

Relationship with Braintree District Council in the preparation of a Neighbourhood Development Plan

Braintree District Council (BDC) has a duty to support the preparation of Neighbourhood Development Plans. The purpose of this document is to:

1. Outline the steps in the Neighbourhood Development Plan process;
2. Explain how BDC will undertake its statutory duties including timescales for responses;
3. Set out the level and extent of the advice and guidance that BDC will provide;
4. Set out the responsibilities of the Parish Council /Neighbourhood Forum during the Neighbourhood Development Plan process.

1. Steps in the Neighbourhood Development Plan Process

	Statutory duties (section 2)	Support & advice (section 3)
Initial meeting(s)		✓
Define the neighbourhood area	Reg 5 and 7	✓
Establish a steering group		✓
Prepare a project plan		✓
Community engagement		✓
Create an evidence base		✓
Draft a vision and planning objectives		✓
Prepare a draft plan		✓
Consult on the plan (pre submission consultation)	Reg 14	✓
Submit the plan for validation and consultation	Reg 15 and 16	
Appoint examiner	Reg 17	✓
Independent examination	Reg 18	
Referendum	Reg 4	
Plan is made	Reg 19 and 20	

2. Statutory duties

Regulation	Timescale:-
Confirm receipt of application Regulation 5 Neighbourhood Planning (General) (Amendment) Regulations 2015	Confirmation of receipt within one week of receiving the application documents.
Designate a Neighbourhood Area Regulation 7 Neighbourhood Planning (General) (Amendment) Regulations 2015	Where a parish council applies for the whole of the area of the parish to be designated as a neighbourhood area, the local planning authority must designate the whole of the area applied for. All other applications must be determined within 13 weeks of first being publicised, or 20 weeks where the application relates to more than one local planning authority area. If these time limits are not met, the local planning authority must designate all of the area applied for.

Confirm that the draft plan meets the requirements of the pre-submission consultation Regulation 14 Neighbourhood Planning (General) Regulations 2012	Confirmation within four weeks following receipt of the Plan
Confirm that the submitted plan includes a consultation statement and meets the criteria within the Localism Act Regulation 15 Neighbourhood Planning (General) Regulations 2012	Confirmation within one week of receiving the submission documents.
Publicise the Submission Plan, and other relevant documentation for Consultation, and forward comments received to examiner Regulation 16 Neighbourhood Planning (General) Regulations 2012	Publicise within two weeks of receiving the submission documents. Undertake the six week consultation on the Submission Plan. Forward comments to examiner within four weeks of close of consultation
Approve the appointment of an examiner with the Parish Council and move submission plan/order for independent examination Regulation 17 Neighbourhood Planning (General) Regulations 2012	Decision within six weeks of close of Submission Plan consultation
Consider the Examiner's Report and Publish a 'Decision Statement' Regulation 18 Neighbourhood Planning (General) Regulations 2012	Decision Statement produced four weeks after receipt of the Examiner's Report
Arrange Referendum Regulation 4 Neighbourhood Planning (Referendums) (Amendment) Regulations 2016	Referendum to be held within 56 working days of the decision that a referendum should be held, or 84 working days in more complex cases. The 3 exceptions to this are: a) if another 'poll' is scheduled within 3 months of the end of the 56/84 day period; b) if there are unresolved legal challenges to the decision to hold a referendum; c) if the local authority and NP group both agree a different timescale to take account of local circumstances.
Make the Plan Regulation 19/20 Neighbourhood Planning (General) Regulations 2012	Decision at the first available meetings of Cabinet/ Council following a positive referendum result

3. Advice and guidance

The Neighbourhood Planning team at Braintree District Council comprises:

- Jan Stobart, Neighbourhood Planning Officer (under contract from Rural Community Council of Essex), jan.stobart@braintree.gov.uk 01376 552525 ext 8667
- Alan Massow, Senior Policy Planner

The support available from the team is set out below:

Stage of process	Support available
Initial meeting(s)	Make a presentation about neighbourhood planning; Facilitate a community workshop to get people involved; Provide examples of publicity materials.
Define the Neighbourhood Area	Explain the application process; Advise on the boundaries and the suitability of the local group as a 'qualifying body'.
Establish a steering group	Chair initial meetings of volunteers; Advise on group structure; Provide example terms of reference; Provide training for group members.
Prepare a project plan	Advise on time plan and budget; Assist with funding applications.
Community engagement	Advise on a communications strategy; Provide example surveys; Advise on engagement event organisation; Facilitate community engagement events; Advise on how to keep records of participants.
Draft a vision and planning objectives	Facilitate a visioning event; Provide example visions and planning objectives.
Create an evidence base	Sign post to sources of information; Provide maps; Advise on assessment of sites; Provide comments on the emerging evidence base; Advise on additional studies that may be needed; Advise on Sustainability Appraisal; Advise on any requirement for Environmental Assessment and Habitats Regulations Assessment.
Prepare a draft plan	Advise on presentation and assessment of options; Advise on creating deliverable proposals; Advise on how to draft planning policy; Advise on the structure of the document; Provide comments on the emerging draft; Provide a Strategic Environmental Assessment scoping report on the draft plan.
Consult on the plan (pre submission consultation)	Advise on the statutory consultation process; Advise on the preparation of the Consultation Statement and Basic Conditions Statement.
Submit the Plan for Validation and Consultation	Advise on suitability of the plan in meeting the 'basic conditions': Conformity of the Plan; Suitability of the Consultation Statement; Suitability of any Environmental Assessment or Habitats Regulations Assessment undertaken; Conformity with other legislative requirements; Conformity with the OS mapping requirements (including copyright issues).
Appoint examiner	Work together on the appointment of the independent examiner

