



# Writing Policies for Neighbourhood Plans: a practical guide

**Training session for Horsmonden Parish Council /NDP Steering Group**

**Thursday January 9 2020**

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# 1. Why do we need neighbourhood planning policies?

- To deliver the vision and objectives set out in the plan and promote sustainable development
- To set out requirements for new development in Horsmonden ( where will it should be located, what will it contain, how will it be laid out ,what it will look like and how it will be delivered)
- To inform and guide decisions on planning applications
- To ensure that individual developments meet certain minimum requirements
- To ensure that decisions on the many different planning applications received each year add up to something coherent ( without them all planning decisions would be made in isolation)

**Planning policies must relate to the development and use of land**

## 2. Why do neighbourhood plan policies matter?

- Neighbourhood planning policies carry significant legal weight when decisions on planning applications are made
- This is because the system is “plan-led”, requiring decisions to be made “in accordance with the development plan unless material considerations indicate otherwise”
- So the policies are the starting point for considering planning applications
- The weight and importance they attract means it is important to get the neighbourhood planning policies right



# 3. What are the ingredients for neighbourhood plan policies ?

These are some of the ingredients that can go into a drafting neighbourhood plan policies:

- Vision and objectives of the neighbourhood plan
- Evidence gathered for the neighbourhood plan
- Feedback from consultees and public at earlier stages of neighbourhood plan consultation
- National planning policy and guidance (NPPF and NPPG)
- Understanding the extent of “permitted development”
- EU legal requirements , such as Habitats Regulations
- Existing TWBC /KCC planning policies and standards
- High Weald AONB Management Plan
- Sustainability Appraisal (if done)



# **HORSMONDEN NEIGHBOURHOOD DEVELOPMENT PLAN**

Preliminary exercise for the training session on “Writing planning policies “ on Thursday 9 January 2020



# Introduction

This is a short exercise to get you to think about what sort of planning policies you think the NDP should contain , and what the broad intent of those policies should be, for the **theme area on which you have been working over recent months ( for example housing , economy, transport or environment)**

Please bring your ideas along to the training session on 9 January

Lindsay Frost

# 4. Steps in developing neighbourhood plan policies

**Step A:** Take each objective in turn and identify what you could include in your plan to achieve this objective

**Step B:** Record this in plain English

- What do you want to achieve?
- What needs to happen?
- What does the policy need to do (policy intent)?

**Step C:** Review the evidence base and the wider context for your policy . Do these support the intention of your policy ?

**Step D:** Explore your policy options ( separate those involving development and use of land and those which do not and which would be delivered by other means)



# Exercise A

The matrix below may help you set out your ideas

Objective	What actions could achieve this objective?	Is there evidence to support the action?	Is the action in line with national and local planning policy?	What options are there to achieve the action?	Are these options related to development and use of land?

**Do you have a wide or narrow choice when making policy to deliver this objective ?  
What are the implications of that ?**



## 5. Types of neighbourhood plan policy

- There are several types of planning policy in neighbourhood plans:
  - ❖ **Generic policies** : a simple policy which applies universally to development across the entire neighbourhood plan area
  - ❖ **Criteria based policies**: a policy with a set of requirements that should be met by development proposals
  - ❖ **Site specific policies** : a policy which applies only to particular areas of land . This can include allocations of land for development or areas identified for protection or enhancement

Sometimes neighbourhood plans want to cover matters outside the planning system ( such as speed limits, street lighting, condition of public rights of way, management of open spaces) or matters covered by other planning procedures (such as new or extended conservation areas) . These can be covered by **community action projects**

# Example of generic policy

Ascot, Sunninghill and Sunningdale NDP (Berkshire)

*POLICY NP/DG2 – DENSITY, FOOTPRINT, SEPARATION, SCALE, BULK*

*New development should be similar in density, footprint, separation, scale and bulk of the buildings to the density footprint, separation, scale and bulk of buildings in the surrounding area generally and of neighbouring properties in particular, unless it can be demonstrated that the proposed development would not harm local character.*



# Example of criteria-based policy

Much Wenlock NDP ( Shropshire) Policy H5 AFFORDABLE HOUSING

*Proposals for small scale affordable housing developments outside the Much Wenlock development boundary will be supported subject to the following criteria:*

- they comprise up to 10 dwellings*
- the proposals contribute to meeting the affordable and social rented needs of people with a local connection*
- the development is subject to an agreement which will ensure that it remains as affordable housing for people with a local connection in perpetuity*
- the proposals would not have a significant impact on the surrounding rural landscape and the landscape setting of any settlement in the plan area;*
- the development is appropriate in terms of its scale, character and location with the settlement to which it is associated.*

*Open market housing will only be permitted outside the Much Wenlock development boundary where this type of development can be demonstrated to be essential to ensure the delivery of affordable housing as part of the same development proposal.*

# Example of site specific policy

- Ringmer NDP (East Sussex) : Outdoor sports facilities

*Policy 7.4: Land to the east of Ringmer Community College, identified on map 7.1, is allocated to meet the identified shortage of outdoor sports facilities in Ringmer. Any associated built facilities necessary, including changing rooms and parking, should be located on the Ringmer Community College campus or on land immediately adjacent to the College boundary.*



# Examples of community action projects (1)

Patching NDP( West Sussex)

