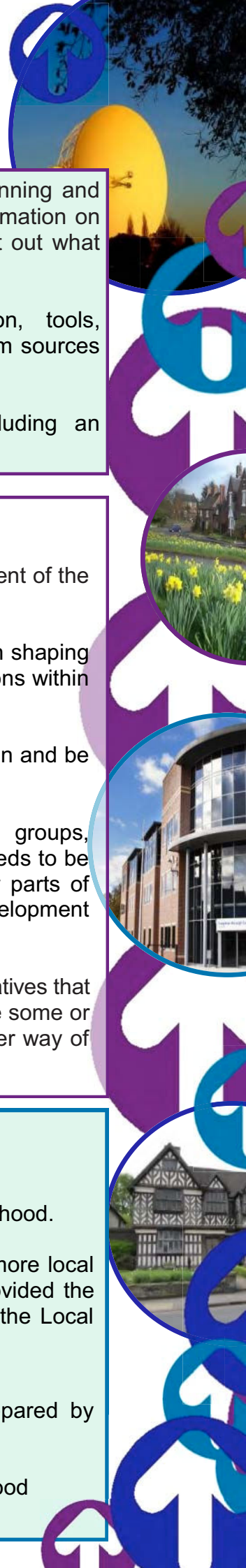
What a Neighbourhood Plan can do . . .

A Neighbourhood Plan can:

- Decide where and what type of development should happen in a neighbourhood.
- Promote more development than is set out in the Local Plan.
- Include policies, for example regarding design standards, which provide more local details on existing policies in the Local Plan for the neighbourhood – provided the Neighbourhood Plan policies do not conflict with the strategic policies in the Local Plan.

A Neighbourhood Plan cannot:

- Conflict with the strategic policies in the Local Plan Core Strategy prepared by Cheshire East Council.
- Be used to prevent development that is included in the Local Plan.
- Be prepared by a body other than a Town/Parish Council or Neighbourhood Forum.



Neighbourhood Planning: Background

Who can Prepare a Plan?

A Neighbourhood Plan can be prepared by one of two organisations: a Parish or Town Council or a Neighbourhood Forum. In areas that already have a Parish or Town Council, these are the only groups that can prepare a plan. In areas without a Parish or Town Council, a Neighbourhood Forum can be created to prepare a Plan.

What does a Plan include?

A Neighbourhood Plan can include land allocations for future development and policies relating to development of land. While a Neighbourhood Plan is flexible to some extent in terms of what can be included, it cannot conflict with European Union (EU) requirements or the Human Rights Act 1998. It must be prepared according to the Neighbourhood Planning (General) Regulations 2012 and have regard to the National Planning Policy Framework (NPPF) and other national policy, guidance and advice.

Relationship to the Local Plan:

Crucially, a Neighbourhood Plan must also conform generally with the strategic policies in the emerging Cheshire East Local Plan and contribute to the achievement of sustainable development. The strategic policies for Cheshire East can be found in the Core Strategy.

Neighbourhood Plans need not repeat everything in the emerging Cheshire East Local Plan or the NPPF at a local level, instead they should address issues which are not already covered by these policies. They should be complementary and work alongside each other so that the future development in the area meets the needs and aspirations of the community and Cheshire East Council.

Neighbourhood Plans in Cheshire East will be expected to follow the overall scale, distribution and location of development outlined in the emerging Cheshire East Local Plan Core Strategy and should be focussed on guiding development rather than stopping it.

Legislation

The Government has introduced new legislation to support Neighbourhood Planning.

The Localism Act:

The [Localism Act 2011](#) sets out a series of proposals that aim to shift power away from central government and promotes the concept of Neighbourhood Planning.

The National Planning Policy Framework:

The [National Planning Policy Framework](#) (NPPF), establishes the purpose and content of the new Neighbourhood Planning tools; these include **Neighbourhood Development Plans**, **Neighbourhood Development Orders** and **Community Right to Build Orders**.

The NPPF clarifies that local communities will be able to use these tools to:

- set planning policies to help determine decisions on planning applications; and,
- grant planning permission for specific types of development

Each of these tools enables communities to achieve different objectives so understanding your goals is important in choosing which mechanism is best to deliver your ambitions.

The Neighbourhood Planning (General) Regulations 2012:

The [Neighbourhood Planning Regulations](#) set out the process, responsibilities and framework for those involved in the preparation of a Neighbourhood Plan.

Types of Neighbourhood Planning



The Localism Act introduced new ways for communities to plan for development in their neighbourhoods. A Neighbourhood Plan can include a Neighbourhood Development Order and/or a Community Right to Build Order. These orders can also be undertaken separately without the need to produce a Neighbourhood Plan.

What is a Neighbourhood Development Plan?

A **Neighbourhood Development Plan** is the formal name for the Neighbourhood Plan document. It is intended to support and promote the principles of sustainable development as established in the National Planning Policy Framework (NPPF) and enables communities to identify where and what type of development should take place in their localities, and the planning policies that should be applied to new development. Once adopted, a Neighbourhood Development Plan becomes part of the statutory Development Plan of the host planning authority and should be referred to in all planning decisions affecting the area.

