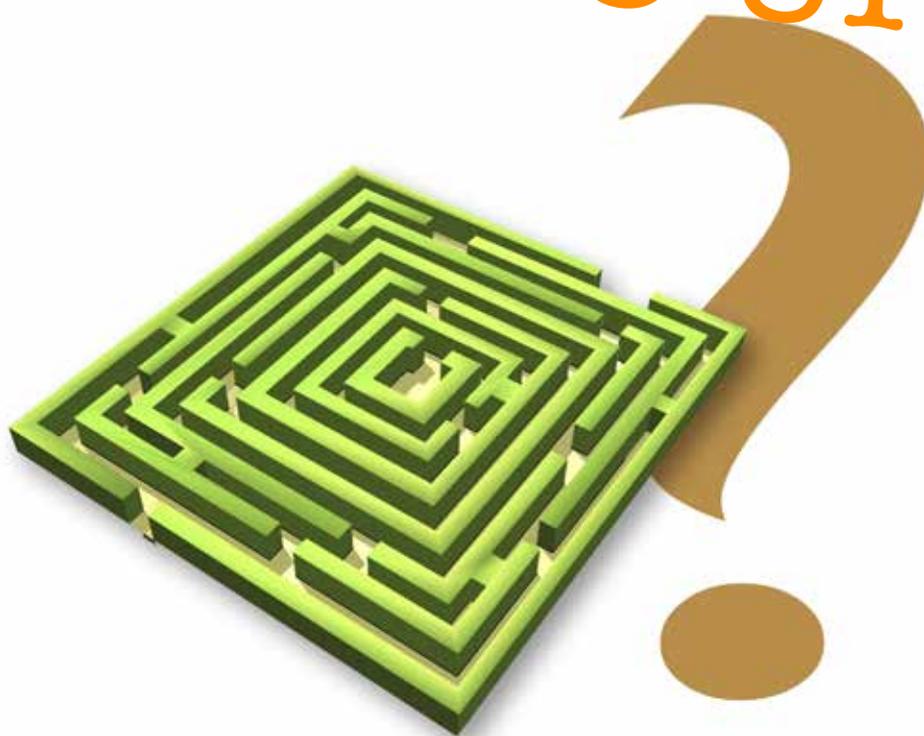


PLANNING AND LOCALISM

Choices & choosing

2013 UPDATE



A guide to help communities, local authority officers, councillors, developers, businesses and others to choose the best path through the localism maze.

Produced for CPRE Gloucestershire by The Localism Network

This Guide is an updated (2013) version of the original published in 2012. The original was the outcome from a project commissioned early in 2011 by the Gloucestershire Branch of the Campaign to Protect Rural England (CPRE). The brief was to examine a number of existing approaches to community-led planning in relation to those being proposed at the time in the government's Localism Bill. As well as researching these issues, the project's aim was also to produce some practical outcomes – hence the original Guide.

As many people told us, our original guide reached places (and people) other guides don't often reach, and it was extremely well received. However, the 'landscape' is constantly changing so we felt that an update was appropriate for several reasons.

Most importantly, we needed to recognise that the Coalition government is pushing harder and harder to encourage people (or even incentivise them financially) to start to prepare full Neighbourhood (Development) Plans. We therefore felt that we must, this time, comment more explicitly on the relative merits of choosing one or two of the Guide's 'Choices' or of launching into a full Neighbourhood Plan. Not that it's an either/or choice (or ever was), as you will see.

Then there was a need to look back at and update information and guidance on some of the main Choices in the original Guide; nothing major but certainly important and useful.

Finally, since the original Guide came out, some other Choices have emerged, all very much community-led. One (Community-led Facilities Audits) was in fact established at the time of drafting the Guide but has now proved relevant enough to include in this update. Two (Community-led Traffic Management Studies and Community-led Sites and Allocations Reports) are new and important Choices and one (Pre-application Protocols) has started to become high profile. They are all of a slightly different order to the original Choices but we have been as consistent as possible with the originals by using the same basic, well-received format.

The original Guide was written by Jeff Bishop (then with BDOR Limited), Prof. Stephen Owen and Katie Lea (Place Studio). It was helped by David Brooke, Richard Lloyd and Charlie Watson of CPRE Gloucestershire and checked at final draft stage by a number of practitioners. This updated version of the guide has been produced by Jeff Bishop and Katie Lea on behalf of the Localism Network, of which they are members. The several members of the Localism Network offer briefings, training and project support on all of the approaches covered in this Guide.

**Jeff Bishop and Katie Lea are members of The Localism Network,
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**The Network also offers briefings, training and project support
on all of the approaches covered in this guide.**

Further copies of the guide can be downloaded at: localismnetwork.org.uk or cpre.org.uk

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... not another guide ...!

Yes, but this one is **different**. It is in response to questions such as these:

As a Community:

New development is likely in our area. Should we do a Neighbourhood Development Plan?

As a Local Authority:

We are moving from our soon-to-be-adopted Core Strategy to consider Sites and Allocations? How should we do this in the context of Localism?

As a Developer:

We have options on land for a large extension to a town and we are keen to involve the community and planners from now on. What approaches could we use?

As a Business Group:

Our town centre is declining. Would it help to have a Neighbourhood Development Order in place?

If you are from a community, a local authority (officer or member), a developer or a business, and have been wondering about these and similar questions, then this is the guide for you. Or rather, this is the guide to start with. That's because there are lots of other guides out there now helping you to prepare, for example, a Design Statement and some are emerging on how to prepare Neighbourhood Development Plans. This Guide asks the key question before all that:

“how can we choose the approach that best suits our particular situation”?

Do not be tempted to jump in and choose the first method that occurs to you, and certainly do not just jump into doing a Neighbourhood Plan. This guide is about 'horses for courses': it may well be that

your specific situation needs one specific approach, a combination of approaches, or perhaps even adaptations relevant to you.

This guide also goes beyond a community (or business group) 'doing' its Design Statement or a local authority (or developer) 'doing' its plan or project. It is about how all parties can – and should - work together for the best possible result to the point where it becomes irrelevant who starts, who leads, who 'does' and even who funds! This idea – of genuinely collaborative working - is essential to everything this guide is about because it is only through working creatively together that truly sustainable solutions will emerge. This guide therefore assumes that any of the long list of possible approaches – we call them 'Choices' - is best done collaboratively.

The Guide is in two parts. **Part One** includes the following sections:

- **Choices in Brief:** Short descriptions of the different basic approaches.
- **Working Together:** Good practice principles that apply whoever leads any process.
- **Choosing:** Some simple 'decision trees' to help with deciding which approach is most appropriate for you.
- **Choosing a Neighbourhood Plan?** Points to consider – very carefully – before choosing to start a formal Neighbourhood Plan.
- **Gearing Up:** Accessing the necessary resources and locating and building key skills.
- **Where Next?** A medley of follow-up links and references.

While Part One might be read in one go, Part Two: Choices in Detail is different. It is simply a series of practical notes on each particular choice, helping you not just to know more about that choice but how it links to others and where to go for specific help in using it.

In general, the text is drafted as if there are just two key players - local communities and local (planning) authorities. Where text is specific to one or the other,

that is made clear. However, under the Localism Act it is possible for local businesses to produce Neighbourhood Development Plans, so text relating to communities also applies in general to local business groups. Similarly (if with care) text relating to local authorities is also of relevance to developers. Planning is also bedeviled with acronyms! We introduce the full terms for each as they occur, only using the acronyms after that.

And a final note at this point. While aiming to be as clear as possible, this guide does not pretend that it is all quick and easy. That is because, despite the ambition to simplify the system, planning is still extremely complex.



This diagram expresses the idea of collaborative working between local authorities (officers and members), communities, developers and businesses. Local authorities are placed in the centre solely because they are statutorily responsible for planning, so everything, at some stage, must involve them. As the detail of the diagram shows, this also applies to work between, for example, a community and a developer which must touch, if only briefly, onto local authority territory.

PART ONE Choices in brief

This section summarises the main features of each of the approaches (the Choices) considered. Reading this summary will help you to understand the section on Choosing. From there you can then go to Part Two which elaborates each of the Choices in more detail.

This guide is set mainly in the context of the Localism Act and the National Planning Policy Framework. There are several aims behind both of these, the main one being to make the planning system generally more favourable to (sustainable) development. This is to be achieved by reducing the complexity of the system, in particular by removing a number of top-down procedures and controls. It is also to be achieved by giving local people more influence on what development happens where and what form that development should take. More specifically, the Localism Act encourages local authority planning processes to now focus on a single Local Plan and support local communities in producing their own plans. For this guide, however, it is crucial to note that the Localism Act only

introduces a few new approaches, yet some existing approaches still have considerable value in achieving the aims of localism as:

“... a way for communities to decide the future of the places where they live and work”.¹

This guide therefore covers both new and existing approaches – here called Choices. In addition, the guide not only covers what communities can or should do for themselves, it is also about how local people can have a greater voice in all aspects of planning led by others, be they planning authorities (with a Local Plan) or developers (in pre-application engagement).

¹ An Introduction to Neighbourhood Development Planning, Communities and Local Government, October 2011.

The various Choices included in this guide have been arranged in the following broad sequence:

Core Evidence and Standards: *These are ways of providing the background evidence, assessment and guidelines that can underpin a statutory plan or help to shape development.*

Statutory Plan-making: *Just two main formats - Local Plans and Neighbourhood Development Plans – plus one key part of the process – Site Assessment.*

Concept Statements: *These form a bridge between statutory plan-making and development management.*

Development Management (formerly Development Control): *This covers two established approaches – Pre-application Engagement and Planning Performance Agreements, and two more introduced in the Localism Act.*

Please be aware that almost all the existing approaches and previous experience come from rural practice, in villages, parishes and small towns. But every one of those approaches can be adapted and used in urban settings. If you are from a large town or city, do not be put off by any of the titles!

Core Evidence and Standards

Parish Plans and Town Plans

(see page 34 for details)

Parish and Town Plans are produced primarily by local communities, albeit sometimes with procedural advice, sometimes technical advice. They generally cover almost everything except direct land use planning issues; for example open spaces, health, safety etc., but inevitably overlap at times with land use planning. This is why they are in 'Core Evidence not in the 'Statutory Plan-making' section (see below) although the link to land use planning needs to be considered carefully. They focus on generating local action plans and local projects, for example open space maintenance. Parish and Town Plans are very well-established; some 4,500 have been produced in recent years, mainly by rural communities. Some have been prepared in suburban areas, but virtually none in urban areas. NB. To avoid the rural terminology, these are all now termed **Community Plans**.

Local Distinctiveness Studies

(see page 36 for details)

As design issues have increasingly become matters of concern for the planning system, so planners in some areas have started to develop approaches, often but not always called Local Distinctiveness Studies. Such studies describe and evaluate key design features of a local area and produce guidelines in a way very similar to that in the more familiar Village Design Statements (see below), but across a broader canvas. To date all have been professionally-led, if occasionally with a degree of community involvement. As semi-formal documents they can carry some weight in decision-making on planning applications

Area-wide Landscape Character Assessment

(see page 38 for details)

Starting from national level work some years ago, landscape character assessments (LCAs) have been produced at national, regional and local authority level, and for National Parks and Areas of Outstanding Natural Beauty (AONBs). They cover history, land use, form of the land, tree cover, views and many other aspects. They

have always been a professionally-led process, although more recent work has included some level of community involvement. Assessments are then used as evidence for strategic plans and in assessing planning applications.

Village Design Statements and Town Design Statements

(see page 40 for details)

Some 600 or so Statements have been produced to date for villages and small towns, mainly by local people themselves. A Statement includes description and analysis of the distinctive aspects of a village or town and ends with design guidelines. Though done by local people, they can be formally or informally adopted into the planning system. Many have been shown to have a positive impact on local design standards. NB. To avoid the rural terminology, these are all now termed **Community Design Statements**.

Local Landscape Character Assessment

(see page 42 for details)

Area-wide Landscape Character Assessment is balanced with this approach, its local equivalent. These assessments are intended very much as a community-led (indeed often community only) approach through which local people assess the nature and significance of their local landscape. No national guidance exists but models of good practice are beginning to emerge. Partly because of the lack of strong guidance the results of local landscape character work often only have informal status within planning processes.

Conservation Area Character Assessment

(see page 44 for details)

In order to designate a Conservation Area, some initial survey/assessment work has to be undertaken. Once a Conservation Area is formally designated a thorough Character Assessment has to be done to guide decisions about planning applications. Such studies are expensive and have traditionally been done entirely by specialists. As a result, many Conservation Areas do not yet have full assessments in place. Recent practice now includes varying degrees of community involvement in their preparation.

Choices in brief . . . continued

Community-led Facilities Audits and Strategies

(see page 46 for details)

Provision of appropriate community facilities and services in their own right, as an element of a new development or funded by a development are extremely important in securing sustainable communities. The evidence from thorough audits and strategies is a key way to help to ensure that appropriate facilities and services are provided and local communities can undertake much of the groundwork themselves.

Community-led Traffic Management Studies

(see page 48 for details)

Traffic, not just vehicles but also public transport, cycling, even footpaths and pavements, is a key concern for communities and they usually understand the detail of what works, what does not and what is needed in their area better than many professionals. Once again, local communities can assemble and organise much of the evidence on such issues for themselves.

STATUTORY PLAN MAKING

Local Plans

(see page 50 for details)

Local Plans are statutory development plans and this term will eventually replace Local Development Frameworks, Core Strategies etc. They are the responsibility of local planning authorities (LPAs). Although genuinely new planning processes will need to end up with just one such Local Plan, authorities are well underway with the old regime of Core Strategies as part of more complex overall Local Development Frameworks and they are likely to continue with that, perhaps for some time. There are already formal requirements for community involvement in preparing both Local Plans and Core Strategies, supported by local Statements of Community Involvement (SCIs). However, while the Localism Act changes little directly, there is also a general view that far better engagement (not just involvement) will be required in the future.

Neighbourhood (Development) Plans

(see p 52 for details)

A Neighbourhood Development Plan (NDP) is also a statutory plan, but is prepared by the local community. Neighbourhood Plans are concerned only with land use and development issues. They must be 'in general conformity' with higher level plans, i.e. national planning policies and authority-wide Local Plans. This means that aspects such as housing numbers, perhaps even sites, will

most often be set by the Local Plan and the NDP must work within those parameters (a NDP can only suggest more development, not less). The NDP, which must be done to demanding standards, can then determine most of the detail for changes in its area (not just for sites) once it has been through examination and has secured support through a referendum. If the referendum shows support, the NDP must be formally adopted (the legal term is 'made') by the local planning authority. *NB. The term has already been shortened, in everyday discussion, to Neighbourhood Plan.*

Community-led Sites and Allocations Reports

(see page 54 for details)

This is included under 'Statutory plan-making' because assessing and selecting development sites is such a basic element of plan-making for both Local Plans and NDPs. For a NDP it is very much a task for the local community (if building on LPA work) but communities, with their local knowledge and considerable voluntary resources, can also play a key role in helping LPAs with material on sites for their Local Plans.

CONCEPT STATEMENTS

(see p 56 for details)

A Concept Statement is a form of development brief, outlining the key principles of content, layout, design and viability for a potential development. If done properly they are developed collaboratively with the local community, landowner, developer, other key bodies,

elected members and planners and then endorsed by the local planning authority. Concept Statements bridge the gap between broad policy and site specific detail and, when done early, can affect land value and hence enable more locally relevant developments.

DEVELOPMENT MANAGEMENT

Pre-application Involvement

(see p 58 for details)

Good developers already choose to engage with local communities and others in advance of a planning application because they believe (and evidence backs this up) that a widely supported project is likely to secure planning permission more speedily and easily. Secondary legislation from the Localism Act seems likely to make pre-application engagement a formal requirement but only on larger projects. However, local people can and should still press for pre-application engagement (as appropriate to development scale and type) on all projects.

Planning Performance Agreements

(see p 60 for details)

On larger projects in particular there can be a semi-formal process called a Planning Performance Agreement (PPA). A PPA is normally signed up to by a local authority and a developer to guide all aspects of project development, including community engagement. The Agreement outlines clear procedures and responsibilities for all parties and includes an agreed timetable. There is no reason why a formally established local community should not also be a partner in such agreements, in fact there are strong arguments for this with the Localism Act in place.

Pre-Application Protocols

(see page 62)

In a way this is not a stand-alone Choice; it relates to and complements Pre-application Engagement and Planning Performance Agreements (PPAs) as above. A Protocol is a form of generic, area-wide PPA focusing on pre-application community involvement. As with a PPA it is about mutual agreement between an applicant, a LPA and a community

about how the community involvement will be planned, delivered and reported. By making it generic it sets common and consistent standards of value to all three parties.

Neighbourhood Development Orders

(see p 64 for details)

Under the Localism Act, 'neighbourhoods' will be able to use Neighbourhood Development Orders (NDOs) to grant planning permission in full or in outline for new buildings they wish to see go ahead. These Orders will be administered in rural areas by Parish or Town Councils and in urban areas by a Neighbourhood Forum. It is not yet entirely clear whether or how Orders will be able to apply to projects of the scale of new homes and offices or whether they will be limited to only very minor developments such as porches on houses or small building extensions.

Community Right to Build Orders

(see page 66 for details)

Under the Localism Act citizens now have more rights to decide what is built in their communities, including housing, local shops and community facilities. To secure the right to build, any proposal will need to be prepared by a community group such as a community interest company or a community land trust, independently assessed to determine whether the proposals meet specific key criteria (eg. type, size, location etc.) and supported through a local referendum. No further planning permissions would then be needed.

