

# **THAXTED NEIGHBOURHOOD DEVELOPMENT PLAN – TOWN AND COUNTRY PLANNING BACKGROUND INFORMATION STATEMENT**

**General information on town and country planning, including neighbourhood planning to ensure voters have sufficient knowledge to make an informed decision.**

## **The Planning System**

Most new buildings or major changes to existing buildings or to the local environment need consent - known as planning permission. A planning system ensures that anyone cannot construct buildings or use land in any way without weighing up the economic, environmental and social impacts on people who live in, work in or enjoy the area.

Uttlesford District Council, as the local planning authority, is responsible for deciding whether a development - anything from an extension on a house to a new housing development - should go ahead within the District.

Planning involves making decisions about the future of our towns, villages and countryside. This is vital in balancing the need to develop the areas where we live and work whilst ensuring the surrounding environment is not negatively affected for everyone now and in future.

Planning law requires that applications for planning permission must be determined in accordance with the development plan for the local authority area, in this case Uttlesford District Council, unless material considerations indicate otherwise. This development plan can comprise a number of documents including local plans (such as the Uttlesford Local Plan), supplementary planning documents and neighbourhood plans. All such documents are required to be prepared in consultation with the local community and reflect national policy as set out in the national planning policy.

## **National Planning Policy Framework**

The National Planning Policy Framework (NPPF) was published on 27 March 2012 and revised in August 2018. It sets out the Government's planning policies for England and how these are expected to be taken into account by communities when preparing neighbourhood plans and by local councils when drawing up local plans and making decisions on planning applications. Presumption in favour of sustainable development which is at the core of the NPPF has to be reflected in plans, both at a district level and at neighbourhood level.

## **Local Plans**

Local planning authorities, such as Uttlesford District Council, must prepare a local plan which sets planning policies within the local authority area. These policies must be positively prepared, justified, effective and consistent with the National Planning Policy Framework. As part of the development plan, local plans are very important when deciding planning applications.

The Uttlesford District Council Local Plan was adopted in January 2005 and as it is becoming increasingly out of date, a new Local Plan is currently being prepared for the District. Until it is adopted, the saved policies in the adopted local plan will be used as a basis for planning decisions (alongside National Policy Planning Framework (NPPF), National Planning Guidance (NPG) and any relevant Neighbourhood Plans).

The Local Plan sets out strategic priorities for the District and states where development should take place. The emerging Local Plan is needed to effectively guide how the District grows ensuring that its unique character is protected, enhanced and reflects more recent Government policy. The emerging Local Plan will include specific site allocations for housing, employment and retail development where appropriate. Once adopted this Local Plan will replace the 2005 Local Plan and become part of the District's development plan.

## **Neighbourhood Planning**

Neighbourhood planning was introduced under the Localism Act to give members of the community a more hands on role in the planning of their neighbourhoods.

Neighbourhood Planning introduced new rights and powers to allow local communities shape new development in their area by coming together to prepare neighbourhood development plans (usually referred to as Neighbourhood Plans). It enables communities to develop a shared vision for their neighbourhood and deliver sustainable development they need through the planning policies relating to the development and use of land.

Parish councils or neighbourhood forums (community groups that are designated to take forward neighbourhood planning in areas without parishes) can now use neighbourhood planning powers to establish general planning policies for the development and use of land through the preparation of a neighbourhood plan (sometimes referred to legally as 'neighbourhood development plans').

There is a statutory process that must be followed for the making of a neighbourhood plan. The neighbourhood plan must also specify a period of which it is to have effect. The key stages in the production of a neighbourhood plan can be summarised as:

1. Designating a neighbourhood area
2. Preparing a draft neighbourhood plan
3. Pre-submission publicity and consultation
4. Submission of a neighbourhood plan to the local planning authority
5. Independent examination
6. Referendum
7. Bringing the neighbourhood plan into force

The legislation, however, sets out that neighbourhood plans have to meet a number of 'Basic Conditions' to ensure they are legally compliant and take account of wider policy considerations.

The local community can decide what to include in a neighbourhood plan, but must meet the following Basic Conditions:

- have regard to national planning policy and advice contained in guidance issued by the Secretary of State (e.g. National Planning Policy Framework);
- contribute to the achievement of sustainable development;

- be in general conformity with strategic policies in the development plan for the local area (i.e. Local Plan); and
- be compatible with EU obligations and human rights requirements.

Neighbourhood Plans should not promote less development than that set out in the Local Plan or undermine its strategic policies.

The draft plan must be prepared through a process of consultation with local residents and businesses and the final draft plan must be subject to a set 'publicity period', where people are given the opportunity to comment. The draft neighbourhood plan is required to undergo an independent examination. The appointed examiner will review comments made on the plan, check that the neighbourhood development plan meets the basic conditions and other requirements set out in the regulations. The examiner then reports whether any modifications should be made to the plan and whether it should proceed to referendum. This is to make sure that referendums only take place when proposals are clear, deliverable and sustainable.

### **Thaxted Neighbourhood Plan**

The Thaxted Neighbourhood Plan has been produced by the Thaxted Parish Council in consultation with the local community throughout its preparation. A number of consultation stages were undertaken. Following the launch of the Neighbourhood Plan, consultation on the draft plan was held in August 2017. Consultation on the pre-submission version of the plan followed on 8 January to 28 February 2018.

On 20 April 2018, Thaxted Parish Council submitted the Examination Version of the Plan to the District Council. It underwent a period of consultation from 4 May 2018 to 19 June 2018 which was followed by an Independent Examination. As part of this process the appointed Independent Examiner, Mr Tony Burton decided that a Public Hearing into the Neighbourhood Plan was not required.

Uttlesford District Council received the final Examiner's Report into the Neighbourhood Plan on 28 September 2018. In his report the Examiner concluded that the Plan, subject to some specified modifications, should proceed to a Referendum based on the Thaxted Neighbourhood Area. At its meeting on 29 November 2018 Uttlesford District Council Cabinet approved the Examiner's recommended modifications to the Plan and decided that the amended Plan should proceed to Referendum.

The Neighbourhood Plan has been modified in accordance with the Examiner's recommendations and it is now ready to be taken to referendum.

Uttlesford District Council consider that the neighbourhood plan document accords with the neighbourhood planning regulations, and that it is in general conformity with the strategic policies in the Development Plan as per (Paragraph (1) (a) (2) of Schedule 4B to the Town and Country Planning Act 1990 (inserted by the Localism Act 2011).

## **Referendum**

The Council then decides, having regard to the statutory criteria, whether to accept the Examiner's recommendations and proceed to a referendum.

If the neighbourhood plan proceeds to a referendum, the Council is responsible for organising it. All those registered within the neighbourhood area are entitled to vote in the referendum.

The modified version of the Plan is now the subject of a Referendum which is to be held on 24 January 2019. The referendum will be conducted in accordance with procedures which are similar to those used at local government elections.

If the Plan receives a 'Yes' from more than 50% of those voting, the Thaxted Neighbourhood Plan will be 'made' (or brought into effect) by Uttlesford District Council as soon as possible. This means it becomes part of the Development Plan and, as such, together with the adopted Local Plan will be the starting point for the determination of planning applications within the Thaxted Neighbourhood Plan Area.

**Information in relation to neighbourhood planning is available on the following website:**

[www.gov.uk/neighbourhood-planning](http://www.gov.uk/neighbourhood-planning)

Information in relation to the Thaxted Neighbourhood Plan is available on the following websites:

<https://www.uttlesford.gov.uk/thaxtednp>

<https://www.thaxtednp.com/>