



# **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 with the aim of creating sustainable places to live and work. Without a planning system in place, development would not be controlled and could take place anywhere, with considerable impact on people and the environment. Potential development activity is managed through planning applications, using local plans as a basis to make decisions.
- 1.2 The planning system has two parts which are usually the responsibility of the Local Planning Authority:
  - Plan making - setting out proposals for development and policies to guide development over a period of time.
  - Development management – where planning decisions are made through the assessment of planning applications.
- 1.3 Not all forms of development require planning permission as some proposed development, depending on the scale and type, is covered by permitted development rights. For development that requires planning permission, Tunbridge Wells Borough Council is responsible for deciding whether the development should go ahead. Decisions on planning applications in Hawkhurst parish are currently based on the National Planning Policy Framework (NPPF), the adopted Tunbridge Wells Borough Core Strategy 2010, the adopted Tunbridge Wells Borough Site Allocations Local Plan 2016, Saved Local Plan 2006 policies and the Kent Minerals and Waste Local Plan 2013. If 'made' (adopted) the Hawkhurst Neighbourhood Development Plan will also become part of the Development Plan and be used in decision making on planning applications within the parish.

## **2. National Planning Policy**

- 2.1 The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The framework gives guidance to local planning authorities in drawing up development plans and on making decisions on planning applications. The NPPF includes a presumption in favour of sustainable development and sets out core planning principles to be followed which include environmental, social and economic

aspects. National Planning Practice Guidance (NPPG) supports the NPPF and provides further guidance on planning issues such as neighbourhood planning.

### **3. Local Plans**

3.1 Local Plans are prepared by Local Planning Authorities and set out the strategic priorities and planning policies for the local authority area. The policies in a local plan set out to deliver key development including homes and jobs required, the provision of retail and community facilities and infrastructure. Policies relating to managing climate change, conservation and enhancement of the natural and historic environment are also included. Local Plans must be positively prepared, justified, effective and consistent with national policy in line with s.20 of the Planning and Compulsory Purchase Act 2004 (as amended) and the NPPF.

3.2 The current adopted Tunbridge Wells Borough Core Strategy 2010, the adopted Tunbridge Wells Borough Site Allocations Local Plan 2016 and Saved Local Plan 2006 can be found here - <http://www.tunbridgewells.gov.uk/residents/planning/planning-policy>

### **4. Neighbourhood Planning**

4.1 Neighbourhood Planning was introduced under the Localism Act 2011. It provides an opportunity for local communities to shape future development in their local area.

4.2 In parished areas, neighbourhood plans can be produced by parish councils which are referred to as the 'Qualifying Body'. In this case, the Qualifying Body is therefore Hawkhurst Parish Council.

4.3 Neighbourhood plans have to meet a number of basic conditions in order to proceed to referendum stage. An independent examiner is appointed to check that a plan meets the basic conditions which are set out below:

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

### **5. What is a Neighbourhood Plan Area?**

5.1 A neighbourhood plan must apply to a specific designated area which can range from single streets or large rural or urban areas.

5.2 The boundary of the neighbourhood area for the Hawkhurst Neighbourhood Development Plan was approved by the borough council in April 2014 and follows the parish boundary. The borough council has agreed with the Examiner's recommendation that any neighbourhood plan that proceeds to a referendum should be based on the Hawkhurst Neighbourhood Area as approved by the council

## 6. Neighbourhood Plan Referendum

- 6.1 The Neighbourhood Plan has been the subject of three formal public consultation stages. The Parish Council carried out a pre-submission consultation on the draft Plan, under Regulation 14, in April 2016. The Borough Council carried out a consultation on the draft Plan in accordance with Regulation 16, following which an independent examiner was appointed to assess whether the Hawkhurst Neighbourhood Plan met the relevant legislation and could proceed to referendum. Mrs Rosemary Kidd MRTPI was appointed by the Council to conduct the examination of the plan and the Council received the Examiner's report in January 2017.
- 6.2 The Examiner's report, recommendations and recommended modifications were considered by the Council leading to a decision by Cabinet to further modify the Plan. A further period of public consultation from 21 July to 4 September 2017 has been completed pursuant to Regulation 17A. The Borough Council has considered all representations made and has concluded that no further changes are required. The Borough Council confirmed in December 2017 that the neighbourhood plan could proceed to referendum.
- 6.3 The Hawkhurst Neighbourhood Development Plan referendum will be held on **Thursday 8 February 2018. 7am to 10pm.**
- 6.4 The proposed Neighbourhood Plan needs to gain the approval of the majority of voters (more than 50%) in the local community for the Local Planning Authority to 'make' the neighbourhood plan.
- 6.5 If the Neighbourhood Plan is made then it will become part of the Development Plan for the borough of Tunbridge Wells and will be used in the determination of planning applications in Hawkhurst parish. If more people vote 'no' than 'yes', then the Neighbourhood Plan will not become part of the Development Plan for the local area.
- 6.6 Additional information on neighbourhood planning is available on the following website – [www.gov.uk/neighbourhood-planning](http://www.gov.uk/neighbourhood-planning).