Choices in brief . . . continued

ALTERNATIVES, COMBINATIONS AND VARIATIONS

Rather like choosing ingredients for a recipe, there are some combinations that seem perfectly natural, but do not be afraid to vary and adjust approaches to suit your particular situation. Several of the different Building Blocks can easily be combined:

In Cheshire, for example, quite a few communities have combined a Village Design Statement with a Local Landscape Character Assessment because the former deals with the built area, the latter with its broader context.

A group in Bristol, where only part of their neighbourhood is in a Conservation Area, are applying Conservation Area Assessment methods to the whole of their neighbourhood and using this to develop a Design Statement, also for the whole area.

Area-wide approaches such as Local Distinctiveness Studies or Landscape Assessment can link very productively to their local equivalents such as Village Design Statements or Conservation Area Assessments.

What is more, it sometimes does not matter which comes first; several local studies can be used to speed up an area study or an area study can enable local work to 'hit the ground running'.

An especially rewarding link could be made – again in any sequence – between Community Plans and Neighbourhood Development Plans. The former can and should cover everything except land use and development, while the latter should focus mainly on land use or 'spatial' issues; each will clearly have implications for the other. Having a wide-ranging community plan in place can have enormous benefits in offering a strong argument for how to spend – locally – any financial benefits from development.

Although the Localism Act suggests a shift to just one single Local Plan for a local authority area, it will still be possible to add in different types of plan.

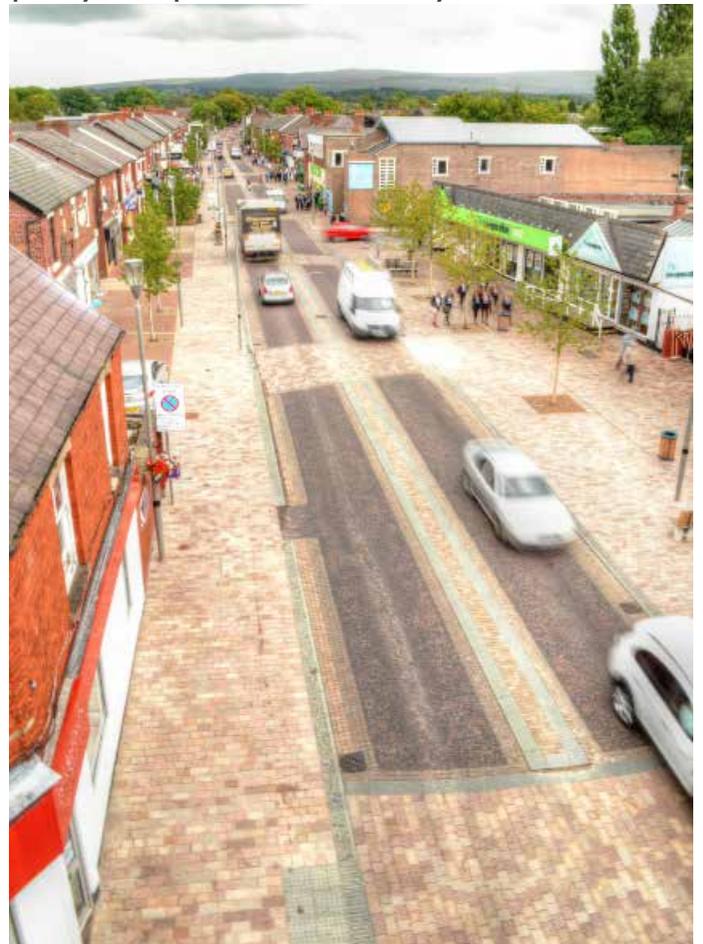
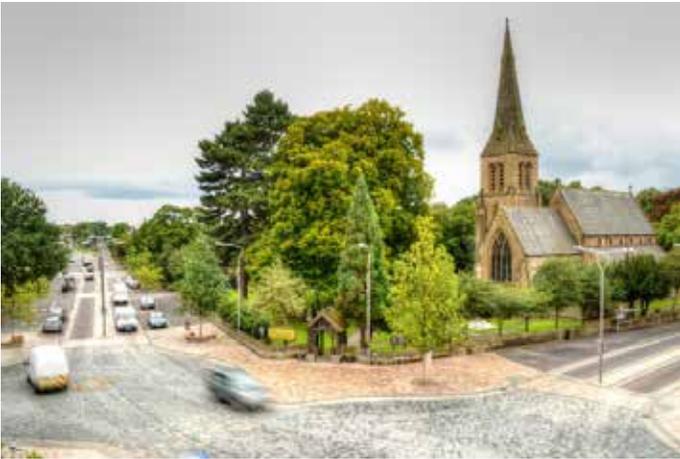
That might be an Area Action Plan (an established format), dealing with a size of area and community well beyond just a 'neighbourhood' but smaller than a whole authority area. Equally there might also need to be a 'plan' for a linear corridor or a specially sensitive area, or on a specific topic (eg. design) on which the main plan offers no detail. Most importantly, such alternatives are still possible and can be promoted by local people.

Moving this on, a Neighbourhood Development Plan (or a Local Plan for that matter) could easily include within it a Concept Statement for a specific, perhaps a particularly important, local site.

These are just a few examples; the reader is encouraged to go to Choices in Detail in Part Two where each approach has notes on its likely links with other approaches.

Having outlined the Choices in brief, we now turn to some key principles of Working Together that really ought to be applied in delivering any of the Choices.

Localism network member, Ben Hamilton-Baillie was a key member of the team for this regeneration scheme in Poynton creating high quality and pedestrian friendly streets



Working together (or collaborative planning)

WHY COLLABORATIVE PLANNING?

In the past, planning often seemed to be done almost entirely by 'those who know best', with the results then being announced to those who would have to live with them. Though perhaps a stereotype, this is now beginning (if slowly) to break down as community engagement becomes more common. In reaction against this almost exclusively 'top-down' approach, there is increasing support for planning to be done from the 'bottom-up'. This brings with it the danger of jettisoning the important frameworks, co-ordination, knowledge and skill offered by strategic planning and planners. We therefore believe that it is essential in future to integrate planner-led and community-led approaches to planning through genuinely collaborative work between all the parties concerned. That is why this section is here – the principles apply to using all of the Choices.



With the Localism Act in place, there is now a real opportunity to speed up the process of putting genuinely collaborative planning in place. That way all those with an interest in a place, its future, its design and so forth can pool and develop their knowledge, ideas and skills to generate a mutually agreed plan or project. This is about 'adding value', 'win/win', 'making the whole greater than the sum of the parts' or however you prefer to phrase it. And the key to achieve that is to use approaches or methods in which people from all 'sides' come together and

work together. Working together, or collaboratively, is an idea whose time has come and there are now more than enough examples to prove its value. That is because:

- it can broaden and deepen skills, knowledge, experience and resources;
- it can enable possible conflicts to be resolved very early and hence save time overall;
- that makes it more cost-effective (though it does need paying for one way or another);
- it can generate richer, fuller, more widely-supported plans and projects;
- it helps to create a sense of shared 'ownership' and
- this builds understanding, respect, confidence, skills and trust for next time.

More specifically, in the context of almost all the Choices elaborated later, the idea of 'working together' applies, not just to a community and a local authority, but also to communities working with each other. This is incredibly valuable when a whole area approach is clearly better than lots of small areas going their own way.

PRINCIPLES OF WORKING TOGETHER

Regardless of who initiates a process (in fact in order to make this irrelevant) the following 12 key and proven principles should be of practical help in effective collaborative working, whether it be the preparation of a Community Design Statement, a Concept Statement, a Neighbourhood Development Plan or pre-application engagement.

1. Use a clear and independent process

Success comes from the thoughtful design of a coherent, process of joint working. This needs to be transparent and managed in a manner that demonstrates appropriate independence from those commissioning and funding it. Any process should also be appropriate for the particular situation rather than just taken off the shelf. Finally, it should be proportionate - neither too long and complex nor too short and limiting.

2. Agree the process

An effective way of achieving independence from the start is to engage a good range of people in designing the process. If key people have agreed a process and it has been delivered well, then it is difficult to challenge the results (and the results are usually better).

3. Clarify the scope of the exercise

It is important to be absolutely clear from the outset what should and should not be included and the legal, financial, timescale or other limits, and to discuss this openly. This is about what is and is not 'up for grabs' to be changed as a result of the collaborative work.

4. Ensure inclusiveness

Collaborative working is about engaging all those with a contribution to make, not just getting a plan or project on the road, but delivering it successfully over time. It is about the 'usual suspects' (often maligned but equally often very knowledgeable) and the so-called 'hard to reach', and it is also about engaging with potential 'enemies' as well as 'friends'! Everybody can learn from others, be that information, ideas, experience or ways of working.

4. Be sure everyone is ready

Efforts to be inclusive can flounder if some of those included have little knowledge of planning, design and development. There will often need to be some form of induction to ensure a level playing field. A more capable group of stakeholders gets into action more quickly and is more likely to develop creative solutions.

6. Ensure openness, honesty, trust & respect

Openness and honesty should be there from the start. Trust cannot be expected on day one, but having an

agreed process and discussing its scope are effective ways of developing mutual trust and genuine respect for other people's views early on. This is about two-way listening and questioning, and exploring needs rather than defending established positions.

7. Use common, agreed information

Recognising all forms of information and agreeing what will be used is important. Conflicts often occur simply because different groups use different information. Discussion should not be based on avoidable misunderstandings.

8. Use a mixture of methods

Different people respond to different methods of working, prefer different times, want to be involved at different levels, and want to be involved in different issues and at different stages. A mixture of methods is always needed to accommodate these differences.

9. Focus on dialogue to reach consensus

Collaboration is truly effective when people can engage in dialogue that involves reflection, trade-offs, triggering unexpected ideas and the chance to resolve differences. That usually means meeting face-to-face, although some aspects of dialogue can work electronically.

10. Take risks and be flexible

Generating creative solutions always involves a degree of risk-taking; it is only by opening up to all possibilities that the best solutions emerge; there must be real (but also defined) scope for everyone to help to change and improve a plan or project.

11. Work hard on the detail

All the principles in the world can be subverted by poor choices of venue, poor briefing, badly chosen dates, not having enough materials, not providing refreshments, failed technology, poor time-keeping, not reporting back, etc. etc. Everything matters, right down to the last participant's badge!

12. Evaluate and report

Hearing back from people towards the end of a process about how effective it was is crucial, even if that generates some challenging messages. Further, if all the hard work is to carry any clout, it needs to be pulled together into a thorough report or audit trail - and these now have real legal value in the planning system.

Choosing

This guide has already been described as about ensuring 'horses for courses', ie. about choosing the most appropriate 'horse' (or approach) for your specific 'course' (or situation). Having briefly introduced the possible approaches – the Choices, this section focuses on how various key features of your local situation can be noted and used to help steer you towards the approach that is most appropriate for that situation. Once you are clear about that, Part Two covers all the necessary detail on each choice to help you make a final decision and then move forward.

The key challenge here is that there are many possible variations for 'your local situation'. What follows are four examples that we hope will lead you towards the most appropriate choice (or choices) for

your situation. What you will see may surprise you because you may well be led towards something you did not expect! In each case there is a diagram – a 'decision tree' - and some supporting notes,

The examples are based around four basic and common situations or stages:

1. When the Local Plan* is fairly early in its development, with real scope for significant shared input.
2. When the Local Plan is near being completed, which limits the scope for change but opens up other possibilities at the neighbourhood level.
3. When the Local Plan is adopted and the focus shifts to follow-up work.
4. When the Local Plan is adopted and the focus shifts to dealing with potential sites and developments.

*The examples all relate to a Local Plan, but would apply in exactly the same way to other formal plans.

FOR COMMUNITIES:

The diagrams for 1 and 2 following are presented from your point of view. They show that almost all the Choices outlined briefly in the previous section, whether initiated by a community or by the local authority, may be appropriate depending on your situation.

FOR LOCAL AUTHORITIES:

Because all Choices should be developed with the involvement of all parties, whoever initiates them, diagrams 1 and 2 would be identical if drawn for you, albeit with the wording changed a little. Some of the notes are specifically for you.

The diagrams for 3 and 4 (also with notes) are about action by **any or all parties** after plan adoption. They are presented slightly differently. They highlight the many Choices available, who might lead and who might provide support. On diagram 3 this is done for further work on Choices and potentially on Neighbourhood Plans. On diagram 4 it is done for handling possible projects from site identification through to any detailed planning application stage.

In the diagrams:

- LPA = Local Planning Authority, the planning team in the local Council.
- Y and N = Yes or No
- Grey boxes indicate Choices
- The small numbers refer to notes that elaborate the diagram's shorthand. These follow the diagrams so refer to them as necessary.



Localism Network Members, Julian Mellor & Hugh Nettlefield facilitated the development of a Community Vision in Stokes Croft, Bristol

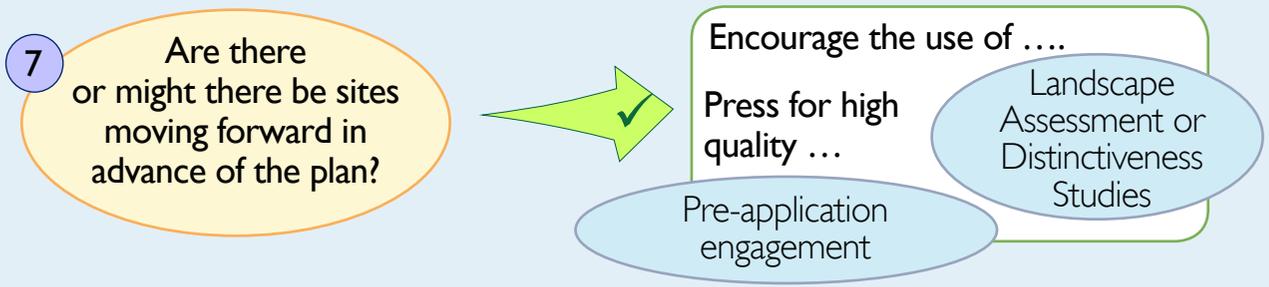
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FOR A COMMUNITY: Early in a plan making process

If there is genuine time and opportunity to influence the plan, this should be your priority.



Be aware that developments may come forward as you work to inform the emerging plan, so



NOTES ON DIAGRAM I

For Communities:

There can't be any precise definition of what is 'early'. The key point is to do everything possible to ensure a Local Plan is prepared that you are happy to be 'in conformity' with. Ignore that and it is then a serious uphill battle to gain more influence over anything other than minor decisions. Whatever you do, avoid being diverted into other Choices; focus on the Local Plan while there is time to influence it.

1 Although the Localism Act does not appear to change anything on this front, hopefully, the quality of engagement in plan-making will improve because local voices will carry greater weight. Use the standards laid down in your authority's Statement of Community Involvement, work with other communities to maximise your impact (which helps the authority) and offer as much assistance as you can with accessing local people's views and ideas (which also helps the authority).

2 The LPA may have been sent your Design Statement or whatever but who in the local authority actually has it, have they referred to it in their plan-making and can you help to reinforce it? So even if it has been sent in, chase it up!

3 Check the LPA's time-frame for their plan. It can easily take 18 months to do a community-led Core Evidence and the planners need it in time to actually use it. If you can't hit that time-frame, don't start yet (and go to diagram 3).

4 The LPA may still be thinking of some of these as being exclusively done by professionals. Try to encourage them to introduce appropriate community engagement.

5 Informing the Local Plan is your key priority but, once certain things are in place, you can start your own local Core Evidence.

6 As in 4 above, anything you do here is really only of use if it can get to the LPA in time for them to use it.

7 This is important and often missed! While plan work is going on, sites with outline planning permission may well proceed towards detailed applications and developers may try to move forward with some speculative sites. You need to watch for this and press for pre-application engagement.

For Local Planning Authorities:

As already suggested, the basic diagram on the previous page would not be any different for you. It is based on asserting the principles of Localism, ie. giving local people a greater voice in all aspects of planning. The only thing that would change, if you too are willing to embrace these principles, is some of the wording in the boxes. With that in mind, looking at the boxes, you could:

- Work out for yourselves how to raise the quality of engagement in plan-making;
- Check that you have and are using any Parish Plans etc. done by local communities;
- Proactively, as some LPAs have done, encourage and support communities to start doing their own Design Statements and so forth;
- Stop seeing any Landscape Character Assessment (for example) as a solely professional task and actively encourage community involvement, and;
- Alert local communities the moment you are aware of any projects starting or moving on.

2

FOR A COMMUNITY: Late in a plan making process

By this point there is generally little scope for major change in the Local Plan but localism adds scope to shift the balance and open up new opportunities

Despite this being late, still don't miss out on engagement in

LPA PLAN MAKING

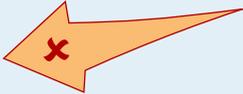


1 Does the plan suggest what you feel to be significant development in your area?



2 Start now on one or more community-led Core Evidence

- Community Plan
- Community Design Statement
- Community Landscape Assessment
- Conservation Area Assessment

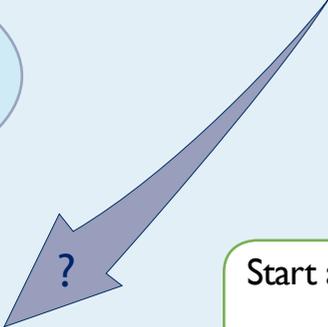


3 Can the plan be adjusted to maximise local influence?



4 Consider a

Neighbourhood Development Order



5 Start a

Neighbourhood Development Plan

But you still need to watch out for early projects (see previous diagram and notes)

NOTES ON DIAGRAM 2

For Communities:

New opportunities have opened up already! In one case a planning inspector chose to keep a figure for housing numbers in a town but remove the planners' proposed site. That was because the community had started a Neighbourhood Development Plan and it was felt that site selection should be considered in the NDP, not in the strategic one. LPAs will know of this so are now more likely to consider leaving such decisions to local levels.