Specifically, a Neighbourhood Development Plan is a Development Plan Document relating to a specific and identified area. It should be created and owned by a Parish or Town Council or Neighbourhood Forum (in non-parished areas) is subject to a referendum in the host community, and must support the strategic aims of the Local Planning Authority.

An adopted Neighbourhood Plan has a life span of 5 years after which it will either expire or can be reviewed and refreshed.

What is a Neighbourhood Development Order?

A **Neighbourhood Development Order** is a legal document prepared by a Parish or Town Council or Neighbourhood Forum, which permits a certain type of development or specific use of the land in a particular area. It can help to implement a shared vision by granting permission to certain types of development in certain locations, without the need to submit a planning application to Cheshire East Council for the development specified in the Order; essentially this tool extends the existing '**permitted development rights**' for certain types of development. Orders might, for example, allow extensions to community buildings, provide affordable housing or permit local renewable energy schemes.

What is a Community Right to Build Order?

A **Community Right to Build Order** can be used by appropriately constituted community organisations to bring forward a particular development scheme, without the need for planning permission. At least half of the community organisation's members must live in the area to which the Order applies.

Use of the Order is limited to small scale development and for a specific site in the defined Neighbourhood Area. This can give community organisations the freedom to develop, for example, small-scale housing and other facilities that they want. However, any financial benefit from the development will stay in the community to be used for the community's benefit. For example, this could help to maintain affordable housing stock or provide and maintain local facilities such as playgrounds and village halls.





Neighbourhood Planning: the Best Option?

What do you want to achieve?

Neighbourhood Plans can be as simple or complex as the Neighbourhood Forum or Town/Parish Council decide. The more complex your plan the more it will cost and the more time it will take. Best estimates indicate that preparing a Neighbourhood Plan can cost anywhere between £20,000 and £86,000 and take up to 2 years to complete.

If you are considering whether to prepare a Neighbourhood Plan, the Council recommends that you firstly assess what you want to achieve and whether the Local Plan already sufficiently addresses planning issues in your area to meet your goals.

Do you know already know what the planning issues are in your neighbourhood? For example:

- Is the lack of affordable housing for young people a real problem in your community and something you would like see built?
- Is there a need for more housing or employment opportunities to support existing services and facilities?
- Do you want to provide additional guidance to help improve the quality of planning applications submitted to the Council?

Or are there other issues in your community less related to planning that you feel are important, such as improving the maintenance of streets and footpaths, reducing speeding through the area, or reducing incidences of anti-social behaviour?

There may be alternative ways of tackling these issues other than by creating a Neighbourhood Plan. Many of these issues may be better addressed by other Council departments, partner organisations such as Cheshire Police or through the preparation of other documents.

Therefore, it is important to think about all the issues currently facing the Neighbourhood Area and talk to the Spatial Planning Team for advice on whether a Neighbourhood Plan is the best way forward for your community. It is also a good starting point for putting you in touch with other Council departments that may be better placed to help.

If you've already been involved in consultation your concerns and aspirations may have been addressed in the Local Plan. If you're happy with this, you might decide there is no need to prepare a Neighbourhood Plan.

Alternatives to Neighbourhood Planning:

- Prepare a Parish or Community Plan
- Influence the formation of the Local Plan
- Comment on Local Planning applications
- Prepare a Village Design Statement

Community development of a local site:

- Submit an application for a [Community Right to Build](#) order
- Submit a [Planning Application](#)
- Submit a site to the [Strategic Housing Land Availability Assessment](#)



Neighbourhood Planning: Alternative Options



Parish or Community Plans:

The aim of a Parish or Community Plan is to identify what actions the community would like to be taken, who would be the best group to take these forward and when they could realistically be achieved.

A **Parish or Community Plan** is a statement of how a local community sees itself developing in the future. It sets out the needs and aspirations of the Parish or community, based on the views and opinions of the people that actually live there and can be used to take local concerns into account before planning decisions are made. They can also be used as evidence to inform responses to planning applications and representations on the Local Plan.

Influence how the Local Plan is formed:

Community engagement is very important in developing the new Local Plan. The [Local Plan Consultations](#) page shows details of the consultations that have been carried out so far, and those that are coming up soon. To make sure that you are kept informed of all Local Plan consultations please register your details using our consultation portal or send us an email to: localplan@cheshireeast.gov.uk.

You can seek to influence policies in the Local Plan by commenting on the vision, objectives, policies, proposals and sites in the Local Plan consultation documents.

Commenting on a Planning Application:

Cheshire East Council welcomes representations from local people and businesses and gives 21 days to comment on an application in writing either by letter, email, or online form. Local Planning applications can be found on the Council's [website](#).

Please note that there is a preference for representations to be received via the online form as this make sure that Cheshire East Council receives all of the necessary information required.

When you make your comments on a planning application you should focus on planning issues as non-planning related comments cannot influence the decision making process.

Preparing a Village Design Statement:

A **Village Design Statement** is a practical tool to help influence decisions on design and development. Prepared correctly, a Village Design Statement will provide a clear statement of the character of a particular village or town against which planning applications may be assessed. It is not about whether development should take place, but about how development should be undertaken so as to respect the local character and identity.





