

General Information on Planning and Neighbourhood Planning

The Planning System

Most new buildings, major changes to existing buildings or major changes to the local environment (including building and engineering work) need consent – known as planning permission. Without a planning system everyone could construct buildings or use land in any way they wanted, no matter what effect this would have on other people who live and work in their area.

Sutton Council, as the Local Planning Authority, is responsible for deciding whether a development – such as an extension on a house or a new school – should go ahead within the borough. Decisions on planning applications are based on national planning policy and the statutory development plan (which in Sutton includes the London Plan, the Sutton Local Plan, and any ‘made’ neighbourhood plans).

National Planning Policy Framework (NPPF)

The NPPF sets out the Government’s planning policies for England and how these are expected to be taken into account by communities when preparing neighbourhood plans and by Local Planning Authorities when preparing local plans and making decisions on planning applications. It makes clear that the purpose of planning is to help achieve sustainable development, which balances economic, social and environmental goals.

The Development Plan

Planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise. In Sutton, the development plan currently comprises:

- a) The London Plan (2016)** – which sets out the development strategy for all London boroughs and overall framework for each borough’s local plan. It includes matters such as housing development targets for each borough, London’s network of town centres. A draft revised London Plan is currently be
- b) The Sutton Local Plan (2018)** – this sets out policies for development across the borough, including identifying key development sites and providing detailed policies on a range matters including affordable housing, offices, shopping centres, design and heritage.
- c) Any neighbourhood plans** will also form part of the development plan for the neighbourhood area they relate to, following approval by a local referendum.

Neighbourhood Planning

Neighbourhood planning was introduced under the Localism Act 2011, and gives new rights and powers to help local communities shape new development in their local area. It enables communities to develop a shared vision for their neighbourhood, and develop local policies for determining planning applications.

Neighbourhood plans can be prepared by neighbourhood forums. The local community can decide what to include in a neighbourhood plan, but it must meet the following 'basic conditions' to:

- 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; and
- be compatible with EU obligations and human rights requirements.

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

There is a statutory process that must be followed for the making of a neighbourhood plan. The boundary of the neighbourhood area to which any neighbourhood plan relates must be designated by the council, and there can only be one neighbourhood plan for each neighbourhood area. The neighbourhood plan must also set out what time period it will apply for.

The neighbourhood plan must be prepared through a process of consultation with local residents and businesses before an independent examiner reviews the plan and checks whether it meets the basic conditions and other legal requirements. The examiner then reports whether any modifications should be made to the plan and whether it should proceed to a local referendum.

The Council then decides, having regard to the statutory criteria, whether to accept the recommendations and proceed to referendum. If the neighbourhood plan proceeds to referendum, the council is responsible for organising the referendum.

The referendum will ask those voting whether they want the Neighbourhood Plan to be used by the Local Planning Authority to help it decide planning applications in the area covered by the plan. All those registered to vote in the election of Councillors within the neighbourhood area are entitled to vote in the referendum.

If more than half of those voting in the referendum have voted in favour of the neighbourhood plan, the local planning authority must make it part of the statutory development plan and use it when determining decisions on planning applications within the neighbourhood plan area.

Additional information in relation to neighbourhood planning is available on the following website: <https://www.gov.uk/guidance/neighbourhood-planning--2>