1 You will have to define 'significant' but the plan will probably help. However, what may not be seen as significant growth by the planners may be significant to you! For example, 10 houses in a village of 300 may be 'significant', 500 in a small town may also be 'significant'. And don't forget that other elements in any plan can be significant for you, not just building developments, eg. flood alleviation or the designation of special areas.

2 Do this as soon as possible, even when the plan is in final stages, so as to be ready for when it is adopted.

3 As in 1 above, site choices could be left to local determination. So too could aspects of design, landscape, certain standards and so forth.

4 This shows both Yes and No boxes because any decision to proceed with a Neighbourhood Development Order is not entirely dependent on what is in the Local Plan; a NDO can be started separately. The Local Plan may, however, help to suggest what topics might or should be covered by a NDO. (And see diagram 3.)

5 Starting a Neighbourhood Development Plan at this point is good, especially if certain decisions are delegated to your plan. This is because it then leaves only the shortest possible gap between the strategic plan being in place and your plan being in place. Having started your plan also gives your voice greater weight with a Planning Inspector if you have queries with the Local Plan or sudden applications.

For Local Planning Authorities:

There is already much debate going on about what should, and should not, now be put into a Local Plan and what might, could or should, be left to be decided in any Neighbourhood Development Plans or other documents led by local people. If there is any clarity at all, it suggests that overall levels of growth need to be determined strategically but (a) what level of detail about general location – eg. to a specific area, town or village, and certainly (b) where exactly that growth might take place, should both be considered for delegation to local level. And 'be considered' does not mean that they should or should not be delegated; it simply requires that such issues be thought about and argued robustly if the decisions on those aspects are to be kept at strategic level (eg. if there really is only one site available).

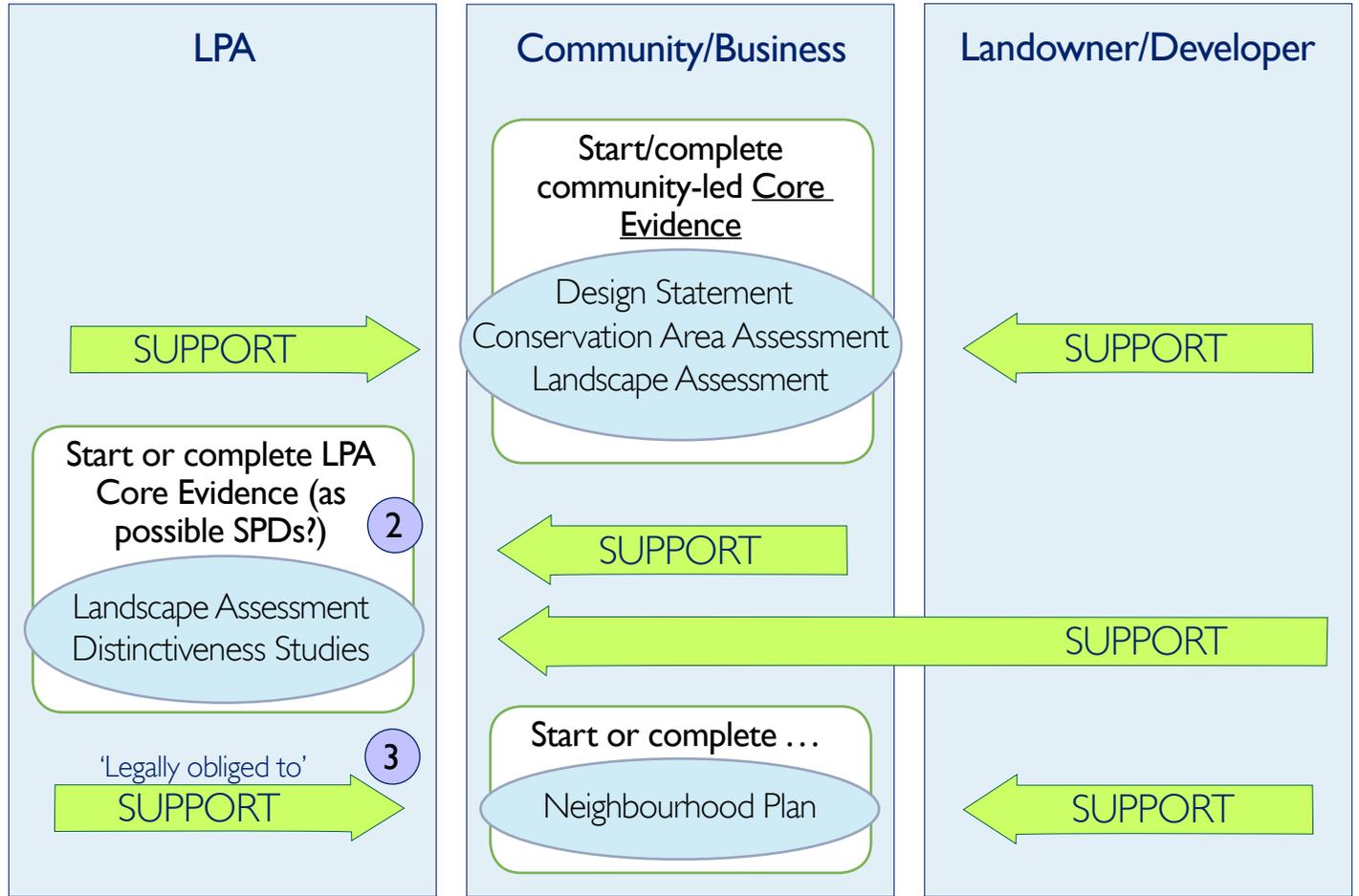
As before, you can simply wait to see which communities come forward wanting to do, for example, a Neighbourhood Development Plan or Development Order. Alternatively, you can prepare and manage the process proactively to ensure,

for example, that those in greatest need (where community organisation is too often absent) do not suffer because better prepared communities have acted first.

3

FURTHER CORE EVIDENCE AND NEIGHBOURHOOD DEVELOPMENT PLANS once a local plan is in place

This diagram and the notes apply to communities, authorities, businesses and developers. By this point there is generally little scope for major change in the Local Plan but localism adds scope to shift the balance and open up new opportunities



NOTES ON DIAGRAM 3

1 If work is proceeding about a clearly allocated site or series of sites, and the landowner or developer are known, it can be appropriate – with obvious cautions - for them to contribute information, skills even perhaps funding to a Community Design Statement or other local Core Evidence.

2 Documents such as Landscape Character Assessments, if not done within the main plan, can probably still be done to be supplementary to it, whether as formal Supplementary Planning Documents or not is not yet clear.

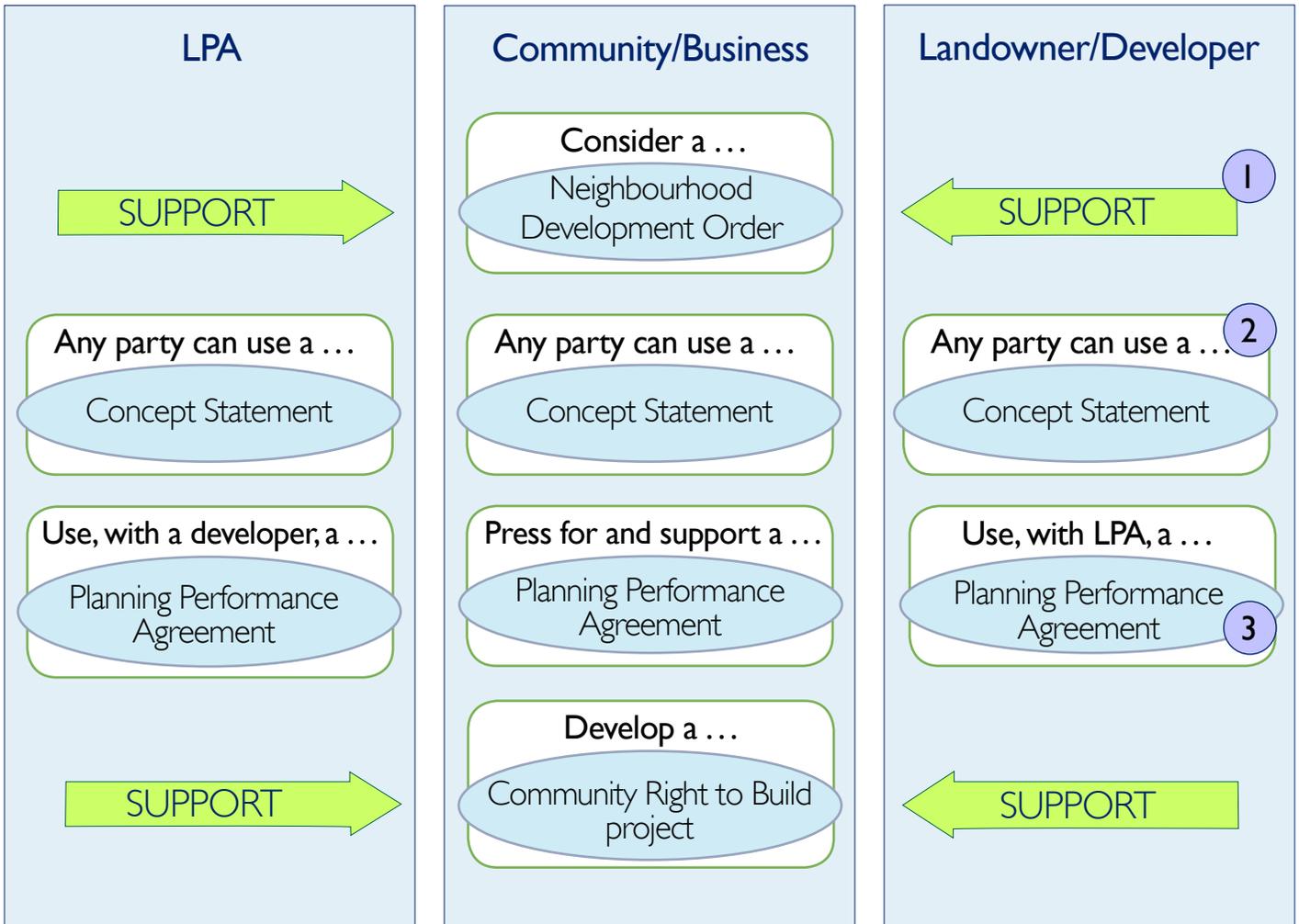
3 The Localism Act actually uses the word 'obliged' about local authorities (not just planning staff) supporting the production of Neighbourhood Development Plans. It is not a choice, though exactly what help, who from and how much is as yet unclear.

4

MANAGING PROJECTS, SITES & DEVELOPMENTS once a local plan is in place

This diagram and the notes apply to communities, authorities, businesses and developers.

This is about how best to manage the process once a plan is in place and as specific developments start to move forward.



NOTES ON DIAGRAM 4

1 As before, it can be appropriate – with obvious cautions - for a landowner or developer to contribute to the development of a Neighbourhood Development Order.

2 The main principle for any successful Concept Statement is that it can be initiated by any party and must involve all parties.

3 Planning Performance Agreements are inherently mutual between LPA and developer but can – we might say should - also include the community.

Choosing a Neighbourhood Plan?

The first key point to make is that a few people misinterpreted the aim of the Guide. They thought it was arguing against Neighbourhood (Development) Plans. Not at all. Neighbourhood Plans are a major, even long overdue addition to the list of possible statutory plans.

The problem everybody faces is that the Coalition is pushing Neighbourhood Plans as the only answer, as if they are all that neighbourhood planning is about. This seriously devalues all the great work by thousands of people over almost 20 years on, amongst other things, Design Statements and

Community Plans, all of which are just as relevant today in specific local circumstances.

People are then being pushed to either do a full Neighbourhood Plan when it is not appropriate to their circumstances or to believe that, if they do not prepare such a plan, there is nothing left worth doing. It will devalue Neighbourhood Plans if they end up being applied where they are simply inappropriate, so we repeat our view that communities (and local authorities) need to continue to consider the *many choices* available and make the *most appropriate* choice for each specific situation.

So a key question remains:

Can you or should you just pick the most appropriate Choices (or Building Blocks) or is it better to always start into a full Neighbourhood Plan?

We consider this question below:

Can you still choose ‘your horse for your course’?

The first step, as the original guide makes clear, is to decide what is most appropriate in your specific circumstances. When the original Guide was written, there were dilemmas about the level of influence one might have through choosing a very informal Community Plan or a possibly statutory Design Statement (if formally ‘adopted’) or through a full and formal (and definitely ‘adopted’) Neighbourhood Plan. This was mostly a choice that could be made without thinking too much about money, certainly not being determined by it; it was at that time a fairly ‘level playing field’ (or ‘course’). Things have now changed because, more recently, all the approaches to funding and support coming from government are structured to go exclusively to those communities or neighbourhoods committing to doing full Neighbourhood Plans (Development Orders etc.). As a result, it is no longer a ‘level playing field’ and the decisions are much more difficult, even distorted. So:

- *As a community, do you choose to crack ahead with just one or two of the Building Blocks (Choices) that are really appropriate to you, or do you launch into a full Neighbourhood Plan, which may not be entirely relevant but which might enable you to access some funding?*
- *As a local authority, will you have to take resources away from priority issues and communities in order to support Neighbourhood Plans (although you will also receive some funding, see below), in which case should you press or encourage people to do Plans or not to do them (because of resource issues and the need for many authorities to focus on getting the Local Plan in place)?*

All the points about this in the original Guide still stand, but overleaf is the latest picture (Autumn 2013) of help and funding for Neighbourhood Plans that might be added in to your thinking as you decide your route (if you are a community) or the best advice to give (if you are a local authority, developer or consultant).

THE BASIC SITUATION

Local authorities are under a legal obligation to support any group advancing a Neighbourhood Plan.

Once any community gets designated to do a Neighbourhood Plan, their local authority can apply to the Department of Communities and Local Government (DCLG) for funding of £30,000 to support that plan. This is to pay for all the necessary administration, the examination and the referendum. If successful with this bid, £5,000 comes to the authority at the start, £5000 at submission of the draft plan for examination and £20,000 following a (successful) examination.*

DCLG have recently announced a new two year, £9.5m support programme from April 2013 for communities doing Neighbourhood Plans. A consortium led by Locality** has been appointed to provide aid and advice and funding grants of up to £7,000 direct to those groups undertaking Plans.

Authorities are now preparing and consulting on (and some have adopted) their charging policies for the new Community Infrastructure Levy (CIL) which largely replaces Section 106 agreements. The government has recently announced that a percentage of the CIL monies charged on any development must go to the community where the development takes place. Where a Neighbourhood Plan is in place (ie. complete) that will be 25% of the CIL monies but only 15% where no Plan is in place. For more information on the basics of CIL, go to the Planning Advisory Service (PAS) website: <http://www.pas.gov.uk/pas/core/page.do?pagelid=1242969> Not all authorities will choose to introduce CIL, and there is a discretion for authorities to choose any recommended proportion to go to a community, above the basic 15% and 25% figures.

OUR COMMENTARY

There is no real clarification of how much or what type of help could or should be provided, or any way in which communities can hold an authority to account for what it provides. Note also that this is an obligation on authorities as a whole (eg. highways staff, recreation staff, housing staff etc.), not just planners.

Only rarely will all of the £30,000 be taken up with administration etc., so there should always be some for direct help to any designated community, perhaps quite a lot. Communities need to talk to their authority and agree some accountability, to be sure that the service the authority is being paid to give is actually delivered. There will also be problems for authorities in using the resource, especially if only £5,000 comes up front. They are unlikely to be able to commit or appoint staff if it is uncertain that a plan will be completed. This probably also means that authorities will only commit late in the process, whereas communities most need help in the early stages.

It is not yet clear what criteria will be used to determine whether or not to give a grant or who to. (Details available on the Locality website) Locality intend to give more intense support only to a limited number of plan groups, perhaps just 1 in 7.

Very illustratively, if a community has 50 market houses built in its area and the local CIL charge per house is £100 per square metre - so roughly £10,000 per house - the total CIL would be $50 \times £10,000 = £500,000$. Without a plan in place the CIL to the local community would be £75,000, with a plan in place it would be £125,000 (ie. £50,000 more). There are two problems with this. 1. How to define the local community for a project. 2. For urban areas lacking a Parish/Town Council, the community would have to negotiate the use of their proportion with the local authority. The figures are also minima, an authority could choose to give 25% to all or give more than 25%. (See page nine for more thoughts on the costs and benefits of CIL / Plan production.)

* Government's letter to local authorities suggests that Neighbourhood Plan work could result in that Plan being absorbed directly into a main local authority plan or that it could stand alone as a Supplementary Planning Document (SPD) after examination (and would have real 'clout' as a statutory document). No referendum would be needed in either case. In both cases the final £25,000 would still be paid. **Locality indicate what support a Local Authority might give to a community undertaking a NDP in its 'Neighbourhood Plans Roadmap Guide' available at www.locality.org.uk *** For more information on the basics of CIL go to the Planning Advisory Service (PAS) website: <http://www.pas.gov.uk/pas/core/page.do?pagelid=1242969>

Choosing a Neighbourhood Plan?