Can you prepare a Neighbourhood Plan?

Neighbourhood Development Plans can only be made by one of two groups (known as 'qualifying bodies') - a Town or Parish Council or a Neighbourhood Forum.

A Neighbourhood Forum must include a minimum of 21 people and should be sufficiently representative of the local community. Each member must either live or work in the Neighbourhood Area or be an elected member of Cheshire East Council where the area falls within their Ward. The Forum will also need to have a written constitution.

Do you have the resources to prepare a Neighbourhood Plan?

The Government has estimated that preparation of a Neighbourhood Plan could take about 1 to 2 years and cost between £20,000 and £100,000, depending on the complexity and size of the Plan.

Whilst Cheshire East Council is keen to support communities wishing to undertake Neighbourhood Planning, it does not have the resources to fund the preparation of Neighbourhood Planning documents. Neighbourhood Plans should be owned by Parish or Town Councils or Neighbourhood Forums who will be required to finance the preparation of a Neighbourhood Plan, or other forms of Neighbourhood Planning.

As well as financing the preparation of a Neighbourhood Plan, qualifying bodies should also consider whether they have a body of volunteers willing and able to be involved in the process. Volunteers will not only have to write the document they are also likely to be required to help prepare and carry out consultation activities, for example, organising workshops, sending out surveys and analysing responses and to identify the appropriate evidence and information to support the Plan.

Typical things that a Neighbourhood Plan might include:

- The development of housing, including affordable housing (housing that is not normally for sale on the open market), and bringing vacant or derelict housing back into use
- Provision for businesses to set up or expand their premises
- Transport and access (including issues around roads, cycling, walking and access for disabled people)
- The development of schools, places of worship, health facilities, leisure and entertainment facilities, community and youth centres and village halls
- The restriction of certain types of development and change of use, for example to avoid too much of one type of use
- The design of buildings
- Protection and creation of open space, nature reserves, allotments, sports pitches, play areas, parks and gardens, and the planting of trees
 - Protection of important buildings and historic assets such as archaeological remains
 - Promotion of renewable energy projects, such as solar energy and geothermal energy

The above issues can be addressed through a Neighbourhood Plan providing they are in general conformity with the emerging Cheshire East Local Plan.



Neighbourhood Planning: Getting Started



The Role of the Town or Parish Council, or Neighbourhood Forum

The primary duties of the qualifying body are to:

- Hold responsibility for the production of the Neighbourhood Development Plan.
- Make sure the plan is prepared in accordance with legal and policy requirements
- Consult with the community stakeholders
- Evidence gathering including site assessments
- Formation of planning policies
- Allocation of development sites
- Publication of the Plan
- Finance and resource the preparation of the Plan

The Role of Cheshire East Council

Cheshire East Council supports the Neighbourhood Planning process and is keen to work with communities to meet local needs and ambitions.

The primary duties of the Local Planning Authority are to:

- Provide advice and assistance
- Hold an examination
- Make arrangements for a referendum
- Adopt the approved Neighbourhood Plan as part of the statutory Development Plan for the area

To ensure the strategic aims of the Local Plan are successfully achieved, it may be appropriate for the Council to offer a higher level of support to communities that are affected by strategic issues or sites identified in the Core Strategy.

What resources does your community already have?

Many communities already have enthusiastic and experienced people with professional skills which can help you progress your Neighbourhood Plan. An audit of the skills base your community has will help identify the areas where you may have to pay for external assistance.

In particular, people with the following skills will be of great assistance in preparing your plan:

- Legal
- Town planning
- Design
- Communications
- Public consultation
- Administration and information management
- Land/property/housing/building development

[Planning Aid England](#) may be able to offer support to assist with elements of your plan making and planning consultants can be contacted through the [Royal Town Planning Institute](#).



Neighbourhood Plans must meet a number of conditions before they can be put to a community referendum and legally come into force. These conditions are to make sure plans are legally compliant and take account of wider policy considerations including meeting all relevant European Union environmental legislation, and undertaking a Sustainability Appraisal incorporating the requirements of the Strategic Environmental Assessment and the Habitats Regulations Assessment.

Basic Conditions

Basic conditions for the Neighbourhood Plan are that it:

- Has had regard to national policies and advice contained in guidance issued by the Secretary of State
- Has had special regard to the desirability of preserving any Listed Building or its setting or any features of special architectural or historic interest that it possesses
- Has had a special regard to the desirability of preserving or enhancing the character or appearance of any Conservation Area
- Contributes to the achievement of sustainable development
- Is in general conformity with the strategic policies contained in the Development Plan for Cheshire East
- Does not breach, and is otherwise compatible with, EU obligations; and
- Prescribed conditions are met in relation to the order and prescribed matters have been complied with in connection with the proposal for the order.

General Conformity with the Local Plan

Neighbourhood Plans should show how they are contributing towards the strategic objectives of the Cheshire East Local Plan, how they have addressed the strategic approach set out in the Core Strategy and how they have had regard to the local need for new homes, jobs and facilities.

Whether or not a Neighbourhood Plan is considered to be in general conformity will be a determination of planning judgment, fact and degree in the circumstances of each case, having regard to the significance of the issue for the Neighbourhood Area.