*Community action: PLACES 13 – Flood risk and surface water drainage*

*Land owners will be encouraged to maintain and regularly clear ditches and culverts to minimise the risk of surface water flooding. Wider initiatives to reduce surface water run-off from agricultural land will be supported.*



# Examples of community action projects 92)

## Community action: HBT 8 – Maintaining the rural character of local roads

*The Parish Council strongly supports the maintenance of the rural character of the local road network through, and within, the parish, and will urge the highway authority (West Sussex County Council) to:*

- limit street furniture and signage to the minimum required by traffic safety considerations, and avoid the unnecessary imposition of urban highway standards*
- avoiding the introduction of further street lighting in order to minimise light pollution*
- adopt a policy for maintenance of roadside verges which maintains their character and biodiversity*
- avoid changes in the width, alignment, and character of existing roads, thoroughfares and junctions , unless justified by road safety considerations. This will complement Neighbourhood Plan policy HBT 6 which discourages commercial activities which would lead to an increase of HGV traffic on narrow parish roads and thoroughfares.*

*The A27 trunk road and the A280 Long Furlong would not be covered by this approach , as they are part of the county strategic road network.*

# Good and bad practice in drafting neighbourhood plan policies

You have established your **policy intent** , considered alternative, ways of delivering it, and identified the best way of doing so.

You now need to draft a policy and have a blank screen in front of you .....what next?


You need to think about:

- **Language**
- **Structure**
- **Tone**
- **Content**



# Language in planning policies

- Write in plain English
- Avoid jargon as far as you can ( some may be unavoidable, but explain it in accompanying text or footnotes)
- Be clear . Avoid ambiguity and be as precise as you can about the intention of your policy
- There are some “words to watch” which often cause problems when drafting planning policies. We will look at these in the next exercise .



W<sub>4</sub> O<sub>1</sub> R<sub>1</sub> D<sub>2</sub> S<sub>1</sub>



# Structure of planning policies

- A planning policy includes **both the policy and the accompanying text which justifies and explains the policy** : the two should be clearly differentiated but need to be read together
- Give the policy a clear reference number and a title which explains what it is about
- Use graphical devices to highlight it and differentiate it from the explanatory text ( e.g. box in , bold or italic text , colour tone)
- Start the policy with its intent and then go into more detail **if necessary** on:
  - any criteria which qualify how it will be applied. Be clear on whether all or some criteria have to be met
  - any targets ( including financial contributions) which should be met
  - any necessary guidance on how the policy will be delivered
  - any necessary cross referencing to other planning policies or standards

# Tone of planning policies

- The tone should be **positive** in order to :
  - promote sustainable development which delivers the local plan strategy
  - allow an applicant to understand what needs to be done to improve the prospects of securing planning permission
- Avoid a list of “thou shalt nots”
- For example, “Planning permission will be granted provided that/ or encouraged where ...” is better than “We will not allow development unless...” , even though the criteria that follow may be similar



## Exercise B: Words to watch

Words to watch	Question
1. “Must /must not” and “should /should not”	What’s the difference? In what cases should these terms be used?
2.”Normally /not normally”	What is the problem with using these terms?
3. “Presumption in favour or against” a particular form of development	Is this form of words useful or superfluous in light of the NPPF “presumption in favour of sustainable development” ?
4. “Where possible”	Is this form of words helpful? If so, in what circumstances?
5.”Preserve” and “conserve”	What’s the difference? In what cases should these terms be used ?
6.”Local character”	What is it? How you should you use it in planning policy?

# Content of planning policies

- Make sure your planning policy clearly stems from the Vision and Objectives of the local plan ,that it contributes to sustainable development , and relates to the development and use of land
- Make sure your policy is rooted in evidence and feedback from public engagement
- Don't repeat national or TWBC planning policy , but do cross reference to it if necessary
- Make sure your policy is practical and deliverable
- Acknowledge uncertainty , but say how you will deal with it
- Cross reference to other planning policies, where necessary
- Think carefully about imposing additional information requirements on applicants : these must be proportionate, relevant and necessary
- Avoid drafting long and over complicated policies . **Simple is best**

# Explanatory text for neighbourhood plan policies

- Start with the elements of the Vision and the strategic objectives which the policy will support
- Outline how the policy relates to national planning policy
- Outline key elements of the evidence base which support the policy
- Outline how public engagement has influenced the policy
- Explain how the policy will be delivered , particularly if it is integrated with , or complements, other public policy
- Again , aim for plain English and brevity/conciseness

## **Exercise C : Looking at some draft planning policies**

We will look at two versions of a policy from the Woodcote NDP (Oxfordshire) concerning infill housing in the Chilterns AONB

**Please work through the policies and identify what is good and bad about them**

**If you identify any bad points , how might the policy be re-drafted to improve it ?**

We will then discuss together what we have found.

# A few final tips

- Take a step back after initial drafting : is the policy clear and helpful, **does it reflect what is distinctive about Horsmonden?**
- Discuss your draft policies with TWBC planning officers
- Look at examples from other neighbourhood plans which have been through the examination process ( both those which have been criticised and those endorsed by examiners)
- Does the plan meet the “**basic conditions**” overall?
  - have regard to national planning policy?
  - maintain statutory protections for listed buildings and conservation areas?
  - help deliver sustainable development?
  - meet EU obligations?
  - In broad conformity with TWBC’s strategic policies

# Thank you

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