

General information on town and country planning, including neighbourhood planning to ensure voters have sufficient knowledge to make an informed decision.

The Planning System

Most new buildings or major changes to existing buildings or to the local environment 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 in, work in or enjoy the area.

Harborough District Council, as the local planning authority, is responsible for deciding whether a development - anything from an extension on a house to a new shopping centre - should go ahead within the District.

Planning involves making decisions about the future of our towns, villages and countryside. This is vital in balancing our desire to develop the areas where we live and work with ensuring the surrounding environment isn't negatively affected for everyone.

Planning law requires that applications for planning permission must be determined in accordance with the development plan for the local authority area, in this case Harborough District, unless material considerations indicate otherwise. This development plan can comprise a number of documents including local plans (such as the Harborough District Core Strategy), supplementary planning documents and neighbourhood plans. All such documents are required to be prepared in consultation with the local community and reflect national policy as set out in the national planning policy.

National Planning Policy Framework

The National Planning Policy Framework (or Framework) was published on 27 March 2012. It 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 councils when drawing up local plans and making decisions on planning applications. At the heart of the Framework is a presumption in favour of sustainable development and this has to be reflected in plans, both at a district level and a neighbourhood level.

Local Plans

Local planning authorities, such as Harborough District Council, must prepare a local plan for their area which sets out the opportunities for development and clear policies on what will or will not be permitted and where. They must be positively prepared, justified, effective and consistent with the National Planning Policy Framework. As part of the development plan, local plans are very important when deciding planning applications.

In Harborough District, the Local Plan currently comprises the Core Strategy which was adopted in November 2011. It sets out clear strategic priorities for the District and states where development should take place up to 2028. The preparation of a new Local Plan is currently underway and involves amending current Core Strategy policies to reflect the Framework and to include site

specific allocations for housing, employment and retail development where appropriate. Once adopted, this Local Plan will replace the Core Strategy and comprise part of the District's development plan.

Neighbourhood Planning

Neighbourhood planning was introduced under the Localism Act 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. 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.

Swinford Neighbourhood Plan

The Swinford Neighbourhood Plan has been produced by the Swinford Neighbourhood Development Plan Group, led by the Parish Council, in consultation with the local community.

The Examination Version of the Plan underwent a period of consultation from which was followed by an Independent Examination. As part of this process the appointed Independent Examiner, Mr Andrew Matheson, decided a Public Hearing into the Neighbourhood Plan was not required.

Harborough District Council received the Examiner's Report into the Neighbourhood Plan on 4 May 2018. In his report the Examiner concludes that:

This Independent Examiner's Report recommends a range of modifications to the Policies, as well as some of the supporting content, in the Plan. Modifications have been recommended to effect corrections, to ensure clarity and in order to ensure that the Basic Conditions are met. Whilst I have proposed a significant number of modifications, the Plan itself remains fundamentally

unchanged in the role and direction set for it by the Qualifying Body. Where deletions have been recommended because of inappropriate repetition or summarising of Core Strategy content, the policy requirements within the Harborough District Core Strategy will still be effective.

I therefore conclude that, subject to the modifications recommended, the Swinford Neighbourhood Plan:

- ***has regard to national policies and advice contained in guidance issued by the Secretary of State;***
- ***contributes to the achievement of sustainable development;***
- ***is in general conformity with the strategic policies of the development plan for the area;***
- ***is compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.***

Referendum

On that basis I recommend to the Harborough District Council that, subject to the incorporation of modifications set out as recommendations in this report, it is appropriate for the Swinford Neighbourhood Plan to proceed to referendum.

Referendum Area

As noted earlier, part of my Examiner role is to consider whether the referendum area should be extended beyond the Plan area. I consider the Neighbourhood Area to be appropriate and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the Neighbourhood Area as approved by the Harborough District Council on 6th May 2015.

The modified version of the Plan is now the subject of a Referendum which is to be held on 27 September 2018.

If the Plan receives a 'Yes' from more than 50% of those voting, the Swinford Neighbourhood Plan will be 'made' (or brought into effect) by Harborough District Council as soon as possible. This means it becomes part of the Development Plan and, as such, together with the adopted Core Strategy will be the starting point for the determination of planning applications within the parish of Swinford.

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

<https://www.gov.uk/government/get-involved/take-part/make-a-neighbourhood-plan>