Statutory Consultees

The qualifying body must seek the views of statutory consultees as listed in paragraph 1 of Schedule 1 of the Neighbourhood Planning (General) Regulations 2012, where the qualifying body consider these groups may be affected by the proposals in the Neighbourhood Plan.

Statutory Consultees potentially include: Cheshire East Council, adjoining Parish or Town Councils, adjoining Local or County Councils, the Coal Authority, the Homes and Community Agency, Natural England, the Environment Agency, English Heritage, Network Rail, the Highways Agency, telecommunication service providers, the Primary Care Trust, electricity and gas providers, sewage undertakers, water providers, voluntary bodies whose activities benefit the Neighbourhood Area, bodies that represent interests of different religious, racial, ethnic or national groups in the Neighbourhood Area, bodies that represent businesses in the Neighbourhood Area and bodies that represent the interests of disabled persons in the Neighbourhood Area.



Sustainability Appraisal

A Sustainability Appraisal looks at the possible economic, environmental and social impacts of an emerging Plan and should result in a final Plan that has the least negative impact possible in an area.

Those preparing these should be aware that the Sustainability Appraisal will need to be planned for early on in the process. It is important that the appraisal is started when work starts on the Plan (that is developing draft policies and content), so that *emerging* ideas, content and policies can be assessed, in order to inform the final Plan. If the Sustainability Appraisal is done too late, it will not be able to inform the final Plan, increasing the risk of a legal challenge at a later stage.

Habitats Regulations Assessment

A Habitats Regulations Assessment evaluates the impacts of implementing a plan or policy on international protected sites for nature conservation. These sites are Special Protection Areas (SPAs) for birds identified under the Birds Directive and Special Areas of Conservation (SACs) for habitats and species under the Habitats Directive. Ramsar sites (wetlands of international importance designated under the Ramsar Convention) are also considered under the assessment, as are candidate SACs and proposed SPAs.

Financial Support for Local Authorities

The Government has made available £5 million to pay for up to 1000 Neighbourhood Areas to be designated. This money can be claimed by Local Authorities who approve Neighbourhood Areas within their boundaries. A Local Authority can claim funding of £5,000 upon designating a Neighbourhood Area, £5,000 on publication of the Neighbourhood Plan prior to examination and £20,000 upon successful completion of the examination. Funds are not ring fenced for Neighbourhood Planning and are intended to recognise costs incurred by Local Authorities in supporting the Neighbourhood Planning process particularly in relation to officer time, resources and the costs of holding a referendum. Further information on this is available [here](#).

Financial Support for Neighbourhood Planners

Through the Supporting Communities in Neighbourhood Planning initiative, £9.5million has been made available for the creation of Neighbourhood Plans. Grant payments of up to £7,000 area available to support your plan making and can be applied for [here](#).

Support may be available from [Planning Aid England](#), the [Big Lottery Fund](#) and other [sources](#) such as local trusts and foundations.

Financial Incentives of completing a Neighbourhood Plan

The [Community Infrastructure Levy](#) (CIL) is a new flat rate tax levied on new development. Cheshire East have not yet introduced CIL however the Council does intend to do so as part of the new Local Plan. The CIL may be set at different rates in different parts of the Borough and at different levels for different types of development. It is a tax intended to pay for infrastructure to support growth such as schools, roads and other local facilities.

In areas with no Neighbourhood Plan 15% of CIL monies will be spent directly in the area hosting new development and where an area has a Neighbourhood Plan in place, this will rise to 25%.





A Neighbourhood Plan will enable your community to allocate land and write policies to influence new development; it should address issues not already covered by the Local Plan and has a number of stages to undertake.

Step 1: Designation of Neighbourhood Area:

- The qualifying body (a Parish or Town Council or a Neighbourhood Forum) must set out on a map the proposed Neighbourhood Area and an explanation for selecting it.
- Cheshire East Council will publish and consult on the application for 6 weeks
- Cheshire East Council will make, and publicise, its informed decision.

Where an application is made by a Neighbourhood Forum, this must include details of the Forum's constitution, a name and a statement of how the Forum meets the conditions specified in the Localism Act. These conditions are that the Forum has been established for the purpose of promoting or improving the social, economic and environmental well-being of an area that consists of or includes the Neighbourhood Area concerned; that there are at least 21 members who live, work or are an elected member in the area; and that the area is not governed by a Parish Council.