CASE STUDY - LINKING TO STRATEGIC PLANS

Linking neighbourhood planning into strategic planning and into development management offers an opportunity for a coherent relationship between 'top down' and 'bottom up' planning. Consider this example from a District Council in the South West

- The LPA had put in place a well-managed and generally well-received engagement plan for their Core Strategy.
- The LPA has now produced a 'Neighbourhood Planning Protocol' which updates and replaces their Statement of Community Involvement.
- This Protocol brings all levels together: it addresses engagement in strategic planning, neighbourhood planning and community pre-application engagement.
- The planning team is now moving onto their Allocations and Development Management Plan.
- They are launching a collaborative approach to developing this plan.
- For agreeing large, strategic sites, the process will be led mainly by the authority but local communities will be asked to undertake, and may be supported to do, supportive tasks such as Character Assessment and Site Assessment (see new 'Choice' later).
- For small villages, the process will be led mainly by the communities but again with help and support from the planning team.
- Other collaborative approaches, eg. Concept Statements, are already being used.
- The LPA will provide training and support work for community-level work, not on a cost-ineffective one-by-one basis but by bringing committed communities together.
- There is even a chance to cluster some of the smaller communities where relevant (almost forming an Area Action Plan!).
- Some communities may choose to commit up-front to doing some of this through their own Neighbourhood Plans.
- They will get designated, the authority will receive some cash from DCLG, add to it with their own support (which will be for their Allocations and Development Management Plan as well as the communities' plans, so it can be considerable) and ensure this provides a coherent package of overall support.
- Any community starting a Neighbourhood Plan will be encouraged and supported to do the Allocations and Development Management Plan tasks first, after which they can choose whether or not to proceed to complete their full Neighbourhood Plans.
- The Allocations and Development Management Plan will also look ahead to collaborative approaches to pre-application engagement work and possible community Protocols (see later, yet another new 'Choice!').

HOW CAN THE CHOICES ADD UP?

The other idea that may have not come across fully in the original Guide was about the analogy of 'Building Blocks' – how choices might be combined and work together. This can be clarified quickly:

- If all a community believes to be appropriate for them is just one or more Choice, and they do not wish to do a full Neighbourhood Plan, that is fine.
- Each Choice still stands alone and may well (we would say 'should') be given some status by the local planning authority. The precise nature of the added status is not critical, as long as it makes the document a 'material consideration'.
- Choices can be combined together, again without necessarily having to do a formal Neighbourhood Plan.
- Most importantly, this is not an either/or approach - do a Choice or two or a full Neighbourhood Plan.
- All the Choices are potential elements of a Neighbourhood Plan. They can be thought of as 'Building Blocks' or 'bricks' forming the overall Neighbourhood Plan 'wall' (see diagram below). Nothing is lost by starting with one or two Choices then moving on to using them as the initial 'bricks' of a full Neighbourhood Plan (see later example).
- (However, be aware that if you start anything that you think might eventually form part of a full Neighbourhood Plan it is important to complete it and its evidence to a thorough formal plan level. We know from experience that doing this retrospectively is very time-consuming!)

COST / BENEFIT

And there is one final blunt point to consider before making any choice. Estimates of the costs to communities of doing Neighbourhood Plans vary considerably but the area getting an extra 50 houses, as in the example introduced above, may have to spend in the order of £50,000 to produce a full Neighbourhood Plan (even if small grants are available, plus help from the authority). They could however get up to £50,000 back from their 25% of CIL. That draws the inevitable question:

Is it worth investing £50,000 in order to get the full 25% CIL worth of £50,000 some time in the perhaps distant future?

And it's not just a matter of money. Even if there was a substantial apparent cash benefit, would that outweigh the considerable extra community time and effort of preparing a formal Neighbourhood Plan?

Gearing up for working together

Collaborative planning approaches are not just an add-on or a small step up from established forms of involvement or engagement. They require quite new and different capacities and skills and have different demands on resources – for all. As with any significant new way of working, it also takes time and a few examples 'under the belt' before the real advantages start to become clear. This reinforces the point about communities in particular working together because that is a key way to share and develop resources and skills.

This section outlines the key aspects that need to be thought about and worked on to 'gear up' for working together: Capacity Building, Skills and Resources.

Capacity Building

It would be really nice if people did not have to learn a 'foreign language' in order to get involved in planning issues but that's not easy. Keeping it simple, explaining things clearly and avoiding jargon are important bottom lines and can achieve a lot. However, there will always be some things – terms and procedures - that need to be understood by local communities if working together is to succeed.

That needs what is often called 'capacity building' but, as meant here, that comes with a big proviso. Most capacity building is assumed to be something that 'those who know' do for 'those who need to know', i.e. it's up to professionals to build capacity for the community. However, collaborative working implies that all involved need to have their capacity built! Professionals need to understand how and why local people think and feel as they do about their place and community, to relate this to planning and to have the capacity to engage with people around those issues.

People in the community need to understand the basics of planning, the arguments used, the evidence needed (and why) and be able, to some extent, to convey at least some of their own ideas in technical planning language. The challenge (and opportunity) for councillors is probably the greatest. They need to see things from both perspectives and to link this to responsible decision-making. And everybody needs to learn at least a little about working together successfully.

Most importantly, capacity building should be managed in a way that stimulates, excites and challenges because planning decisions have such a key bearing on people's quality of life. What's more, capacity building does not always need to be a separate activity, a sort of pre-condition. Good collaborative planning activity, because it absolutely must meet the needs and standards of all, always contains a capacity building (or induction) element.

Skills

Simply putting a group of potential 'collaborators' in a room together and hoping they will come up with great ideas is not enough. New and different skills are needed to design, manage, deliver and facilitate collaborative processes. And all these stages are important.

Collaborative working needs 'designing' to ensure that, throughout any long process, the right people meet at the right times, in the right place, with the right information to progress to the next planned point. It

needs 'managing' because it almost always involves a mixture of different people handling varied types of information or tasks, and that can't be left to chance. It needs 'delivering and facilitating' precisely because of that mixture of people and information. Some sort of 'third party' needs to orchestrate consensus and manage potential conflict. It also needs 'delivering and facilitating' precisely because of the complex mixture of people and information.

It is remarkable how many of the guides mentioned

in Part Two point out that a 'third party' or facilitator is essential. In situations that are potentially volatile, a genuinely independent person is crucial. However, there are many occasions where basic skills are all that is necessary to enable people to work creatively

together. What's more, anybody involved in any of the approaches described earlier can potentially develop the skills to play a facilitation role. That could be a councillor, a community representative, a planning consultant or local authority planner.

Resources

Collaborative approaches are not quick, easy or cheap. Nobody though counts the enormous and wasted cost of conflict; of failed plans, failed applications, community objections, delays and appeals. 'Front-loading', ie. investing early in any process, always pays off handsomely later. There is now a long list of examples to prove that, if done properly, collaborative working does save on all sorts of costs, sometimes dramatically. It also speeds processes, which itself helps to save costs. However, it is often difficult to find up-front resources, especially when one party, often a local authority, pays and another, a developer or a community, then benefits. It can still also be difficult to persuade decision-makers to put resources in to early stages. Councillors in particular often take a very short-term view of costs and need to be brought in to the process to fully understand the benefit and later value of proper up-front investment. Generally, however, the resources are there already, because certain things have to be done whatever process is followed. And, to repeat the key point, leaving things till later ends up costing more.

Local authorities normally pay for engagement in statutory plan-making and developers pay – or should pay - for pre-application work. However, the costs of engagement to a local authority are often difficult to extract from other costs and therefore difficult to argue for, especially to elected members. Under the Localism Act local authorities will be 'obliged' to give support to Neighbourhood Development Plans. The lead role on initiatives such as Community Design Statements has always been taken by communities themselves, with varying levels of support from local

authorities. Although that is optional, it seems likely to become more common.

There have been examples of community level work being funded by developers and, under the Localism Act, Neighbourhood Development Plans can be initiated and funded by local businesses. While the latter point is likely to raise community hackles, it is entirely valid if proper collaborative principles are followed. Finally, much community level work in the past has received good support from Rural Community Councils, Councils of Voluntary Service and Planning Aid.

In collaborative planning all parties bring something, and all parties contribute. Many approaches use voluntary time, often with a top-up from local authority and voluntary group staff. This can amount to many hundreds if not thousands of hours. Done properly, collaborative working can actually expand, certainly share round, any resources. This is particularly the case if the approaches outlined in this guide are used consistently and regularly because all involved 'this time' start a few steps up the ladder (and can hence save) 'next time'. Having said that, the 'ask' of communities is considerable for every one of the Choices covered in this guide and probably more than in the past because of the far more complex planning context. Volunteers are often there but also often come in and out at different times, and there can be serious 'volunteer fatigue', especially if little progress is seen to be made. The key is probably in showing clearly that any voluntary time is genuinely valued and that the results of their work are also valued.

The next section - 'Where Next?' - includes suggestions on how to build capacity and develop skills.

Where next?

Specific guides to each Choice are covered in Part Two – Choices in Detail. This leaves only some generic information and follow-up material to be covered here.

Organisations

There are some other national organisations able to offer various forms of advice relevant to the choices covered in the guide. The key ones are:

Locality

Locality and their partners, including the Royal Town Planning Institute, are delivering the government's Supporting Communities and Neighbourhoods in Planning Programme which helps local groups develop neighbourhood plans through grants and direct support: <http://www.buildingcommunity.org.uk>

Royal Town Planning Institute

Planning advice and support to communities and individuals <http://www.rtpi.org.uk/planningaid>

Council for the Protection of Rural England (CPRE) - Planning Help

Planning Help is a project of the Campaign to Protect Rural England (CPRE), supported by the Department for Communities and Local Government's 'Supporting Communities and Neighbourhoods in Planning' scheme. This website has a wide range of information to help communities engage in planning, from commenting on a planning application to Neighbourhood Plans:

<http://www.planninghelp.org.uk>

English Heritage

English Heritage have information to encourage community groups to consider their local heritage and the historic environment's role in neighbourhood planning. Joint guidance produced by the statutory consultees that include English Heritage and Natural England is also available on the website.

<http://www.english-heritage.org.uk/professional/advice/hpg/historicenvironment/neighbourhoodplanning/>

Action for Market Towns

(AMT) offers a range of services including guidance on community plans and community-led planning for local authorities and communities. Though historically focused on market towns, AMT also now supports urban work. Go to: <http://towns.org.uk/>

Design Council CABE

Supports local communities and professionals to shape places and spaces that meet local needs. CABE distribute grants to support collaborative approaches to design and development and the website is a useful source of information on localism and planning.

<http://www.designcouncil.org.uk/our-work/CABE/>

Councils of Voluntary Service

(CVS) aim to cover all of England but are currently struggling for funding. Nevertheless most areas have some body of this sort. They are strong on community development but, as yet, most have little history in planning or community planning. Their national body is NACVO (National Association of Councils of Voluntary Service) <http://www.navca.org.uk>

Rural Community Councils

These cover all rural areas of the country, with each county having its own local organisation. They have a strong tradition of general community support on community planning but do not usually have strong technical expertise on planning, design etc. They are federated to a national body, ACRE (Action with Communities in Rural England).

Go to: <http://www.acre.org.uk> for national information as well as contacts for any local area.

Architecture Centres

There are around 20 of these in England, mostly in larger cities though they also work across rural areas. They vary considerably in their scale, funding and the services they provide, but have a real interest in supporting community planning where possible. Go to:

<http://www.architecturecentre.net/docs/home>

Civic Voice

Civic Voice is the central body for all Civic Societies across England. Nearly all cities and towns and some villages have at least one Civic Society type body, if often called something different. They are strictly voluntary but often have good support from their local authority and can provide skilled volunteers to help and advise. For the national body, go to: <http://www.civicvoice.org.uk>

Training Opportunities

A number of small, more local organisations (even larger local authorities) and a few national ones offer training in some of the key skills necessary in delivering collaborative working, but not specifically in planning or localism.

Planning Advisory Service

The national Planning Advisory Service, sometimes in association with the Local Government Association, runs courses specifically for local authority councillors on planning and the more recent ones focus heavily on localism and its implications. They also run courses for planners. Go to: <http://www.pas.gov.uk/home>

The Glass-House Community-Led Design

Part of the Building Communities Consortium, The Glass-House Community-Led Design offers training to support community groups working on planning and design. The charity also offers independent support and advice on effective and collaborative processes. Go to <http://www.theglasshouse.org.uk/what-we-do/> for more information

National Communities Resource Centre

The National Communities Resource Centre offers bespoke training for communities. Go to: <http://www.traffordhall.com/>

References

Planning Portal

Planning terminology can be confusing to say the least! The Planning Portal provides a glossary of all planning related terms; a good reference guide. Go to: <http://www.planningportal.gov.uk/general/glossaryandlinks/glossary/s>

Community Planning Handbook

For a comprehensive guide to a wide variety of methods with case studies and reams of further information see Nick Wates' Community Planning Handbook and the associated website - <http://www.communityplanning.net/>

'Making the Case for Public Engagement'

Proving that good engagement can be cost-effective, Involve have produced a practical Toolkit to help in understanding and making the business case for engagement. Go to: <http://www.involve.org.uk/making-the-case-for-public-engagement/>

Community Council of Essex

The Community Council of Essex <http://www.essexrcc.org.uk> is in the process of producing a 'Neighbourhood Development Planning Guide'. It is listed here because it is not yet clear whether this will be specifically for Neighbourhood Development Plans – in which case it will belong with that particular Choice – or whether it will be more general.

Planning Advisory Service

The Planning Advisory Service provides a range of valuable support and resources around planning reform aimed at councillors and local authority officers. Go to: <http://www.pas.gov.uk/home>

Creating Excellence

(the South West's regional advice centre on community development) has produced a valuable guide to Localism, of relevance not just to their area. (They are also the SW outpost for CABE) http://www.creatingexcellence.org.uk/wrap.php?file=empowerment03.htm&opt=23&idx=17#start_contents

Localism Network

Finally, the Localism Network, two members of which contributed to this guide. The network provides briefings, training and practical project support on any or all of the approaches covered in this guide.

Go to: www.localismnetwork.org.uk

PART TWO Choices in detail

Further detail on the main Choices is given in this section. It covers, for each:

- A description
- Basic 'pros and cons'
- Where and when to use
- Links with other approaches
- Value to specific groups
- Further information – notably specific method guides

In some cases we offer a brief example of the approach in use.

Before taking each Choice in turn, there are some general (and some updating) comments to make about Local Plans and about Assessments, as below.

UPDATE TO LOCAL PLANS (see Statutory Plan-making I, page 50)

Although the original Guide focused mainly on localism choices, the point was made about the importance of still ensuring a strong community voice in strategic plan-making. Sadly, and despite the localism rhetoric, neither the Localism Act nor the National Planning Policy Framework includes anything about strengthening community engagement in plan-making.

That is important because, even with a good 'following wind', it is unlikely that more than 5% of the country (or population) will be covered in the next few years by formal Neighbourhood Plans. From the other side, as this is happening, where authorities do not have fully up-to-date Local Plans, what many local planners and local communities consider to be inappropriate (and often very large) developments are either having to be approved because of fear of appeals (and the costs involved) or are being refused by the local authority and then granted by the Secretary of State.

All the other community-led Choices in the Guide would sit alongside or be 'supplementary' to the Local Plan so it is absolutely crucial that planning authorities design and manage their engagement work better and that local communities watch for, and take up as fully as possible, the opportunities that they are given. Even the best prepared community-led Choice – eg. a Design Statement – can only be as good as the Local Plan it relates to!

- In the absence of mentions in legislation and of further guidance from government, all we can do here is to encourage planners and communities to do as much as possible to raise standards of engagement. There is an opportunity as authorities review their Statements of Community Involvement, so watch for that. And a good example of raising standards has already been mentioned – the Bath and North East Somerset Neighbourhood Planning Protocol. (This can be viewed at: www.bathnes.gov.uk/neighbourhoodplanning.) Another good example comes from the authority next door to B&NES – Bristol. Their Statement of Community Involvement (and see later) is one of the very best and can be used to set a standard for what communities should demand, which is one reason it is so good. (This can be viewed at: <http://www.bristol.gov.uk/page/planning-statement-community-involvement>)

ASSESSMENTS , STATEMENTS AND GUIDELINES GENERALLY

The past 20 years have seen an increase in understanding the importance of local character and local distinctiveness and the need to protect and enhance the 'spirit' of place. What makes a place unique is a mixture of the everyday and the distinctive physical, social and economic characteristics of a place. It is also about the interaction of people with places. This is key to all four assessment approaches covered.

Formats for assessing local character and local distinctiveness have developed in three main ways - for landscapes, for areas of built environment (town, neighbourhood etc.) and for formally designated areas (especially Conservation Areas). These have usually been professionally-led but sometimes with a small amount of community engagement.

Most importantly, the issue of who 'leads' and who 'does' is now becoming rather blurred. Professionals might lead a Landscape Character Assessment or Distinctiveness Study but extensive community engagement is becoming more common.

There are even some recent examples of communities taking the lead and doing almost all the work on Conservation Area Assessment. From the other direction, research has shown that the most effective community-led assessments have

been those that also involved relevant professionals. In other words, the world is **slowly shifting towards collaborative working, whoever 'leads'**.

Just to complicate matters, while most of the above approaches are mainly descriptive, there is also the term 'Statement'. Statements, as in Village/Town Design Statements, have always included some thorough description but have also always included some design *guidelines*.

In summary, one can almost ignore the titles but it is crucial to be clear whether you are seeking general analysis and description that can inform a plan or the brief for a development, or guidelines that set down what content or qualities you are seeking, especially in terms of design.

District Wide Collaborative Workshop for Parishes in Bath and North East Somerset led by Localism Network members Vaughan Thompson and Jeff Bishop of Place Studio



PART TWO Choices in detail

INTEGRATING BUILT ENVIRONMENT AND LANDSCAPE APPROACHES

Two of the Choices that follow are about community-led approaches to forms of environmental assessment: Community Design Statements and Community Landscape Character Assessments. These have been slightly updated but there are three key points to make here because

they apply to both of them, based on our own and other people's learning from experience. The first point is about separating assessments from statements, the second about bringing landscape and built environment work together and the third about the nature of any guidance.

