

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. 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.

Bath and North East Somerset Council is responsible for deciding whether a development – anything from an extension on a house to a new shopping centre – should go ahead within Bath and North East Somerset. 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 (including the Core Strategy and other Development Plan Documents and Supplementary Planning Documents) and any relevant neighbourhood plan.

National Planning Policy Framework

The National Planning Policy Framework was published on 27th March 2012 and most recently revised on 19th February 2019. 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

Bath and North East Somerset 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 adopted Development Plan for Bath and North East Somerset is the Core Strategy (2014) and Placemaking Plan (2017). The policies set out in this plan will be used for decision making purposes (along with national planning guidance and any relevant neighbourhood plans). Additional information about the Bath and North East Somerset Development Plan is available on the following website:

<https://www.bathnes.gov.uk/services/planning-and-building-control/planning-policy/development-plan>

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. the Core Strategy and Placemaking Plan); and
- The making of the neighbourhood development plan does not breach the requirements of Chapter * of Part 6 of the Conservation of Habitats and Species Regulations 2017 (7).
- Be compatible with EU obligations and human rights requirements.

An examiner then checks that a neighbourhood development plan meets the conditions before it can be voted on in a local referendum. This is to make sure that referendums only take place when proposals are workable and of a decent quality.

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

<http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/>