Step 2: Identifying Issues and Aims

It's important to understand the area that you are planning for and the key issues that will affect your community in the future. To do this you should:

- Gather together relevant information and evidence
- Identify the key economic, social and environmental issues
- Identify the areas strengths and weaknesses
- Identify key NPPF and Local Plan policy objectives
- Identify the Issues to be addressed and draft the Aims for the Plan.
- Check for general conformity with the emerging Local Plan and the NPPF
- Check the Issues identified and the proposed Aims with the community

Step 3: Develop Policies, Proposals and Site Allocations

A Neighbourhood Plan should include draft policies, proposals and site allocations that:

- Set out the key details of what you want to happen, what development will be supported (or the criteria that will be used to decide if a proposal is likely to be acceptable or not).
- Allocate specific sites for a particular type and scale of development.
- Specify particular requirements relating to each of any of the allocations.
- Specify sites or areas to be protected or enhanced.
- Provide more detailed explanation in the policy's supporting text to justify it and explain what your Neighbourhood Development Plan is really trying to achieve.
- Check for general conformity with the emerging Cheshire East Local Plan and that appropriate regard has been had to the NPPF.
 - Ensure you have complied with International, European and National designations and European environmental and human rights laws.
 - To make sure the Plan is consistent with policy and legislation, we recommend that you keep the Spatial Planning Team informed of progress.
 - **Remember, the Plan cannot be used to block development of homes, businesses and other infrastructure that is set out in the emerging Cheshire East Local Plan.**





Step 4: Proposed Neighbourhood Plan

For a minimum of 6 weeks the qualifying body (who the area application) has to:

- Publicise and bring to the attention of the majority of those who live, work or operate businesses in the area, including:
 - ⇒ Proposals that will be included in the Neighbourhood Plan
 - ⇒ Details of where and when the proposals may be inspected
 - ⇒ Details and dates of how to make representations
- Consult any statutory consultees
- Send a copy of the proposals to Cheshire East Council .

Step 5: Submission to Cheshire East Council (6 weeks)

The qualifying body has to submit the following to Cheshire East Council:

- A map of the area covered by the proposed Neighbourhood Plan.
- The proposed Neighbourhood Plan.
- A consultation statement (who was consulted and how; the issues raised and how they were resolved).
- A statement outlining how the proposal meets the basic conditions.

Cheshire East Council will publicise on its website, for a minimum of 6 weeks, the details of the proposed Neighbourhood Plan, details of where the Plan can be inspected and where to make representations.

Step 6: Independent Examination

Once the plan is in conformity with the Local Plan and the issues raised through consultation have been resolved, an examiner will be appointed by Cheshire East Council (in agreement with the Parish or Town Council/Neighbourhood Forum). The examiner will consider whether the proposals meet the regulatory requirements (for example has the consultation been adequate) and whether the basic conditions (detailed above) have been met. A report will be produced.

Step 7: Modifications

In the Inspector's Report it may be suggested that amendments are made to the Plan, this is the opportunity to undertake these amendments.

Step 8: Referendum

Cheshire East Council will publish the examiners report and decision on its website, and hold a referendum that will establish the level of community support for the Neighbourhood Development Plan. A majority of 51% of the representative community will have to be in favour of the Neighbourhood Development Plan for it to be adopted.

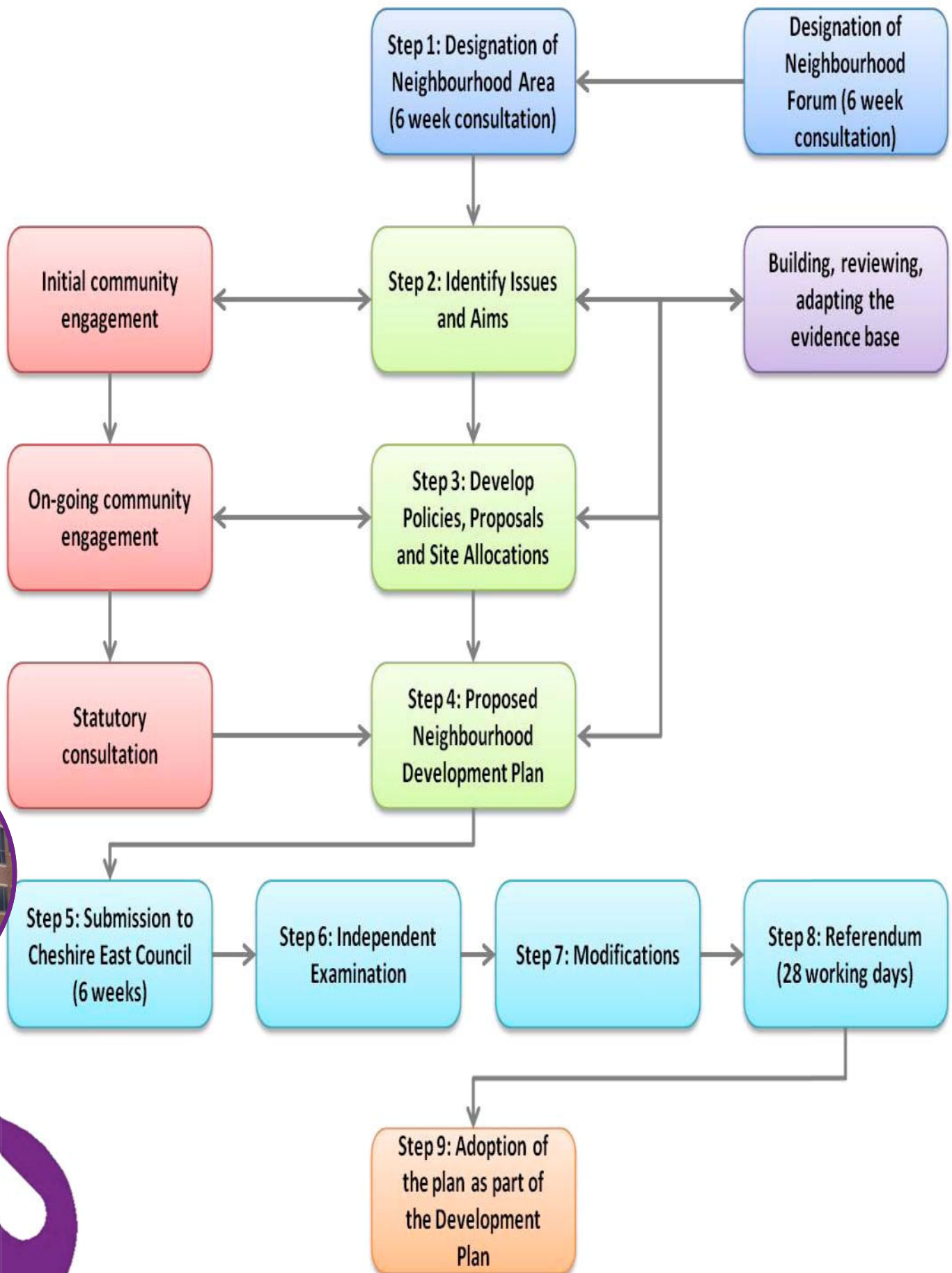
Step 9: Adoption of the Plan as part of the Development Plan