1: Separate Assessments from Statements (or Guidance)

- This is not an absolute requirement and may in many cases be simply a presentational issue.
- We make the point because many existing Design Statements intersperse their guidance on layout, materials or whatever with the Assessment findings.
- An Assessment is something that is very thorough, rigorous and should stand over time, whereas the guidance, not so much the content as how it is used, can and should vary over time, especially as positive local examples emerge.
- While it can still be appropriate to put both the Assessment and the Guidance in one document (a 'Statement'), it now seems better to keep them as either entirely separate documents or as distinctly separate sections in one document.
- This is also partly because an Assessment can be used for many things other than just influencing or guiding the design of new developments; for example footpaths, tree planting and site appraisal.
- Most importantly: All the other material about Design Statements and Landscape Assessment in the following two Choices sections still stands.

2: Bring landscape work and built environment work together

- The guidance on Design Statements in the Choice that follows comes from the very early work on Village Design Statements.
- That guidance recommends that those developing a Statement should evaluate their village's landscape setting, its settlement pattern and its buildings, but mainly the latter two given the focus on the design of buildings.
- As a result, in many cases the work on 'landscape setting' has not proved to be good enough. Those in villages in particular have wanted, rightly, to look at all of the landscape in their area, especially if development is likely within that broader landscape.
- The approach that is now recommended is to consider all of any parish or town council area, or neighbourhood area in a town, and to appraise (as relevant) all of landscape, settlement pattern and building design in a balanced way.
- Most importantly again: All the material about managing the two following Choices still stands; it just needs to be combined together.
- There have also been two useful recent publications – a guide for communities on landscape assessment from Action with Communities in Rural England and a toolkit produced by Hampshire Council which, while focusing on landscape, also acknowledges the importance of considering built character assessment at the same time. (See Where Next section, page 28.)

3: Reconsider the nature of guidance given the emerging potential of Protocols

- The first Design Guides in the 1970s were full of statements about “don't do this” (with a big cross over a photo) and “do this” (with a big tick over a photo)!
- Over time the emphasis shifted from such blunt and often over-simplified instructions (not really guidance) towards the approach as in good Design Statements – simply drawing on the outcome of an Assessment to lead (‘guide’) a developer or architect towards what ought to then be self-evident points for them to consider and respond to.
- Some key points on that are fine and are still needed, if only to catch those developers or architects who just want a simple tick-box answer.
- The shift more recently has been towards avoiding over-simple and almost inevitably tick-box guidance to emphasising the value of dialogue and discussion between applicant, community and planning officer as schemes are being designed (see the Pre-application Involvement Choice, Page 58).
- Experience shows that this can lead to more responsive and creative designs that relate better to community understanding and aspirations and perhaps reduce or even remove later objections (thus benefitting the developer as well).
- The preferred approach now is to focus on pre-application engagement and especially on the use of Protocols – a new ‘Choice’ so see later section on that.
- Most importantly: Some form of Design Statement or Design Guidance, built directly from assessment, is still needed (so all the Guide's referenced material is still valuable) but it should probably be shorter, sharper and less prescriptive, while everything should be done to encourage pre-application dialogue (eg. with a Protocol).



Localism Network member Katie Lea of Place Studio works with the Rural Community Council in Gloucestershire to support communities in neighbourhood planning work

CORE EVIDENCE 1: Community Plans

Since their formal introduction in the 2000 Rural White Paper, around 4,000 Parish Plans (PPs) have been prepared, covering nearly half the parishes in rural England. Their stated purpose is for the local community to identify problems, to explore the key services and facilities that a village needs, and to show how the character of villages might be protected. A good Parish Plan encompasses all those matters that the whole local community considers important and must include an action plan for those that could be addressed directly by the community itself. There is no fixed list of topics, but a plan might embrace, for example, affordable housing, retail services, health and personal care, traffic, crime and tourism. Many have been or are being reviewed.

Market Town Plans (MTPs) were also launched in 2000 as part of the Market Towns Initiative, which aimed to revitalise market towns and their surrounding areas with very strong community involvement. Each plan follows on from a 'Healthcheck' study undertaken to establish the town's economic, social and environmental 'health' and to develop a vision for the town's future. Typically, a MTP includes a summary of the town's strengths, weaknesses, opportunities and threats; a vision for the future; a statement of strategic

objectives; a list of specific economic, social or environmental projects; and consideration of the funding and phasing of those projects. As with PPs, many have been or are being reviewed.

Community Plans should not include core planning, land use or spatial issues, ie. what development might happen where. They can, however, refer to statutory land use plans and the information they contain can make an extremely valuable contribution to the evidence base for a statutory plan and to deciding the community benefits of specific developments.

Advantages

- Very high community participation rates
- Good collaboration between different interests
- Holistic in scope, allowing linkages to be made between different issues
- Over 4,000 PPs prepared, indicating that they are well-embedded
- Track record of successfully deploying a range of engagement techniques
- Foster enhanced social capital in local communities
- Potential formal adoption by Parish/Town Councils
- Provide detailed knowledge or insights not available to local authority planners
- Effective at identifying locally perceived problems and assets
- Must include an action plan, so they are practical

Disadvantages

- Can be inconsistent in their rigour of processing information
- Cannot make specific land use proposals
- Can be dependent on enthusiasm of a few people or on the vigour of Parish/Town Council
- Never properly marketed to or supported by local authority planners
- May not be supported in their preparation or in their results by a local authority
- Little involvement in preparation by planners, developers or other interests
- If dependent on external pots of money or residents' wealth, can be 'regressive'
- Can raise expectations unrealistically
- Lack of legal status
- Little power or resource to implement proposals

Where and when to use

Ideally, Community Plans should be prepared for *all* parish/town council areas and their neighbourhood equivalents in urban areas. They should become a normal part of formal representative democracy exercised by Parish and Town Councils and formally constituted Neighbourhood Forums. Parish/Town Plan methods are particularly valuable where a 'holistic' approach offers a broader context for specific spatial planning proposals – for example where there is a range of issues relating to lack of services and facilities in a relatively disadvantaged area. They are also valuable where detailed knowledge of problems and opportunities can enhance the appropriateness and quality of spatial planning proposals. They are also of major value, almost indispensable, when deciding where any money from the future Community Infrastructure Levy could be spent within a recipient community.

Links with other methods

- Engagement in plan-making can be enriched by information or evidence from Parish and Town Plans.
- Neighbourhood Development Plans could deal with the land use and development proposals within the broader canvas of Parish and Town Plans.
- Built Environment Assessment and Landscape Assessment have often been used successfully as complements to a Community Plan.

Specific value for key groups

FOR PLANNERS

It is beginning to be recognised that Community Plans provide added value to strategic spatial planning in terms of local knowledge, insight and priorities about specific places and communities.

FOR DEVELOPERS

As the new Community Infrastructure Levy begins to be used, and as planners seek more diverse uses in many developments, a good Community Plan can provide a strong rationale for decisions about development mix.

FOR COMMUNITIES

Community Plans are effective in developing social capital within local communities, also enhancing a community's ability to contribute to a wider range of planning initiatives.

Further information

- The key national guidance (if for rural communities), comes from ACRE (Action with Communities in Rural England). They have now produced an updated version of their guide to community planning: <http://www.acre.org.uk/NR/exeres/CB0D68F5-7666-4565-8D3F-E8C4D499EFB3>
- Also in rural areas, consult your local Rural Community Council for information about Parish and Market Town Plans. To find the relevant Rural Community Council go to the ACRE website: <http://www.acre.org.uk/>
- Guidance for town and parish councils is available at: <http://www.Ruralcommunities.gov.uk/publications/ca122parishplansguidanceforparishandtowncouncils>
- For information on Market Town Plans go to: <http://towns.org.uk/>

Example

Carrick and Caradon district councils in Cornwall worked jointly on a project using a community planner to work with a parish from each district to have appropriate elements of their Parish Plans adopted as Supplementary Planning Documents (SPD). The aim was to establish a protocol to enable the adoption of further Parish Plans and to ensure that the wishes of the community would be taken into account in development management decisions. The project ran from November 2007 to March 2008 and resulted in the adoption of elements of the St Just in Roseland Parish plan as SPD - and this is still used in development management decision making and is referred to in reports and at committee.

CORE EVIDENCE 2: Local Distinctiveness

Exploring, describing and using studies of local distinctiveness (village, neighbourhood, perhaps whole town) has a good pedigree, as will be seen next in Core Evidence 4: Community Design Statements. More recently, drawing on work at very local level and on developing good practice about distinctiveness in design, some local authorities have started to prepare studies for bigger areas. That might be a whole district or perhaps a large town (see example below). The aim of such studies is not to try to assess a whole large area as if it has only one character, but to identify and describe each of the many distinctive character sub areas or neighbourhoods within.

In general, the few Local Distinctiveness Studies that have been done have focused more on description and less on guidelines. In addition at least one district-wide study is based on the idea that local people will then elaborate the authority's 'broad brush' work through more detailed very local studies. In other words, area-wide Distinctiveness Studies covers much the same material as local studies so can work extremely well with very local Design Statements. It is not really important which starts first. They do not as yet have any formal status within the planning system.

There is not, as yet, any basic framework or generally accepted format for area-wide Distinctiveness Studies. However, anyone involved in urban design work would recognise many of the

features, issues and approaches used by studies to date: landmarks, key routes, spatial character of areas, landscape patterns, key views, the 'lie of the land' etc. If the approach starts to be more common, some sort of framework will probably be needed (as it was with Village Design Statements).

Additionally, there is no agreed approach to the role of local communities or the form of appropriate community involvement. Most recent studies have been done very much by planning or urban design professionals, apparently with little community involvement. As a matter of collaborative principle, however, it is as important to engage local communities fully in the development of area-wide Distinctiveness Studies as it is for local people to draw on specialist help when doing a local Design Statement!

Advantages

- An overall assessment can help to justify local planning decisions
- Though each area is different, some key aspects can apply across a larger area (e.g. materials)
- An area-wide assessment can encourage local people to do their own very local one
- Can help to bridge from inevitably rather general Local Plan policies to specific local ones
- Can provide a template to be used with care by more local studies

Disadvantages

- Can be rather too broad and general and miss key, very local factors
- The frameworks can be too rigid for use at very local level
- Generally seen as something for specialists alone to do
- They have, as yet, no real legitimacy in statutory planning
- Methods at present are very urban design focused and may be less appropriate for more rural settings

Studies

Where and when to use

There is no clear place in planning procedures for Distinctiveness Studies but, to reinforce all design policies, especially when no or few very Community Design Statements have been produced, an area-wide study can have great value. If some local Statements or studies have been produced it is then very important to make sure that they are taken as the start of any area-wide study, ie, that the two are not seen as separate or in conflict.

Potential links with other methods

- As outlined above, there is great value in a prepared format and process for integrating area-wide studies with Community Design Statements.
- According to the nature of a district, a Distinctiveness Study can work very well with a Landscape Character Assessment.
- An area-wide study can provide valuable evidence for a Concept Statement.

Specific value for key groups

FOR PLANNERS

Distinctiveness Studies can provide a strong link between policies at Local Plan level and development management policies and practice.

FOR DEVELOPERS

An area-wide study can inform local decisions on design issues and/or prompt the development of a more specific Community Design Statement.

FOR COMMUNITIES

As with any main strategic policy, an area-wide study can provide a valuable starter into appropriate design approaches in an area.

Further information

- No general guidance yet exists but CABE's overall principles about design are valuable. Go to: <http://www.designcouncil.org.uk/our-work/cabe/>

We know of two interesting and thorough Local Distinctiveness Studies:

- Brighton and Hove Council: <http://www.brighton-hove.gov.uk/index.cfm?request=c|162887>
- New Forest District Council: <http://www.newforest.gov.uk/index.cfm>

Example

Brighton and Hove City Council's Urban Characterisation Study is a document that helps to guide decisions about 'location, form and type of future development' in the coastal city. Through description and analysis of the city's urban structure and of the distinct neighbourhoods that characterise it, the study provides a reference for development, regeneration and conservation in the city. Neighbourhoods are identified based on a number of characteristics including historic influences, land use and architecture.

The understanding of the character of neighbourhoods and how those contribute to the overall character of place provides a reference for not only how the city council plans and manages future development to maintain and enhance Brighton and Hove's identity, but also for communities and developers planning for regeneration and development.

CORE EVIDENCE 3: Area-Wide Landscape

For many years planners and others attempted to ensure that landscape features and landscape character were taken into account in key planning decisions, notably about what development might go where and about layout and design. Such attempts often foundered against legal challenge, for example at appeals. This was mainly because there was no generally agreed framework or methodology for assessing and valuing landscape. Almost 20 years ago government agencies (Countryside Commission with English Nature) produced the badly needed framework. As a result local authorities and others (e.g. teams managing AONBs) started to prepare Landscape Character Assessments (LCAs) for their areas as part of, or linked to, statutory planning work. Although not all relevant authorities have done this, it is now for many a common feature of any new plans - sometimes done by a County, sometimes by a District. The results are used to guide broader decisions about possible development locations and more specific decisions about the layout and design of developments. As the guidance says:

Landscape Character Assessment can help:

- decide policies in development plans;
- inform the siting and design of particular types of development, such as housing, minerals; telecommunications and wind energy;
- assess land availability for a range of uses, including new development;
- provide information for Environmental Assessment of plans, policies and individual development proposals.

When first used, it was assumed that undertaking assessment was a highly specialised task so most authorities appointed consultants to do it, almost always with no community consultation at all. More recently it has become accepted practice that there should be a good level of community or stakeholder involvement. As the latest guidance says:

“Involving stakeholders will be a sound investment. It will produce results that are better informed and which encourage greater involvement in their use for determining better development and land management decisions.”

Nearly all completed assessments are area-wide rather than local and concerns are often raised about how specific they are when dealing with a single village or town, or with a single site. They therefore complement local work (see Core Evidence 4 and 5).

Advantages

- Can help to ensure more appropriate development locations and design
- Pick up and reflect local interest in landscape settings
- If done to set standards they can stand up at inquiries and appeals
- Can be very engaging and enjoyable for contributors

Disadvantages

- Can be too 'broad brush' to genuinely guide specific decisions
- Still seen by some as the reserve of specialists
- Can sometimes exclude settlements, so not providing a holistic picture

pe Character Assessment

Where and when to use

A LCA should be an essential part of any strategic level plan, in fact a plan might be deemed unsound if a LCA has not been completed. Once in a plan the LCA should be used in helping to decide development locations and then in helping to shape specific developments.

Potential links with other methods

- Area-wide LCA work can be completely complementary to Local Landscape Character Assessment.
- Developing a LCA as part of plan-making can be an extremely effective way of engaging local people.
- The results of a LCA can be used in developing Concept Statements.
- Ideally an area-wide LCA should be developed closely with an area-wide Distinctiveness Study.

Specific value for key groups

FOR PLANNERS

LCA is probably now almost a mandatory requirement and can strengthen any plan.

FOR COMMUNITIES

Engaging in an authority's LCA can not only enrich the results but enhance local capacity to address landscape issues on specific projects.

FOR DEVELOPERS

As with any study underpinning a plan, a LCA can and should be used to inform development proposals.

Further information

The national guidance now comes from Natural England as follows:

<http://www.naturalengland.org.uk/ourwork/landscape/englands/character/assessment/default.aspx>

Many authorities publish more local guidance as well as their actual LCA and how to use it.

A typical example is Suffolk. Go to:

<http://www.suffolklandscape.org.uk/>

Valuable information is also available from the national Landscape Character Network, now hosted by Natural England.

Go to:

<http://www.naturalengland.org.uk/ourwork/landscape/englands/character/lcn/default.aspx>

CORE EVIDENCE 4: Community Design Statements

The history of local, mainly community-led, Design Statements starts in rural areas, in villages in particular, then moves on to towns. There is as yet very little experience of Design Statements being developed by communities in and for their urban neighbourhoods but there is no reason at all why that should not happen much more. In general, Community Design Statements as described here are a more local version of professionally-led Local Distinctiveness Studies (as in Building Blocks 2).

Village and Town Design Statements (VDSs and TDSs) focus specifically on design and local distinctiveness. They were deliberately developed within a clear and narrow frame of reference - the design of new development. The aim was to ensure a close 'fit' with the statutory planning system and thereby to maximise their effectiveness. They are, first, a way of recording, celebrating and enhancing what a local community feels are the distinctive features that make their particular village or town unique. Secondly, those features can then be used to frame design guidelines for use in early discussions with developers and designers. They focus on *how* development might look and should not drift into commenting on *whether or where* development

might best happen.

Most VDSs have been done very much by local people. For TDSs the larger scale involves studies to determine various 'character areas' within a town after which often quite different conclusions could emerge, and different people could get involved, for each area. This brings them closer to Local Distinctiveness Studies. This can also mean greater involvement of local authority and other professionals. Many VDSs and TDSs have been formally adopted as Supplementary Planning Documents (SPD) and some authorities term them SPAs – Supplementary Planning Advice, though this has no legal status.

Advantages

- Very clear focus on design and local distinctiveness
- Good 'fit' in the planning system; a ready link with Local Plans and can be adopted as SPD
- Provide local insight, knowledge not accessible to local planners
- Proven degree of support from planners where they have been involved
- Clear terms of reference – how, not where development should occur
- Can draw developers into the process
- They have a 20 year track record
- Can build community capacity in design

Disadvantages

- Can be dominated by a small number of educated, design-aware people and not involve the whole community
- Can be initiated to stop development so possible association with nimbysism
- Can have too much emphasis on conservation/replication
- Can lead to splits in the community
- Coverage is patchy and dependent on motivated individuals
- Producing them is only the start; getting them used by planners and developers is the real challenge

Where and when to use

Community Design Statements provide a way to identify and preserve local distinctiveness. They ensure that any future growth and development is sensitive to distinctive elements of the place and its setting that contribute to its identity. A local community that recognises and together with local authority planners. This

Statements

collaborative approach can produce a robust document that can be used in determining planning applications. The preparation of a Community Design Statement can be of particular use where there are existing, or imminent, development pressures, e.g. through housing allocations in planning policy. It can be a way for a community to contribute positively to proposed changes, helping to ensure responsive and distinctive schemes that enhance and reinforce an area's character.

