

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

### **1. The Planning System**

1.1. The planning system manages the use and development of land and buildings. It exists to ensure that development is in the public interest and contributes to the achievement of sustainable development. This means ensuring that meeting the needs of the present do not compromise the ability of future generations to meet their own needs. It also means allowing growth that balances supporting the economy and community needs for homes, jobs, transport and infrastructure while protecting and enhancing the built and natural environment.

1.2. The Planning system has two main parts:

- Plan making – Setting out proposals for development and policies to guide development over time
- Managing development - where development is agreed through the granting of planning permission

1.3. Not all forms of development require planning permission as some building operations, depending on their scale and type, are covered by permitted development rights. For development that requires planning permission Lewisham Council are responsible for deciding whether the development should go ahead. Decisions on planning applications are based on national planning policy, the Local Plan and any relevant neighbourhood plan.

#### **National Planning Policy Framework**

1.4. The National Planning Policy Framework (NPPF) was published in February 2019. It sets out the Government's planning 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. The NPPF is available at:

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

#### **Local Plans**

1.5. As a statutory planning body Lewisham Council must prepare a local plan which sets planning policies within the local authority area. 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 NPPF

1.6. Decisions on planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise. Lewisham's current Local Development Plan currently consists of:

- Lewisham Core Strategy (2011)
- Development Management Local Plan (2014)
- Lewisham Town Centre Local Plan (2014)
- Site Allocations Local Plan (2013)

## Neighbourhood Plans

1.7. Neighbourhood Planning was introduced under the Localism Act 2011 and provides an opportunity for local communities to shape future development in their local area, develop a shared vision for their area and deliver the sustainable development through planning policies relating to the development of use of land.

1.8. Neighbourhood Plans are prepared by Neighbourhood Forums (or Parish councils where they exist) who have been formally designated by the Local Authority to act as the qualifying body for neighbourhood planning matters within a designated neighbourhood area. A neighbourhood plan can cover a range of different issues that the local community feel are important, however it needs to meet the 'Basic Conditions' for it to be considered legally compliant. To ensure the plan is legally compliant it must:

- have regard to national planning policy and advice contained in guidance issued by the Secretary of State
- Contribute to the achievement of sustainable development
- Be in general conformity with strategic policies in the development plan for the local area (i.e. the Local Plan)
- Be compatible with EU regulations and human rights requirements

1.9. For a neighbourhood plan to be 'made' and therefore adopted as part of the Local Development Framework the making of the plan must follow a statutory process found in the Neighbourhood Planning (General) Regulations 2012 as outlined below:

- Designation of the Neighbourhood Forum and Neighbourhood Area by the Local Authority
- Regulation 14 – A consultation period held by the forum to receive feedback on their proposals present in the draft neighbourhood plan. This is an opportunity for the forum to modify the draft neighbourhood plan relating to feedback received before submission to the council
- Regulation 15 – The draft neighbourhood plan is formally submitted to the Local Authority
- Regulation 16 – The Local authority publicises the draft neighbourhood plan for a minimum of 6 weeks inviting comments on the draft neighbourhood plan from statutory consultees and members of the local community.
- Independent examination - The draft neighbourhood plan is subject to an independent examination. The independent examiner is chosen in agreement with both the local authority and the neighbourhood forum. The purpose of the independent examination is to determine that the plan is legally sound and meets the basic conditions.

- Independent examiners recommendations – the examiner will provide their recommendations and conclusions to the local authority through an examination report. The recommendations will inform the Local Authority if the plan has indeed met the requirements of the basic conditions and if it can proceed to the referendum stage. It is the Local Authority who will decide to accept or decline any of the recommendations submitted by the examiner.
- Public Referendum – A referendum will be held by the council inviting all residents who are registered on the electoral register and live within the designated neighbourhood area to cast a vote on whether or not they agree that the neighbourhood plan should be used to help determine planning applications within the designated neighbourhood area. If more than half of all those voting in the referendum have voted in favour of the plan, the Local Authority must adopt the neighbourhood plan as soon as reasonably practicable after the referendum

1.10. Additional information on neighbourhood planning can be found on the following website: <https://www.gov.uk/guidance/neighbourhood-planning--2>