If 51% (or more) of people voting in the referendum support the Neighbourhood Plan, Cheshire East Council will adopt the Plan and bring it into legal force. Any adopted Plan will become part of the statutory Development Plan for Cheshire East. This means that Cheshire East Council will be legally obliged to take the Neighbourhood Plan into account when considering planning applications.

After completion of a Neighbourhood Plan, Cheshire East Council will publish the Plan and notify any interested parties that the Plan is part of the Development Plan for Cheshire East.



Step by Step Guide: How to prepare a Neighbourhood Plan





Front Cover	<ul style="list-style-type: none"> • Document title including Neighbourhood Area. • Who has produced the document and when. • Image of somewhere in the area.
Introduction	<ul style="list-style-type: none"> • Introduction to the document. • Introduction to the area covered by the Neighbourhood Development Plan, including location, short history of the area, character of the area, etc. • Map of the area covered by the Neighbourhood Development Plan.
Context to the Neighbourhood Development Plan	<ul style="list-style-type: none"> • Why a Neighbourhood Development Plan has been prepared. • Background evidence, including: key economic, social and environmental issues; strengths and weaknesses of the area; relevant elements from the Cheshire East Local Plan and the National Planning Policy Framework. • Details of the consultation process, comments and responses.
Vision and Objectives	<ul style="list-style-type: none"> • Vision – what the Neighbourhood Development Plan intends to achieve, what the Neighbourhood Area will be like at some point in the future. • Objectives – what the Neighbourhood Development Plan intends to achieve in order to reach the Vision. • The Neighbourhood Development Plan should set out how the Vision and Objectives are to be achieved.
Policies	<ul style="list-style-type: none"> • Set out the key details of what you want to happen, what development will be supported or the criteria that will be used to decide if a proposal is likely to be acceptable or not. • Provide supporting text to the policy to justify it and to explain what it is that your Neighbourhood Development Plan is really trying to achieve and how it conforms with the Cheshire East Local Plan. • Policies could include: design, affordable homes, rural exceptions, housing for older people, housing density, local services, local employment, rural diversification, transport and communications, landscape and natural environment.
Proposals and Allocations	<ul style="list-style-type: none"> • Allocate specific sites for a particular type and scale of development, and specify any particular requirements for the site. • Specify sites or areas to be protected or enhanced. • Provide supporting text to the policy to justify the site allocation and any specific requirements, and explain how it conforms with the Cheshire East Local Plan. • Proposals and allocations could include: housing, affordable homes, rural exceptions, housing for older people, local services, local employment, rural diversification, Green Spaces, Green Infrastructure and Protected Open Space.
Delivery and Implementation	<ul style="list-style-type: none"> • How the Neighbourhood Development Plan will be implemented. • How the Neighbourhood Development Plan will be delivered. • How the delivery and implementation of the Neighbourhood Development Plan will be monitored.





What is a Neighbourhood Area?

A Neighbourhood Area is a geographic area that a Neighbourhood Development Plan or a Neighbourhood Development Order will cover.

An application for designation of a Neighbourhood Area must be made in advance of an application for designation of a Neighbourhood Forum.

What should you consider in preparing your Neighbourhood Area Application?

- Do you need to designate a Neighbourhood Area?
- Should it cover your entire Parish, part of your Parish or be jointly prepared with another Parish?
- What boundaries will you use, for example ward boundaries or residential developments or field boundaries?
- Why do you believe this to be the appropriate area for your Neighbourhood Area?
- What are the main uses within this Area?
- What are the key characteristics of this Area, either natural or built?
- Do you plan to prepare a Neighbourhood Development Plan or a Neighbourhood Development Order or to consider a Community Right to Build scheme?