Potential links with other methods

- In rural areas in particular (especially if edge of settlement sites are under consideration), linking a Design Statement to a Community Landscape Assessment is probably essential.
- Having a Design Statement in place is an extremely valuable precursor to developing a Neighbourhood Development Order for minor planning applications.
- A Design Statement can fill in the design detail of a Concept Statement.
- If an area-wide Local Distinctiveness Study is to be done across a wider area, very local work can contribute to this and may be better than producing a separate Community Design Statement.

Specific value for key groups

FOR PLANNERS:

They provide added value for policy planners to statutory development planning in terms of knowledge and insight about specific places. They provide a level and detail about specific places, even sites, that can help to inform the specific standards for developments.

FOR COMMUNITIES:

They offer a chance to build an understanding of locally distinctive features, and ensure an informed approach to any change that may be proposed.

FOR DEVELOPERS:

Well prepared characterisation and guidelines can speed the development process considerably. If relatively large developments are planned for an area, it can be effective for a landowner or developer to fund a Community Design Statement.

Further information

- Stroud District Council adopts Design Statements as Supplementary Planning Advice (SPA). Click on Supplementary Guidance and the SPA drop down: http://www.stroud.gov.uk/docs/planning/planning_strategy.asp#s=sectioncontent4&p=np,spa
- In rural areas, consult your local Rural Community Council, and/or Local Planning Authority for information about Design Statements. Some RCCs produce their own county guidance.

Example

One of the first VDSs was produced by the community of Cottenham, north of Cambridge. It was fully supported by South Cambridgeshire District Council and formally adopted as Supplementary Planning Guidance. The community have since been very proactive in placing their VDS into the hands of potential developers and the Statement has been used well in the development management process. The community involvement has also led to other initiatives in the village, for example on paths and open spaces. Two years ago the VDS was formally reviewed and all involved judged that it had made a real difference to the quality of local developments. It has now been updated and adopted as SPD.

CORE EVIDENCE 5: Local Landscape Character Assessment

As a complement to Community Design Statements, which focus mainly on the built environment, community-led methods were developed to look at the wider but still local landscape context of places. Local Landscape Character Assessment (LLCA) therefore also complements area-wide Landscape Character Assessment (Core Evidence 3). It has obvious relevance to rural settings, to the village in its landscape but, thinking about landscape in its broadest sense, it can also be relevant on the fringes of towns and cities, especially as urban extensions are now being considered in many places.

The format of LLCA is very similar to that of Community Design Statements. Guidance outlines a series of factors that need to be looked at to characterise a landscape and then suggests some methods that can be used by local people to undertake the study. The outcome is also similar to a Community Design Statement, i.e. it is a summary of key points from the analysis and some resulting guidelines about changes, including but not limited to new development.

There is still some uncertainty about whether a carefully prepared LLCA can be formally adopted by the local planning authority as a Supplementary Planning Document (SPD). Despite this, and especially if locked into an area-wide assessment and/or Community Design Statement, such documents can carry genuine weight in the planning system and can at least be formally endorsed by a local planning authority.

Advantages

- Can be undertaken by local communities
- Very engaging and enjoyable
- Can influence plan-making
- Can influence development control decisions
- Provide local insight, knowledge about the local environment not accessible to local planners
- Can build community capacity on landscape issues

Disadvantages

- Uncertain links to similar work at authority level
- Can be dominated by small number of educated, design-aware people and not involve whole community
- Can have a too heavy conservation emphasis
- Not yet well developed and can be overly subjective
- Uncertainty over formal adoption into the planning system

Where and when to use

A LLCA can be particularly valuable when there is a likelihood of development on the edge of a village, town or city or in the nearby landscape. It is always better if prepared in advance of the above rather than just in response to it. It can also be included within a broader LCA.

Potential links with other methods

- There are strong links with any area-wide Landscape Character Assessment, although the latter does not have to precede the former.
- LLCA fits extremely well with Community Design Statements, in fact there are probably many occasions on which doing the two together is the best way to proceed.
- This approach can also fit in well with other forms of Character Assessment and Distinctiveness Studies.

Character Assessment

- There can also be links with Community Plans if these comment on open space, playing fields, wildlife, ecological, agricultural or other local issues.

Specific value for key groups

FOR PLANNERS

LLCA can be an excellent, even an essential, complement to area-wide assessment.

FOR COMMUNITIES

Engaging in an authority's LCA Undertaking a LLCA can help to reinforce the context of a built settlement and help to deal with any new fringe sites. It can also build community capacity on design.

FOR DEVELOPERS

There is every reason why a landowner/developer should consider supporting the production of a LLCA.

Further information

- Local Landscape Character Assessment was first developed by the Cheshire Landscape Trust. Their guidance is available from:
<http://www.cheshirelandscapetrust.org.uk/village-design.html>
- Guidance is also available from the Campaign to Protect Rural England entitled 'Unlocking the Landscape'. Available at:
<http://www.cpre.org.uk/resources/countryside/landscapes/item/1929->
- Hampshire County Council together with Community Action Hampshire we have produced guidance for assessing local distinctiveness & local landscape character:
<http://www3.hants.gov.uk/landscape-and-heritage/planning-the-landscape/landscape-character.htm>

Example

This approach was first piloted and then developed by the Cheshire Landscape Trust with support from the Countryside Agency. The Trust has since helped around 15 communities to produce their own community LLCAs. All communities were concerned at the outset about whether an LCA could be formally adopted as SPG/SPD and hoped that could be the case. However, advice from Government Office North West was uncertain about the possibility of formal adoption, so most communities chose to produce two documents as a 'suite' – a Village Design Statement that could be adopted and a closely linked LLCA. This at least gave the LLCA some clout and, prior the local government changes in Cheshire, most authorities made very positive use of the community LLCAs in their plan-making and there have been similarly positive examples of their use in development management.

CORE EVIDENCE 6: Conservation Area C

When a Conservation Area is formally designated, that is done on the basis of an initial professional survey - often very quickly if a development threat is looming. Once designated, it is then a requirement for there to be a far more thorough assessment of the character of that area that includes some general guidelines. Such assessments are relatively expensive and often assumed to need specialist consultant expertise. They are therefore not always seen as an urgent priority for local authorities and, as a result, many designated areas still lack a thorough assessment. Because all sorts of small details that normally fall outside planning control – door colours, gutter details, paving, railings etc. – can be controlled in a Conservation Area, any survey also needs to be quite detailed and rigorous formal guidelines exist from English Heritage about this.

Until recently such surveys were the exclusive territory of specific professionals. However, although there is still an absolute need for qualified professional oversight and assistance, many authorities – with the support of English Heritage – are now working closely with local community groups to prepare formal Assessments. In some cases local people have been enabled to do all the survey work under

careful guidance, even sometimes the drafting of final documents. This often reflects the existence, in many communities, of highly skilled and knowledgeable local history groups. This work can also still involve heritage specialists.

Done this way, these are genuinely collaborative approaches.

Advantages

- Can be undertaken by local communities
- Communities can engage at various levels – from helping on part of a survey to doing ‘everything’
- This can build on good local history work
- There are clear, strong guidelines for how to do assessments
- Properly done, assessment can carry real weight in development control
- The range of issues can engage all sorts of people
- Nowadays, assessment can be, and is being, done on any area, not just Conservation Areas
- Some outputs by communities can complement assessment undertaken at local authority level

Disadvantages

- Some technical/expert issues can be demanding to deal with
- Access to relevant experts can be difficult in some places
- It is quite time-consuming
- Not all experts support a role for the community in such work
- Some local communities may wish to get into far more detail than the regulations allow
- Communities may also wish to introduce stronger and more detailed guidelines than is acceptable under usual procedures

Where and when to use

Because such assessments are part of a formal statutory process, there is no real discretion on where and when they can be used. If a Conservation Area has been designated and the full assessment has not been done, this can weaken control of changes and developments.

Character Assessment

Potential links with other methods

- Many villages, towns and city neighbourhoods have Conservation Areas within them so assessment work can link very well with Community Design Statements.
- There are also links to be made with Landscape Assessment (Building Blocks 4 and 5), either as done at area-wide level or more locally.

Specific value for key groups

FOR PLANNERS

Given the probably decreasing availability of staff resources, and hence also skills, for undertaking even formally required studies such as Conservation Area Assessments, there are huge practical benefits for planning authorities to work on such issues with local communities.

FOR COMMUNITIES

As well as providing the community with greater reassurance about the quality of any new developments or even minor changes, working on such assessments is excellent for community capacity building.

FOR DEVELOPERS

Given that any developer intending to develop in an area rich in history would normally organise their own survey and analysis work on local historic character there can be real benefits from engaging local people to contribute to this work.

Guidance

- Various English Heritage guides are available, for example Understanding Place: <http://www.english-heritage.org.uk/publications/understanding-place-intro/>
- Oxford City Council have produced a Character Assessment Toolkit, available at: <http://www.oxford.gov.uk/PageRender/decP/CharacterAppraisalToolkit.htm>
- Bristol City Council have a very useful website with historic maps, images and linked information. The site is linked to an English Heritage Our Place project that is developing a toolkit and methodology to enable communities to map the local distinctiveness of their neighbourhood <http://www.bristol.gov.uk/page/planning-and-building-regulations/know-your-place>

Example

A community in Bristol is currently advancing a medley of assessment approaches. Part of their area is in a Conservation Area (and is only part of that Conservation Area). The other part is, arguably, of a suitable quality to be part of that Conservation Area but making the necessary changes is time-consuming and costly for the authority; another reason why they are now supporting communities to do some of the assessment work. The community group will be producing a 'Character Assessment and Design Statement' so it will have its roots in thorough historical studies, detailed street-by-street surveys and some local archaeology (they call it 'garden-walking' rather than 'fieldwalking!'). That baseline will then be used to produce specific guidance for the Conservation Area and less detailed guidance for the remainder of the area. They are doing all the work themselves (involving many beyond the group, including the local school) and have liaised carefully with the City Council to ensure that their methods and coverage are appropriate, and they will do so again to ensure that the outcomes will be fully supportable in legal terms.

CORE EVIDENCE 7: Community-led Facilities

Developing a really strong 'evidence base' about facilities within a village, town or neighbourhood is becoming ever more necessary. In addition, good neighbourhood planning has the potential, via the Community Infrastructure Levy, to generate funding that can help to provide and improve facilities. Audits of facilities can be undertaken by communities.

One of the local issues raised most commonly in Community Plans over the years has been local facilities; whether there are or are not any, where they are, are they the right ones, big enough, run-down or still looking good and so forth. This can be about area-wide facilities basically provided by others (primary school, leisure centre, doctors' surgery) as well as the more local and often community-run facilities (community hall, play area, shelters, even shop and pub).

With all resources now so limited, education and health authorities require really strong evidence about local needs, aspirations and provision as they plan for the years ahead. If any of that surfaces anywhere through the planning system it is usually in strategic plans and decisions are made very much top-down. But strong local evidence is still needed and it can make a difference to funding priorities. When it comes to more community-run facilities, eg. community halls, there is now some potential for securing funding via the Community Infrastructure Levy and this income can be used to 'lever' funding from other local authority departments. The core way to produce such evidence is through the production of a local

Facilities Audit.

Some cautions: In today's world where people are far more mobile and use facilities across areas usually far wider than any neighbourhood, village or even town, care is needed with the term 'local facilities'. If facilities in any area clearly serve a catchment well beyond that area (for example a primary school) then the audit may need to address that larger area. Similarly, if a key facility (for example, a leisure centre) is located outside a neighbourhood or village then there may be little value in attempting to argue for another one in that neighbourhood.

Finding land and levering funding out of developers to build a facility is only part of the challenge; there are sad examples of developers building community facilities only for those facilities to remain locked up as there is no resource to run them. Running costs need to be considered carefully.

Almost all planning policy teams will have done some level of facility auditing for their own plans so it is crucial (a) to draw on and not repeat this and (b) to use methods which are consistent with those used by the local authority and which they support.

Advantages

- Provides good information to the local authority and others (eg. health providers)
- Enables a community to agree its key priorities when resources are scarce
- Can be used to help decide how any funding is used
- Can be used to influence spending by others
- Can be crucial in providing evidence when applying for grant aid
- Can build community capacity in design

Disadvantages

- Demands quite a lot of careful work if its results are to carry weight with others
- Can create frustration if poor provision is highlighted with little likelihood of improvement
- Methods to do audits at community level are at present limited
- In all areas, but especially urban areas, deciding what is needed or appropriate within a single neighbourhood is complex

Facilities Audits

Where and when to use

If any sort of overall plan is being produced for an area then a Facilities Audit is almost indispensable. Certainly, if work is underway to select development sites and to decide what type of development is appropriate and needed, then a Facilities Audit is again indispensable. An audit can also be of value during pre-application work when decisions may be taken about any need to provide facilities in or associated with a development.

Potential links with other methods

- Evidence about existing and needed facilities is crucial to both **Local Plans** and **Neighbourhood Plans**.
- Evidence on facilities is essential to any **Community Plan**.
- Pre-prepared, rather than rapidly produced, evidence on facilities can be of value in **Pre-application engagement** and **Planning Performance Agreements**.

Specific value for key groups

FOR PLANNERS:

Audits can strengthen the evidence for facility provision and make delivery more likely.

FOR COMMUNITIES:

As for planners, audits can strengthen the evidence for facility provision and make delivery more likely.

FOR DEVELOPERS:

Audits can validate requests for facilities and reduce the danger of them being poorly used later.

Further information

At least one local authority has produced a guide – they call it a ‘toolkit’ – for communities to undertake their own facilities auditing. The authority is New Forest District Council and their guide is available at: <http://www.newforest.gov.uk/index.cfm?articleid=6979>

For examples of local authority guides (to illustrate methods used and evidence needed) download the Wyre Forest District Council audit listed at: <http://www.wyreforestdc.gov.uk/cms/non-ignl-pages/planning-and-regulatory-servic/planning-policy/ldf-evidence-base.aspx>

or the Woking Council audit available at: <http://www.woking.gov.uk/planning/policy/ldfresearch/commfac/socialandcommfacil>

CORE EVIDENCE 8: Community-led Traffic

This is not about traffic surveys, studies and statistics as such but about how studies of local traffic can be used to plan for traffic management initiatives that will lessen the impact (and speed) of traffic, build in greater priorities for pedestrians and make quality places out of what are often just vehicle routes, even 'rat-runs'.

The last 20 years has seen a number of initiatives aimed at better management of the balance between people's need (or wish) as part of their everyday lives to move quickly from place to place by car, van or lorry and the need (or wish) of people experiencing that movement to "reclaim" their streets and paths, "calm" the traffic, improve safety, reduce pollution, manage street parking and create quality places. Full pedestrianisation of town and city centres has been one extreme manifestation of this, others have included speed bumps, chicanes, pavement widening, shared surfaces, the introduction of street trees and so forth. It is probably fair to say that the aim to shift this balance back in favour of those not using motorised vehicles has grown stronger, while there is not as yet real certainty about what methods will really achieve that aim (speed bumps receive an almost universally bad press for example).

Progress is being made, however, and there are now proven examples of success and a growing repertoire of detailed methods that appear to work well. Furthermore, almost all of these examples show the importance of very close working between local communities, highways officers and planners. To some extent it does not matter which party initiates the work necessary to produce a plan but all three parties need to contribute if any proposals are to be good enough to be implemented. This is because changes to signaling, road surfaces, junctions, lighting etc. are highly technical and heavily legally controlled. And, of course, actually implementing the majority of any changes involves often quite large sums of money and very carefully managed contracting. Nevertheless, there is much that can be genuinely community-led in preparing the evidence and proposing solutions.

Advantages

- Traffic management is known to be a key priority for very many communities
- Community-level knowledge and information is crucial to successful projects
- Generating local information takes a considerable load (and cost) off the local authority
- Managing traffic better can have many positive knock-on benefits for any community

Disadvantages

- Pressure on highways budgets is huge and increasing so there can be frustration if a popular scheme is delayed or not taken ahead at all
- There are more rigorous technical demands on the evidence than for some other community-led initiatives
- There can still be resistance to any schemes of this sort from local residents, commercial vehicle drivers, drivers of buses and emergency vehicles and even some more traditional highways engineers

Traffic Management Studies

Where and when to use

The most appropriate locations for traffic management studies are village or town centres or neighbourhood centres in cities. However, highways engineers prefer schemes to cover a good sized area beyond just any core, otherwise a scheme in one location can have negative knock-on effects in nearby areas and no overall benefit. Such approaches can also have value across whole neighbourhoods or villages to encourage more sensible routes, reduce speeds and prevent rat-running.

Potential links with other methods

- Traffic issues have always been the top priority in **Community Plans** ever since they started and that link remains important.
- All **Local Plans** have to take account of traffic and transport evidence, though this is often relatively broad brush so detailed local information can add value to these plans.
- Studies of traffic are likely to have a place in wide-ranging **Neighbourhood Plans**.

Specific value for key groups

FOR PLANNERS:

Good local information and ideas can help to inform and improve Local Plans.

FOR COMMUNITIES:

Managing traffic more sensitively is a key issue not just in its own right but as a factor in creating quality places.

