

# General information about the planning system and neighbourhood plans

## The Planning System

The planning system in the UK manages the use and development of land and buildings. The aim of the system is to save what is best of our heritage and improve the infrastructure upon which we depend for a civilised existence. It is how we as a society strike a balance between allowing development of land and buildings to support economic development, and provide the things we need (like homes, jobs, shops and transport), and improving and conserving public spaces, heritage, amenities and the environment, and help to tackle climate change.

The planning system has two main parts to it:

- Plan making – setting out a plan for how an area will develop over time as a guide to future development.
- Managing development – when development is agreed through planning permission.

Wolverhampton City Council is responsible for deciding whether a development – anything from an extension on a house to a new shopping centre – should go ahead.

Planning involves making decisions about the future of our cities, towns and countryside and considering the sustainable needs of future communities.

Decisions on planning applications are based on national planning policy guidance, the Local Plan and any relevant neighbourhood plan.

## National Planning Policy Framework

The National Planning Policy Framework was published on 27<sup>th</sup> March 2012. The framework gives guidance to local councils in drawing up local plans and on making decisions on planning applications. It includes a presumption in favour of sustainable development.

## Local Plans

Wolverhampton City Council must prepare a Local Plan which sets planning policies within the local authority area. Local plans must be prepared with the objective of contributing to the achievement of sustainable development. They must be positively prepared, justified, effective and consistent with national policy in accordance with the Planning and Compulsory Purchase Act 2004 (as amended) and the National Planning Policy Framework.

The Wolverhampton City Council Local Plan currently consists of the Black Country Core Strategy (adopted February 2011), saved policies from the Unitary Development Plan, and Supplementary Planning Documents. Wolverhampton City Council is also producing three Area Action Plans for Stafford Road Corridor, the City Centre, and Bilston Corridor. Information on the Local Plan documents can be accessed on website: <http://www.wolverhampton.gov.uk/planningpolicy>

## Neighbourhood Planning

Neighbourhood planning was introduced under the Localism Act 2011 to give members of the community a more hands on role in the planning of their neighbourhoods.

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

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

- Have regard to national planning policy and advice contained in guidance issued by the Secretary of State (e.g. National Planning Policy Framework);
- Contribute to the achievement of sustainable development;
- Be in general conformity with strategic policies in the development plan for the local area (i.e. Black Country Core Strategy); and
- Be compatible with EU obligations and human rights requirements.

Once drafted, a neighbourhood plan is required to undergo an independent examination. The appointed examiner will check that the neighbourhood development plan meets the basic conditions before recommending that it proceeds to a local referendum. This is to make sure that referendums only take place when proposals are clear, deliverable and sustainable.

## Tettenhall Neighbourhood Plan

The Tettenhall Neighbourhood Plan has been produced by the Tettenhall Neighbourhood Forum Steering group, in consultation with the local community.

The Examination Version of the plan underwent a period of consultation from 24th January until 7th March 2014, which was followed by an Independent Examination. All written representations received during the consultation were sent to the appointed Independent Examiner, Mr Jeremy Edge.

Wolverhampton City Council received the Examiner's Report into the Neighbourhood Plan on 28<sup>th</sup> May 2014. In his report the Examiner concludes that the Plan, subject to some specified modifications, should proceed to a Referendum based on the Tettenhall Neighbourhood Plan area. Wolverhampton City Council and the Tettenhall Neighbourhood Forum have agreed to the Examiner's recommended modifications to the Plan and the amended Plan will proceed to Referendum.

The modified version of the Plan is now the subject of a Referendum which is to be held on 17<sup>th</sup> July 2014. If the Plan receives a 'Yes' from more than 50% of those voting, the Tettenhall Neighbourhood Plan will be 'made' (brought into effect) by Wolverhampton City Council as soon as possible. This means it becomes part of the Development Plan and, as such, together with the adopted Black

Country Core Strategy will be the starting point for the determination of planning applications within the Tettenhall Neighbourhood Plan area.

## **Heathfield Park Neighbourhood Plan**

The Heathfield Park Neighbourhood Plan has been produced by the Heathfield Park Neighbourhood Forum Steering group, in consultation with the local community.

The Examination Version of the plan underwent a period of consultation from 24th January until 7th March 2014, which was followed by an Independent Examination. All written representations received during the consultation were sent to the appointed Independent Examiner, Ms Louise Brooke-Smith. As part of the examination process the appointed Independent Examiner decided to hold a Public Hearing into the Neighbourhood Plan. This took place on 13<sup>th</sup> May 2014 in Holy Trinity Church Hall.

Wolverhampton City Council received the Examiner's Report into the Neighbourhood Plan on 30<sup>th</sup> May 2014. In her report the Examiner concludes that the Plan, subject to some specified modifications, should proceed to a Referendum based on her amendments to the Heathfield Park Neighbourhood Plan area. Wolverhampton City Council and the Heathfield Park Neighbourhood Forum have agreed to the Examiner's recommended modifications to the Plan and area, and the modified Plan will proceed to Referendum based on the amended area.

The modified version of the Plan is now the subject of a Referendum which is to be held on 17<sup>th</sup> July 2014. If the Plan receives a 'Yes' from more than 50% of those voting, the Heathfield Park Neighbourhood Plan will be 'made' (brought into effect) by Wolverhampton City Council as soon as possible. This means it becomes part of the Development Plan and, as such, together with the adopted Black Country Core Strategy will be the starting point for the determination of planning applications within the Heathfield Park Neighbourhood Plan area.

## **Further Information**

Additional information in relation to neighbourhood planning is available on the following website:

<https://www.gov.uk/neighbourhood-planning>