Applying for a Neighbourhood Area

A Neighbourhood Area Application Form is available on the Cheshire East Council website. This can be completed and returned to the Spatial Planning Team and should include:

- A map of your proposed area
- A statement to confirm that you are the 'relevant body' to apply
- A statement explaining why the area is considered appropriate to designate as a Neighbourhood Area

Full details of the requirements can be found on the form and via section [61\(F\) of the Localism Act](#).

Once this application form has been returned to the Spatial Planning Team, and it has been considered valid, it will be publicised on the Cheshire East website and representations sought for a period of 6 weeks. In certain circumstances Cheshire East Council may decline to consider an application.

Cheshire East Council will then consider the representations and decide whether to: designate the Neighbourhood Area; refuse the Neighbourhood Area (and provide reasons for this); or modify the Area (with the consent of the applicant).

Cheshire East will then publish on their website the decision. Where the area is designated this will include the name of the Neighbourhood Area, a map and the name of the relevant body who applied. Where the area is refused a statement of the reasons for making the decision and details of where this statement can be viewed.



Establishing a Neighbourhood Forum



What is a Neighbourhood Forum?

A Neighbourhood Forum is a 'relevant body' empowered to undertake the preparation of a Neighbourhood Plan and can only be formed in areas where there is no Town or Parish Council.

A Neighbourhood Forum must propose the Neighbourhood Area for which they wish to prepare a Neighbourhood Plan. There can only be one Forum per Neighbourhood Area and both the Forum and Area must be approved by Cheshire East Council.

Forum membership will be open to residents, employees and businesses and must have a minimum membership of 21.

An application for designation of a Neighbourhood Area must be made in advance of an application for designation of a Neighbourhood Forum.

What should you consider in preparing your Neighbourhood Forum Application?

- Do you need to designate a Neighbourhood Forum?
- Does your Forum meet the minimum requirements to be designated as a Neighbourhood Forum?
- Over what area should you Forum plan for?
- Why do you believe this to be the appropriate area for your Neighbourhood Forum?
- Do you plan to prepare a Neighbourhood Development Plan or a Neighbourhood Development Order or to consider a Community Right to Build scheme?

Applying to be a Neighbourhood Forum

A Neighbourhood Forum application form is available via the Cheshire East Council website. Your application should include:

- The name of the proposed Forum
- A copy of the written constitution of the Forum and evidence of when this was agreed
- Evidence of your Forum's membership and proof that the application is made on behalf of, and with the knowledge of the Forum's members
- The name of the Neighbourhood Area to which the application relates and a map to identify it
- The contact details of at least one member of the proposed Forum which can be made public
- A statement to explain how the proposed Forum meets the conditions of section [61F\(5\) of the Localism Act](#).

The application should be returned to the Spatial Planning Team where, if valid, it will be publicised on the Cheshire East website and representations sought for a period of 6 weeks. In certain circumstances Cheshire East Council may decline to consider an application.

A decision will then be made by Cheshire East whether to designate the Neighbourhood Forum or refuse the application (and provide reasons for this). This decision will also be publicised with a justification for the decision.





The [Localism Act 2011](#) aims to shift power away from central Government to local Councils and neighbourhoods, and introduces the new concept of Neighbourhood Planning. A [plain english guide](#) to the Act is also available.

[Neighbourhood Planning \(General\) Regulations 2012](#) set out the procedure for the designation of Neighbourhood Areas and Neighbourhood Forums and for the preparation of Neighbourhood Development Plans and Neighbourhood Development Orders (including Community Right to Build Orders).

The Government has published national policy guidance in the [National Planning Policy Framework](#) (NPPF), on the purpose and content of the new Neighbourhood Planning tools; these include **Neighbourhood Development Plans**, **Neighbourhood Development Orders** and **Community Right to Build Orders**.

The NPPF clarifies that local communities will be able to use these tools to set planning policies to help determine decisions on planning applications, and to grant planning permission for specific development that the community wants to see go ahead.

[The Town and Country Planning Act 1990](#) and [The Planning and Compulsory Purchase Act 2004](#) have been amended by the Localism Act to form the basis to enable Neighbourhood Planning to take place.

The [Community Infrastructure Levy \(CIL\) Regulations](#) 2011 (and [2012](#) and [2013 amendments](#)) establishes that Local Authorities can introduce a flat charge to new development in an identified area.

The New Homes Bonus is a grant paid to local Councils for increasing the number of homes built in their area, including extra payment for affordable housing.

Examples of Neighbourhood Plans

This section provides links to examples of Neighbourhood Development Plans from sources other than Cheshire East Council. It is not an exhaustive list, but aims to provide a helpful starting point when supporting Neighbourhood Planning.

[Balsall Heath](#)

[Upper Eden](#)

[Lyton & Lynmouth](#)

[Tattenhall](#)

[Walton](#)

[Central Milton Keynes](#)

[Exeter St James](#)

[Norland](#)

[Thame](#)

[Winsford](#)



Sources: Evidence



This section provides links to websites that can provide sources of evidence and information that may be of use when considering Neighbourhood Planning. It is not an exhaustive list, but aims to provide a helpful starting point.