FOR DEVELOPERS:

Receiving local information that can improve the value of off-site contributions is important.

Further information

- This is a relatively new areas so guidance is as yet rather limited and both links highlighted below are about rural areas, though the basic approaches are just as relevant, and have been used successfully, in urban areas. The key document is 'Traffic in Villages' produced for the Dorset AONB by Localism Network member, Ben Hamilton-Baillie. This is both a guide to surveying and a stimulus to creative ideas for making better places. It is available at:
http://www.dorsetaonb.org.uk/assets/downloads/Rural_Roads_Protocol/trafficinvillages-web.pdf
- At least one Rural Community Council produces related guidance (and it is possible that others do so as well). The known one is a toolkit entitled 'Community Approaches to Reducing Traffic Speed' and is produced by the Gloucestershire Rural Community Council. It is available at:
<http://www.grcc.org.uk/news/news/post/126-community-approaches-to-reducing-traffic-speed-toolkit-given-royal-seal-of-approval>

STATUTORY PLAN MAKING I: Local Plan

Please note:

- The term used in the title is ‘Local Plans’. This is because the draft National Planning Policy Framework is suggesting that the present ‘portfolio’ system of Local Development Frameworks should be replaced with a single plan – a Local Plan.
- The focus in this section is not on plan-making as a whole but on *involvement* in plan-making, ideally moving this towards more genuinely collaborative approaches.
- As this is about statutory plans, there is of course no ‘choice’ about whether or not to do them or to involve people – that is the law.

The 2004 Planning Act made it mandatory for every planning authority to draft, then have examined and adopted, a Statement of Community Involvement (SCI) as part of statutory plan-making. The main role of an SCI is to lay down principles for effective community involvement and to set out methods or processes to be used at different stages of plan-making. The SCI should identify which community groups need to be involved at different stages (with special consideration given to those groups not normally involved) and how landowner and developer interests should be engaged.

Once a Statement of Community Involvement is in place the planning authority has to follow its principles and procedures and prepare a report to show how they undertook the work and what notice they took of respondents’ comments in preparing their plan.

The Inspector is required to study this report when examining any statutory plan and could, in principle, declare the plan ‘unsound’ if the standards in the SCI have not been followed or if relevant responses have been ignored.

The results of the Government’s own research on statutory plan preparation suggest that many of the ambitions behind Statements of Community Involvement have not generally been delivered,

something reinforced by other commentators. In general the results suggest that there has not been enough movement towards thorough involvement or engagement, certainly not any genuinely collaborative working.

The Localism Act does not propose to alter the current requirement to prepare a Statement of Community Involvement and there is no reference to SCIs in the draft National Planning Policy Framework. However, noting some general comments in government publications, it is reasonable to assume that the general trend towards better engagement still stands and that SCIs will remain.

Advantages

- Early involvement in plan-making offers communities and other stakeholders the opportunity to consider different issues and options and to influence policy before it becomes place/site-specific
- The importance of SCIs is strengthened by legislation and national policy statement

Disadvantages

- The application of SCIs varies considerably between local authorities, with some not meeting even minimum requirements
- The shift to community engagement as an integral part of statutory plan-making has been generally slow

Advantages

- Local authorities can develop engagement processes to suit different community and stakeholder needs
- National requirements should provide a consistent approach to involvement of the community in statutory plan-making

Disadvantages

- Community groups find difficulty engaging with wider policy issues in Core Strategies
- Debate in the development of Core Strategies can be conducted in language unfamiliar to community groups

Where and when to use

Community involvement (the term used most often) is a statutory requirement. The preparation of a Statement of Community Involvement is compulsory for all statutory plan-making. Its application should be fashioned to suit each type of plan or stage in plan-making. This should include, for example, decisions on which community groups should be actively targeted, how many engagement opportunities should be provided and what form those opportunities should take. Both the preparation and application of an SCI should be a genuinely collaborative exercise.

Potential links with other tools

- If any Neighbourhood Development Plans have been prepared in advance of any area-wide statutory plan (or review) these provide not just evidence but robust guidance about options, sites etc.
- Everything produced through the approaches described in the Building Blocks section can provide valuable evidence of community visions and aspirations, information about places and people and issues to be addressed in plans.
- When specific sites are being considered there is great value in using Concept Statements as these are a genuinely collaborative approach.

Specific value for key groups

FOR PLANNERS

Given the probably decreasing Improving the quality and depth of involvement in plan-making can help to speed the process to adoption, secure wider public support and increase confidence, and probably save on overall resources.

FOR COMMUNITIES

There can be a danger that producing Community Design Statements or starting a Neighbourhood Development Plan can divert from really influencing the strategic level plan for an area. Engaging with strategic plan-making may be challenging but it is an absolutely crucial first step (if not too late).

Further information

- For an example of a Statement of Community Involvement, see: <http://camden.gov.uk/redirect?oid=%5Bcom.arsdigital.cms.contenttypes.FileStorageItem%3A%7Bid%3D486576%7D%5D>

STATUTORY PLAN MAKING 2: Neighbourhood Development Plans

This is one of the main new approaches in the Localism Act. Neighbourhood Development Plans (NDPs), sometimes just called Neighbourhood Plans, give communities direct power, within certain limits, to plan the areas in which they live.

Parish/Town Councils and formally constituted 'Neighbourhood Forums' in towns and cities must secure agreement – 'designation' - from their planning authority to produce NDPs, but that cannot reasonably be refused. A community can use its NDP to develop a shared vision for their neighbourhood and set planning policies for the development and use of land.

This approach provides a set of tools for local people to ensure that they get - in their own judgement - the right types of development for their community in the right place and appropriately designed. However, to balance this, the Act states that a NDP must be "in general conformity" with the strategic policies of the Local Plan, reflecting the strategic policies and planning positively to support them. NDPs are also required to promote as much development as set out in the strategic policies of the Local Plan, or more (but not less).

Outside these strategic elements, NDPs can shape and direct aspects of development in their area, subject to a presumption in favour of sustainable development (as

defined at the time). It is still not completely clear what aspects a NDP can cover or control. Coverage includes issues around basic development, road safety, design and the provision of recreational facilities. Housing density may be controllable but probably not housing space standards. A NDP can select sites for development if not already decided in full detail by a statutory Local Plan. When a NDP is made, the policies it contains take precedence over existing policies in the Local Plan for that neighbourhood.

There is no mention in the Localism Act of community engagement in the preparation of NDPs but, at the very least, it can be assumed that SCI standards will apply. A completed NDP is assessed by an independent examiner. If declared sound it then goes to a local referendum. Only those on the electoral role can vote and only if a simple majority of those actually voting support the NDP can it then be adopted by the local authority (though the technical term is 'made'). The local authority is then responsible for using the NDP in its decision-making.

Advantages

- Planners are legally obliged to support communities undertaking NDPs
- Give the local community stronger influence over aspects of land use and development
- Have more 'bite' than Parish Plans etc, including legal force
- Build on local knowledge and insight
- Respond to local housing need by allocating development sites
- Stimulate greater ownership of planning decisions amongst local communities
- Encourage somnolent local planning authorities to become more active and responsive
- Grant aid and support are available nationally

Disadvantages

- Uncertainty over defining neighbourhoods and Forums in urban areas
- Limited capacity in the local authority
- Possibly 'regressive' – i.e. most support and funding to the already wealthy and educated
- Relationship with statutory Local Plans still to be resolved
- Perhaps a vehicle for fracturing communities in disputes over development and land
- Arrangements at all stages are highly bureaucratic, expensive and time-consuming
- Many things a community might wish to cover that are not land use related, as in a Parish Plan, cannot be included

Neighbourhood Development Plans

Where and when to use

Neighbourhood Development Plans are more likely to be effective where:

- there is already an adopted **Local Plan**;
- there are or will be pressures for development within the foreseeable future;
- there is an identified need for (e.g.) housing or social facilities;
- the local community has accepted the need for development and wishes to shape it.

Potential links with other methods

- Everything produced through the approaches described in the Core Evidence section can provide valuable evidence to inform a **NDP**.
- Though not being able to require pre-application engagement, a good NDP can certainly give it very strong encouragement.

Specific value for key groups

FOR PLANNERS

If properly prepared, NDPs could benefit the local planning authority by filling in the detail of strategic Local Plans using local knowledge and insights.

FOR COMMUNITIES

NDPs could enhance the role of democratic local bodies, giving them greater responsibility and stimulating local democracy. By accurately articulating local needs and preferences, NDPs could benefit the whole local community.

FOR DEVELOPERS

NDPs could be a vehicle for developers to work with, and get benefit from, the local community rather than fighting them, especially to guide projects in terms of mix of development and a rationale for the use of any Community Infrastructure Levy.

Further information

- For Government's account of Neighbourhood Development Plans in the context of the National Planning Policy Framework, visit: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

Example

The first NDP to include major development allocations and pass successfully through its referendum was for Thame in Oxfordshire. Much of the technical work was undertaken by Tibbalds Planning and Urban Design and the community engagement was designed and largely managed by the Place Studio (authors of this report). The plan allocates sites for 750 homes and for other necessary local uses and it also covers movement, transport, design, recreation and so forth. The plan was highly praised by the examiner and its community engagement was described as 'exemplary'. (All reports for and about the plan are on the Thame Town Council website: www.thametowncouncil.gov.uk/index.php?Itemid=148)

STATUTORY PLAN MAKING 3: Community

Quite a few local planning authorities have still not yet completed what is generally a second stage of strategic plan making after their Core Strategies – producing some form of “Sites and Allocations Plan”. There is a need for urgency with these and, in that context, authorities are either finding it difficult to do the necessary studies for every small local site or are choosing to leave these out of their plans. There is now emerging experience to suggest that local communities can undertake some of this work themselves.

‘Sites and Allocations’ is not the only term used for such plans. Some are called ‘Sites and Development Management’ (so they also move into what used to be called development control policies), others are termed ‘Placemaking Plans’ (so they also focus on all aspects of urban design and the creation of quality places). Some authorities where there have been delays with their Core Strategies are now shifting to produce Local Plans which will bring together all forms of plans and policies – including for sites and allocations. Many current plans focus only on larger strategic and semi-strategic sites, mainly because those authorities do not have the resources to appraise all potential small sites. Yet for those in any local community it can often be the cumulative effect of inappropriate development on inappropriate local sites that damages the quality of their neighbourhood or community.

Just as with all community-led initiatives that require the production of very specific, rigorous evidence,

there is no fundamental reason why local people, properly briefed and supported, cannot undertake robust site appraisal work, thus significantly extending the resource available to their authority. What is more, work at a very local level is more likely to generate semi-strategic approaches to development in a neighbourhood or village, ie. not just a shortlist of separate sites but an overall plan for which site, what for, when etc.

This approach is particularly valuable where there is development pressure, yet an adopted authority plan is likely to be some way away. In such a situation a community may well be able to produce its own appraisal ahead of the authority plan. The caution here is that a community’s strategy will have only limited status until the overall plan is produced, unless that strategy is included in a formal Neighbourhood Plan that succeeds in clearing all hurdles through to referendum ahead of the authority plan.

Advantages

- This is a key task or action that frames the majority of future developments (other than larger, strategic ones)
- Communities can often access a level of resource (people/time) not available to local authorities
- Highly localised approaches can have greater weight than more generalised ones because of the specific data they include

Disadvantages

- The work can only be done successfully by careful use of procedures fully agreed with the local authority
- The work is quite demanding on local community time and skills
- There can be a danger of overly subjective judgements by those living near prospective sites

Community-led Sites and Allocations

Where and when to use

- Local authorities can actively (and extremely cost-effectively) encourage a programme of community-led appraisal work as a part of their overall Sites and Allocations (or whatever) plan-making. In the absence of, or in advance of, local authority work on sites and allocations, local communities can undertake this work themselves (though this may limit the status of any results).

Potential links with other methods

- Community-led work on sites and allocations can be a planned part of the production of **Local Plans**.
- Sites and allocations is, for many communities, the core stage or element of their **Neighbourhood Plan**.
- Decisions about site appraisal and selection are better if made in the context of some overall local **Character Assessment** work.
- Site appraisal work can be further supported with the inclusion of **Concept Statements** for specific sites.

Specific value for key groups

FOR PLANNERS

Access to extra resources and potentially better, stronger local detail.

FOR COMMUNITIES

Greater levels of control over what development takes place where.

FOR DEVELOPERS

Done well, such reports increase certainty and hence speed on allocated sites.

Further information

- This approach is extremely new and has only been tested so far in one location by the authors of this Guide. That example was of a community acting alone well ahead of its authority's Sites and Allocations Plan. In another case just underway, there will be a planned overall programme of collaborative work between authority and communities on all aspects of site selection and placemaking as part of the preparation of a Placemaking Plan. The Localism Network team will be producing a toolkit on this approach in the near future. For further information contact: info@placestudio.com

CONCEPT STATEMENTS

'Concept Statement' is probably not a very engaging or informative title! They are best thought of as an up-front, 'broad brush' form of Development Brief but with some extremely important features that make them, when used properly, perhaps the only deliberately collaborative approach listed in this guide.

Concept Statements bring together several aspects of the planning, design and development process that usually happen separately and at different times.

One key aspect is the introduction of planned community engagement at the intermediate stage between authority plan-making and developer project design. This pre-empts problems at later stages when too many aspects have already been set.

Another key aspect is the introduction of basic financial viability appraisal into the statement preparation process, critically important to ensure that locally appropriate land values can be set early enough. These key inputs are added in alongside the usual development brief issues such as planning policy, site characteristics, local needs and markets and design standards. When all aspects are addressed (which has not always been the case) the outcome

can be a Statement that the local authority, community and developer can all sign up to. But the brief should be 'broad-brush' to allow for all the usual factors that emerge once design and other work is underway and which should rightly affect the final result.

Because they should be developed collaboratively, it does not matter who initiates them and pays for them, as long as good practice is followed. They can be triggered by a community, local authority, landowner or developer. In addition, the end result can be given some form of endorsement by the local authority Planning Committee and that will (as appeals have shown) give it all the necessary 'clout' if one or other party tried to change things.

Concept Statements can also be used in plan-making to ensure appropriate outcomes from key sites.

Advantages

- Quick and relatively cheap
- Prepared early (front-loaded)
- Help to set basic and broadly appropriate land values
- Have a degree of status in the system
- Can cover any aspect of a potential project
- Can be used in plan-making
- Managed yet flexible
- Create common ground on key issues
- Endorsement
- Genuinely collaborative

Disadvantages

- Use and practice to date fragmentary
- Too often done in the past without the involvement or the viability work
- Can be too early to give clear results
- Does 'endorsement' stand up?
- Need to cover all aspects, not just some
- Can be too open, poorly specified

Where and when to use

Concept Statements have limited use in choosing between different sites. They are good for fairly large and/or complex projects and most useful when the landowner and/or developer are known and when it is clear who is

'the community'. They need to be done as early as possible in the process and require two less familiar skills: basic skills in development issues (including viability) and skills in facilitation.

It is important to be sure that the Local Planning Authority will accept and endorse the results and also to avoid going into too much detail. They are not very expensive or demanding on people's time and costs are usually paid for by the authority and/or landowner

Potential links with other methods

- Everything produced through the approaches described in the Building Blocks section can provide valuable evidence to inform a Concept Statement.
- They can also play a valuable role within engagement on Local Plans or Neighbourhood Development Plans.

Specific value for key groups

By being genuinely collaborative they do of course have equal value for **all!**

Further information

The only guidance currently available was produced by the Countryside Agency before it merged with English Nature to become Natural England. It is now only available as a downloadable pdf from the Natural England website at:

http://www.naturalengland.org.uk/Images/concept-statements_tcm6-19854.pdf

Example

At least one authority in the country requires a Concept Statement to be produced for any major project. One of these was for land on the edge of a private airfield adjacent to an established community. The process started with a full day workshop with around 50 extremely diverse participants – the stakeholders. The outcome was a long list of basic principles and even some very general layout sketches for the development. After some further work and sharing back with the stakeholders the Statement was endorsed by the Planning Committee. This potentially controversial project was then able to move forward speedily and with generally good local support.

A local authority planning team now moving on to prepare its version of a Sites and Allocations Plan is aiming to require the production of versions of Concept Statements for all possible sites. In all cases, whether the process is led by the authority (for large sites) or the community (for smaller ones), there will be a manual that will prescribe completely consistent principles and procedures to be used by all in producing Statements for the sites. This consistency will enable a proper comparison of all sites and will create a clear link on to development management work when proposals start to be developed.

DEVELOPMENT MANAGEMENT I: Pre-A

Pre-application 'community involvement' (the official phrase) can take place in advance of a planning application. The experience of this to date is very fragmentary because it was never a formal requirement. Although all local authority Statements of Community Involvement mentioned and might even have encouraged pre-application involvement, authorities could not require it to be done. Public agencies have often chosen to do it, as have a few developers.

Through pre-application involvement, a range of people and organisations likely to be affected by a proposal discuss and help to shape that proposal. Pre-application involvement is based on the premise that dialogue is a better, more collaborative and more positive way of delivering development in line with local visions and strategic policies and development interests. Early involvement has

significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community. The more issues that are considered at pre-application stage, and the earlier they are considered, the greater the benefits to all.

The legal position on pre-application involvement has now changed and may soon change more. As well as reinforcing the general value of better community involvement in all aspects of planning, the NPPF states the following (para. 66):

“Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably.”

The Localism Act also includes what we hope will be forthcoming secondary legislation to make pre-application involvement a legal requirement. Material supporting the Act suggests that this would only apply to projects of over 200 houses or 10,000 square metres but there are pressures for the final legislation to include far lower thresholds.