Census 2011: The Office for National Statistics collect [census statistics](#) help paint a picture of the nation and how we live. It provides a detailed snapshot of the population and its characteristics, and underpin funding allocation to provide public services.

UK National Statistics

Statistics on a wide range of issues can be found [here](#).

Office for National Statistics - Neighbourhood Statistics: This site provides statistics broken down to [Neighbourhood Areas](#) selected by the user.

Data Observatory Research and Intelligence Collaborative (Doric): [Doric](#) is the online resource for local data and information serving the communities of Cheshire and Warrington.

Magic Maps: [Magic](#) is an interactive mapping service bringing together environmental data from across Government.

Education: The [Department for Education](#) website has a search function to look at education statistics and schools within an area.

Nature Conservation: [Natural England](#) provides data, maps and policy advice on conservation issues.

Historic Environment: English Heritage provide information on the historic environment and [nationally Listed Buildings](#)

Design: The [Design Council](#) offer guidance and best practice on architecture and design in the built environment.

Crime: [Crime statistics](#) are publicly available to view and analyse through the police.

Health: Health statistics for the area are collected and reported jointly by NHS Eastern Cheshire and NHS South Clinical Commissioning Groups and Cheshire East Council. All up to date information is published in the [Joint Strategic Needs Assessment](#).

Maps: Parish Councils who are members of the [Public Sector Mapping Agreement](#) can obtain core mapping datasets free of charge, from the [Ordnance Survey](#).

Cheshire East Information, Evidence and Research: [This page](#) provides a list of the information, evidence and research collected by Cheshire East in the preparation of the Local Plan, including links to the Monitoring Report, Employment Land Review (ELR), Retail Study Update, Strategic Housing Market Assessment (SHMA) and Strategic Housing Land Availability Assessment (SHLAA). The Cheshire East [Interactive Map](#) is also useful and includes existing planning information.





Campaign to Protect Rural England (CPRE) - [Guide to Neighbourhood Planning](#)

CPRE have put together a guide with eight simple steps to take if you want to prepare a Neighbourhood Development Plan and involve the whole community to make sure it becomes formally adopted as part of the Development Plan for your community.

My Community Rights - [Neighbourhood Planning](#)

Basic information in relation to Neighbourhood Planning including a useful quick guide and case studies.

Community Knowledge Hub - [Notes on Neighbourhood Planning](#) is a round-up of Neighbourhood Planning news put together by the Department for Communities and Local Government. It contains useful information about planning resources, events and news, legislation, emerging practice and support.

Planning Advisory Service (PAS) - [Neighbourhood Planning FAQs](#)

Planning Portal - the [Neighbourhood Planning Section](#) provides basic information in relation to Neighbourhood Planning.

Planning Aid - Neighbourhood Planning

The work of Planning Aid ranges from workshops explaining the concept of Neighbourhood Planning through to more bespoke training events such as how to write policy and undertake effective community engagement.

Planning Advisory Service - [\(PAS\) Guidance for Ward Councillors](#)

This guide is to help ward Councillors understand the basics of Neighbourhood Planning, what it means for their role and for their community.

Planning Help - [General advice on planning](#)

Planning for Real provide a model methodology known as '[Planning for Real](#)' to help communities to think about their area and its potential development.

The [National Self Build Association](#) provide advice and information on self building.

The [National Community Land Trust Network](#) supports the development of community led affordable housing

Urban Forum - [Neighbourhood Planning Questions and Answers](#) provides guidance, frequently asked questions and a discussion Forum on Neighbourhood Planning.

Further Information

Cheshire East Council is committed to getting people engaged in the planning and development of their areas. To enable this the Council is providing information to local communities in the form of a number of Neighbourhood Planning Guides. These can be found on the Cheshire East website at www.cheshireeast.gov.uk.





Allocation/Designation:	A land classification for a specific use. Undertaken by a qualified body.
Core Strategy:	A Development Plan Document setting out the spatial vision and strategic objectives of the planning framework for an area
Development Plan:	A collection of documents which establish a local authority's policies and proposals for the development of land and buildings within their area administrative area.
Development Plan Document:	Documents prepared or approved by the Local Planning Authority which outline the key development goals of the Local Plan.
Legal Challenge:	The validity of a Local Plan or a planning decision can be challenged on basis of legal compliance. These issues can be raised at the public examination of the plan, or later through the High Court.
Local Plan:	A plan (or collection of plans) for the future development of a local area.
Local Planning Authority:	A unitary, district or county Council.
Qualifying Body:	An organisation that meets the criteria within 61F (G) of the Localism Act 2011. This can be a Parish Council or a Neighbourhood Forum.
Strategic Policies:	Policies contained within the Core Strategy of the Local Plan.
Sustainable Development:	There is no single definition however the term refers to development which 'meets the needs of the present without compromising the needs of future generations'. In plan making, sustainable development should consider the economic, social and environmental implications of proposals.

Contact Spatial Planning

Address: Spatial Planning, Cheshire East Council, Westfields, Middlewich Road, Sandbach, CW11 1HZ

Email: localplan@cheshireeast.gov.uk

Telephone: 01270 685893

Further information: www.cheshireeast.gov.uk/localplan





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