Advantages

- A genuine collaborative approach can be established early, building trust, reducing conflict and reducing delays
- Can provide confidence and added certainty for applicants, local planning authority and local stakeholders
- Can provide 'market research' for the developer
- Allows local community influence over the future shape of the place where they live
- Can identify early opportunities for scheme improvement / development
- Opportunity for a shared approach to community infrastructure needs
- Now a statutory requirement on larger projects

Disadvantages

- Only encouraged through SCIs rather than being compulsory
- Can be undertaken too late, i.e. just before an application is submitted at a point where changes can be difficult to make.
- Can be undertaken more as a PR exercise rather than a collaborative approach.

Application Involvement

Potential links with other methods

- Pre-application involvement can be and often is suggested in Planning Performance Agreements and supported with Pre-application Protocols
- A Concept Statement can be a very useful vehicle for pre-application involvement.
- Information or evidence from Community Plans can make a valuable contribution to pre-application Involvement.

Specific value for key groups

Discussing development proposals in advance of submitting a planning application helps to build relationships between different interests in delivering development schemes, offering benefits for all. More specifically:

FOR COMMUNITIES

it can give communities a chance to understand what is proposed, to explore how a development can bring value to an area, to identify which options would work best within a local context, to help shape solutions and to have their say on a scheme.

FOR DEVELOPERS

It can provide developers with vital local knowledge, reduce the risk of challenges and delays, and identify how a scheme can bring value to a local area.

FOR PLANNERS

Good pre-application engagement can identify issues of importance to the local community and show how the proposal has responded to these. Planners will then need to balance these considerations alongside planning policy.

Further information

- Constructive Talk is information produced by the Planning Advisory Service (PAS) through a steering group that involved representatives of public sector planning organisations as well as the Home Builders Federation and others in the property development sector. The guidance contains advice directed at councillors, local planning authorities and developers. Go to: http://www.pas.gov.uk/web/pas-test-site/search/-/journal_content/56/332612/15176
- Getting Engaged is guidance produced by PAS (the Planning Advisory Service) around creative ways of involving communities in pre-application discussions. Available at: http://www.pas.gov.uk/web/pas-test-site/search/-/journal_content/56/332612/15195

Example

A very bland and run-down open space in South Bristol was to be improved by selling a small part for housing and using the receipts to pay for the improvements to the open space. The first plans, produced with no real involvement, were very vigorously rejected by several local communities. A new team was appointed and used very thorough engagement and collaborative approaches in developing new proposals with the local community and other key stakeholders. The plans were submitted for outline planning permission and, thanks to the engagement, proceeded to approval with “staggeringly few objections”.

DEVELOPMENT MANAGEMENT 2: Planning

Planning Performance Agreements (PPAs) are now used quite regularly on large, complex developments. They involve a formal agreement between a potential applicant, usually a private developer, and a local planning authority about which party needs to do what, with whom and by when about the development of a site, usually an allocated one. This is based on research that shows that considerable time and effort are wasted in advancing many development projects because the appropriate information is not available to the right party at the most useful possible time in the process.

At the heart of the process is collaborative working and the guidance makes clear that this should always include the local community and stakeholders.

However the guidance does not describe in detail how this collaborative working should be managed.

PPA guidance places real emphasis on putting a PPA in place as early as possible in the development process. This is to avoid some key aspects becoming fixed before all others have an opportunity to discuss them, and to maximise the time available to reach widely agreed conclusions. Getting in early can also help to

avoid wasted time if it becomes clear that a project is unlikely to proceed, especially if a site is not yet formally allocated.

Although PPAs are usually prepared for large sites and between just two main partners. However, there is no reason why the same approach could not be used for small sites and also why a body such as a Parish/Town Council or Neighbourhood Forum should not be another partner or even initiate a PPA type process for local sites.

Advantages

- Agreements on who, what, where and when are made early and formally
- Can speed processes as well as ensure the introduction of all relevant issues at the right time
- Require collaborative working, including with local people
- Once in place they make later discussions more coherent
- Can be initiated by anybody and can apply to small as well as large projects
- Very cost-effective, which can benefit the end results

Disadvantages

- Still not standard practice and can be quite complex
- Need a lot of experience to know what aspects to reach agreement on and what practical requirements to set
- Guidance focuses mainly on what to do, not on how to do it
- Some practice has involved very little community and stakeholder involvement

Where and when to use

As with all collaborative procedures, PPAs are most effective when put in place at the very start of a development process. Informal arrangements adapting PPA guidance and practice may be more appropriate for smaller projects but still have great value by bringing key people together at the outset. PPAs have been used most commonly for housing projects but can also have value on other projects.

Planning Performance Agreements

Potential links with other methods

- Everything produced through the approaches described in the Building Blocks section can provide valuable evidence to support a PPA.
- A key first stage in a PPA could usefully be to produce a Concept Statement.

Specific value for key groups

FOR PLANNERS

A PPA, whether formal or informal, provides a clear framework about who does what, when etc. between themselves a potential developer and the wider community.

FOR COMMUNITIES

Being involved fully in a PPA provides local people with a genuine 'place at the table' at the key early stages on any development proposal. Such involvement can also build community awareness of planning and development issues.

FOR DEVELOPERS

This is almost the reverse of the value to planners. A PPA helps to provide speed and certainty.

Further information

Guidance on PPAs is available from ATLAS (The Advisory Team for Large Application Schemes) at:

<http://www.atlasplanning.com/page/ppa.cfm>

The British Property Federation has also recently published guidance, see:

http://www.bpf.org.uk/en/newsroom/press_release/PR091221

Example

Cotgrave is a small town south of Nottingham, within the Borough of Rushcliffe and is a former mining community. The site of the former colliery, over 33 hectares, is on the edge of Cotgrave village. The local Council, East Midlands Development Agency and the Homes and Communities Agency had aspirations to regenerate the village through re-use of the former colliery site as a catalyst. After an initial failure to agree a project, a PPA process was put in place, set off by an 'Inception Day' workshop with a wide range of invitees. The workshop established key principles and main uses, the long list of stakeholders and consultees and the basis of the actual Agreement. The project then proceeded quickly to a widely supported and successful application.

DEVELOPMENT MANAGEMENT 3: Pre A

The original Guide included 'Pre-application Engagement' as one of its Choices. Though extremely valuable, there is a danger that ways of managing this will be invented separately for every project, wasting time and costs and eroding the value of the approach. Protocols, which should be, by definition, collaborative in how they are produced and how they are used, offer a way to develop coherent, consistent and simply better approaches to pre-app work, benefitting all.

Local authority Statements of Community Involvement (SCIs), many of which are now due for review, will soon be able to refer to the legal requirement for pre-application consultation (involvement or engagement), if probably only on projects over a certain size. The legislation is unlikely to provide any details of what makes for good quality pre-app processes, nor is any government guidance on this to be expected. It is uncertain whether reviewed SCIs or other local guidance will provide any further detailed guidance, leaving developers and communities concerned not so much about the idea in principle but about (a) what constitutes good practice and (b) the likelihood that everything will be ad hoc and uncertain and hence wasteful for all.

A few local authorities have already started to develop coherent approaches to pre-app work, notably Bristol City Council (see later) – a Protocol. Protocols are

similar to Planning Performance Agreements (PPAs, also a Choice in the original guide) in that they provide a clear, consistent framework for who does what, when and how. However, whereas a PPA is mainly about project content and is agreed between an authority and an applicant, a Pre-application Protocol is solely about community involvement and is most effective when produced generically (ie. for any/all projects) and when it is developed and agreed by planners and developers and communities. The overall, agreed Protocol is then given detail through a programme of work agreed with all three parties on each specific project.

It is also possible for local communities to produce their own version of a Protocol if the local authority chooses not to produce one. Care is needed as this is unlikely to be supported by all, although agent/ developer input can be secured.

Advantages

- By operating within the frame of consistent principles and practice, time and effort is reduced and greater certainty is provided for all parties
- Time committed to developing a Protocol is more than saved later because procedures follow an established general pattern
- As more applicants use a Protocol it becomes more difficult for others to not do so
- It has to be shown that, in these difficult times, the use of a Protocol does not increase time pressures on development management staff

Disadvantages

- An overly detailed Protocol can constrain innovative approaches and methods used by applicants
- A Protocol's requirements must be applied appropriately considering the size and type of any development

Application Protocols

Where and when to use

The whole point of a local authority Protocol is that it is ideally produced for an area as a whole. The forthcoming legislation will specify those projects for which pre-app engagement is mandatory but there are reasons to suggest that it is valuable on all projects (appropriately applied). It is far preferable for a Protocol to be developed by an authority (collaboratively of course) but community level ones can have value if there is nothing at authority level.

Potential links with other tools

- The key link is of course to Pre-application Engagement and Planning Performance Agreements.
- There can be a link to Concept Statements if a Protocol suggests their use on specific sizes and types of site/development.
- Programmes for specific projects that link to a Protocol will have added value if they are able to make links with all locally produced material such as Character Assessments.

Specific value for key groups

FOR PLANNERS

Consistent approaches to pre-app work can save time and ease decision-making.

FOR COMMUNITIES

A Protocol can provide reassurance about their genuine involvement in the preparation of applications.

FOR DEVELOPERS

Consistent approaches to pre-app work can save time and, if done properly, the results can support an application.

Further information

There is value in looking both at Bristol City Council's Statement of Community Involvement and the Planning Protocol as below:
SCI: <http://www.bristol.gov.uk/page/planning-and-building-regulations/planning-statement-community-involvement>
Protocol:

http://www.bristol.gov.uk/sites/default/files/documents/planning_and_building_regulations/planning_applications_and_process/The%20Bristol%20Planning%20Protocol.pdf

Example

The Bristol City Council Statement of Community Involvement is one of the strongest in terms of encouraging pre-app engagement, and there is now an adopted Planning Protocol that very strongly encourages pre-app engagement on all projects over ten residential units or 1,000 square metres. The Protocol also raises the bar further on what are termed 'super major' applications, those of over 100 homes or 10,000 square metres, where an approach such as a Planning Performance Agreement is recommended.

The Protocol was produced jointly with industry and also with some involvement of Bristol's Neighbourhood Planning Network (NPN). Local NPN activists also play a major intermediary role in helping potential applicants to design and deliver good engagement processes. While having a Protocol in place is of enormous value, not all applicants engage in the Protocol process, not all pre-app engagement processes are good, and neither are all submitted reports valuable. However, the general feedback from all sides to the Bristol approach has been positive. (*The NPN is a network of small community groups which act as intermediaries between the authority, applicants and their own communities, helping to ensure positive use of the Protocol.)*

DEVELOPMENT MANAGEMENT 4: Neig

This is one of the new approaches in the Localism Act. Because Regulations and government guidance have not yet been published, all that follows should be treated as interim.

Under the Localism Act, 'neighbourhoods' will be able to use Neighbourhood Development Orders to grant planning permission in full or in outline. These Orders would normally be administered in rural areas by Parish or Town Councils and in urban areas by a Neighbourhood Forum accepted as such by the local planning authority. Development permitted through a Neighbourhood Development Order would not require further planning permission from the local planning authority. Orders are likely to apply to only very minor developments such as porches on houses, small building extensions, some shop front changes, small advertisements, bin stores, changes in roof shape and so forth. Different local authorities might well take different views on the list of developments covered by an Order.

A Neighbourhood Development Order can be approved without a Neighbourhood Development Plan being in place (though this is already regarded as unadvisable). The preparation of a proposed Order should include local consultation, independent examination and some form of referendum (under the same conditions as a NDP). There is as yet

no guidance on how an Order would deal with applications or on any form of appeal procedure.

It is already possible to exempt certain projects from permission; this is termed a Local Development Order (LDO). The Localism Act extends this by creating the ability to delegate planning decisions to a lower level body.

A Neighbourhood Development Order must:

- have regard to the policies in the National Planning Policy Framework;
- be in general conformity* with the strategic policies in the Local Plan;
- be compatible with relevant EU obligations and human rights requirements.

(*The term used here is 'general conformity' because that is what is stated in the Act. It remains unclear what is 'conformity' and what is 'general conformity'!)

Advantages

- Would remove an unnecessary bureaucratic layer
- Minor changes could either avoid a formal planning application or be delegated to a local body
- Might help to stimulate local democracy
- There might be more chance that projects will be locally distinctive in design terms
- Representatives of the local community would be formally involved in planning decisions

Disadvantages

- The range of development proposals that could be covered is very limited
- The process to establish an Order would be quite long and complex
- If the Order created exemptions from planning consent, there might be less guarantee of locally appropriate designs
- Without the framework of a Local Plan, Neighbourhood Development Plan or Design Statement, development might be unco-ordinated and potentially unattractive
- Continuing liabilities for whoever manages them

Neighbourhood Development Orders

Where and when to use

A Neighbourhood Development Order would be most relevant where the Parish or Town Council or Forum actively wished to play a more influential role in local planning decisions. An Order would almost certainly be more likely to be supported and more effective when Local Plan policies offered design guidance or a Neighbourhood Development Plan or a Community Design Statement were already in place

Potential links with other methods

- There are good reasons to support the principle of requiring there to be some form of Community Design Statement and perhaps Community Plan or Neighbourhood Development Plan in place before moving to secure a NDO.

Specific value for key groups

FOR PLANNERS

There can be value in removing a portion of quite resource-heavy and locally detailed work.

FOR COMMUNITIES

If smaller issues are a constant concern at local level, there can be value for a local body in taking greater control over them. 'Community' in this case could definitely include a business group.

Further information

For Government's account of Neighbourhood Development Orders in the context of the National Planning Policy Framework, visit: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

The national Planning Advisory Service has produced several notes on Local Development Orders with an eye to the future role of Neighbourhood Development Orders. Go to the PAS website – <http://www.pas.gov.uk> - and search for Local Development Orders.

DEVELOPMENT MANAGEMENT 5: Com

This is one of the new approaches in the Localism Act. Because Regulations and government guidance have not yet been published, all that follows should be treated as interim.

The Community Right to Build (CRB) is a set of proposals that would give local communities some power to decide what is built in their area. Where small scale developments for new houses (e.g. 5-10 homes), community facilities or shops had the agreement of the local community through a referendum, and met a set of minimum criteria, communities would follow a streamlined 'Neighbourhood Development Planning process' (outlined in the Act) - a Community Right to Build Order. Orders would be subject to lighter consultation requirements, would not be subject to the same level of examination and there would be less of a role for local planning authorities to approve schemes. Schemes eligible to use the streamlined Neighbourhood Development Planning process should not exceed 10 per cent of existing development over a 10 year period. Community groups could therefore use the CRB to take forward small-scale developments that have local backing, even where the local authority was opposed.

Community Right to Build schemes would be brought forward by community groups established as a corporate body by members of the local community. This would ensure that proposals were community-led and that there were arrangements to manage the benefit from development for the community. It would be for the community to identify suitable land, finance and development options, including any long term

management and maintenance arrangements. Schemes which required an Environmental Impact Assessment or would be likely to have a significant impact in terms of Habitats Regulations would not be eligible (perhaps also those involving highways changes). The local planning authority would need to confirm that the application was valid.

Valid Community Right to Build Order applications would be assessed by an independent examiner, nominated by the community organisation in agreement with the local planning authority, and appointed by the authority. The independent examiner would assess:

- the proposal against national policy;
- whether the proposal was in general conformity with strategic policies in the development plan for the area;
- whether making an order would breach EU obligations;
- whether the proposal was consistent with the European Convention on Human Rights and
- the geographical extent of the referendum.

With certain exceptions, the independent examiner's report would be binding on the local planning authority. Where more than 50 per cent of those who voted in the referendum voted in favour, the local planning authority would have a duty to approve a Community Right to Build Order

giving planning approval for the proposed scheme. However, community groups would still need to acquire land to be able to take forward development as well as meeting any other consent requirements such as building regulations.

Community Right To Build Orders

Advantages

- Would allow local communities to meet some local development priorities - communities could decide the type, quantity and design of development they want
- Financial benefits from development would be retained for the local community
- Development schemes would be subject to streamlined planning procedures
- Community capability would be developed through formation of corporate body formed by members of the local community

Disadvantages

- CRB only applies to very small development schemes
- Local community needs access to expertise in land acquisition, finance, long-term management and maintenance
- Local community might need to take on liability for the development into the future
- The planning procedure, although lighter than normal, would still be challenging for a local community
- 51% of the people who actually vote in a referendum

Where and when to use

The Community Right to Build would apply to all areas, but is said by government to be more relevant in rural areas, where communities seek additional affordable housing or shops or facilities to support rural life.

The Community Right to Build would be more appropriate where a majority of the local community was enthusiastic about the prospect of small-scale development in their area, especially if that had been resisted in the past by the planning authority, and where some form of Neighbourhood Development Plan had already identified sites for development. The CRB is also relevant when the local community explicitly wishes to retain the financial benefits from development.

Potential links with other tools

- A Community Plan could be used to provide evidence of need for additional housing or social facilities.
- A Community Design Statement could not only guide any project but provide added reassurance to the planners (and examiner).
- A Neighbourhood Development Plan could provide the framework for making specific development proposals.

Specific value for key groups

FOR COMMUNITIES

There could be significant benefits in terms of having more control over development and retaining any related financial benefits. The CRB would be particularly valuable for those communities that had felt starved of appropriate development.

FOR PLANNERS

Rather than offering 'value', CRB projects could surrender planner (or rather elected member) control over potentially significant amounts of development.

Further information

For Government's account of the Community Right to Build in the context of the National Planning Policy Framework, visit:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/60772/116950.pdf

For a succinct account of the Community Right to Build, go to: <https://www.gov.uk/government/policies/giving-people-more-power-over-what-happens-in-their-neighbourhood/supporting-pages/community-right-to-buildpdf/1829678.pdf>.