BDC will not offer support/assistance with the following:-

- Writing Documents
- Commissioning technical studies for the Neighbourhood Development Plan
- Undertaking primary survey work
- Attend every meeting/consultation event organised
- Direct financial support

4. The role of the parish council / neighbourhood forum

In a parished area, the parish council will be the qualifying body responsible for the production of the Neighbourhood Development Plan: in an un-parished area, a neighbourhood forum will be the qualifying body. We suggest the following:

At the start of the process

- Arrange a meeting with an officer from the BDC Neighbourhood Planning team to discuss how we can support you.
- Ensure your Neighbourhood Development Plan Group adopts Terms of Reference (for the steering group and for any topic related research groups) to set out how it will operate.
- In a parished area, establish a clear reporting link between the Neighbourhood Development Plan Group and the Parish Council.
- Share your Project Plan with the BDC Neighbourhood Planning team so we have an indicative timetable for completion of your Neighbourhood Development Plan. It will help us to allocate support to you at the appropriate times.

As you prepare your evidence base and plan

- Seek advice on evidence that is already available – we have a lot of information that might save you time.
- Provide regular updates on progress to the BDC Neighbourhood Planning team, especially if it looks like the overall time plan will change.

As you are prepare to undertake your pre submission consultation

- Provide a copy of the draft plan.
- Provide details of any environmental assessments undertaken to date.

Submission of your final plan prior to examination

- Provide a map or statement identifying the area to which the plan relates.
- Provide the Consultation Statement, containing details of those consulted, how they were consulted, summaries of the main issues and concerns raised and how these have been considered (and where relevant addressed) in the proposed Neighbourhood Development Plan.
- Provide the proposed Neighbourhood Development Plan
- Provide a statement explaining how the Neighbourhood Development Plan meets the 'basic conditions'
- Provide final copies of any Environmental Statements or Assessments undertaken.

Following the successful examination;

- Provide the Final Plan in an electronic format to the Neighbourhood Planning team
- Provide any support documentation in an electronic format to the Neighbourhood Planning team
- Provide results of any primary source data which would be helpful to the Research

The need for an Evidence Base in the preparation of a Neighbourhood Development Plan

It is essential that your Neighbourhood Development Plan is underpinned by evidence that provides reasoned justification for your planning policies.

The evidence base must contain two elements:

Opinions and aspirations: you must ascertain the views of the local community – residents of all ages, local businesses and community organisations. The policies will be guided by the level of support for different proposals.

Factual information: you must undertake research about population, employment, education, health, environment and other topics; gather information about the condition and capacity of local infrastructure; describe local character and design, and assess the feasibility / deliverability of different proposals.

The evidence that you gather will:

- Provide a profile of the area - the demography of the area, existing infrastructure and community assets
- Define the issues and priorities – strengths, weaknesses and local needs
- Identify constraints and opportunities for improvements – establish areas where conservation is needed, but also where change might benefit the area, and show that proposals are deliverable
- Shape policies to guide future development – you must be able to demonstrate how the evidence justifies the policy

Your evidence will be a mixture of text, charts and maps.

How to link your evidence to planning objectives and policies

Below is an example of the evidence that might be used to justify policies to meet a housing related planning objective.

Objective	Policies to meet objective	Types of Evidence	Is this needed?		
			Yes	No	Maybe
To meet the housing needs of all sections of the community, including those in need of affordable housing	Allocate sites	Housing Needs Survey	✓		
		Housing Land / Urban Capacity Study	✓		
	Specify type and tenure	Affordable Housing Viability Study			✓
		Habitat Regulations Assessment	✓		
	Specify design / layout	Flood Risk Assessment			✓
		Landscape and Built Character Assessments	✓		

As you start to develop your vision and planning objectives, it will be useful to link your evidence in this way and cross reference.

Managing evidence

Whilst much of the evidence gathering will be near the start of the process you will continue to add to the evidence base even as you start drafting your plan. New sources of evidence will come to light, some may become out of date, and new issues will arise that need to be addressed. Aim to keep your evidence base relevant and proportionate, and try to avoid introducing new evidence just before or during the examination!

It is important to document your evidence as it evolves, as the Inspector will be interested in the trail. Keep a spreadsheet of all your evidence and update it in accordance with progress. Prior to examination you will need to review the evidence for timeliness (is it up-to-date, or at least the latest available), relevance, and completeness in terms of coverage of the parish. Some neighbourhood plan groups commission an independent review of their evidence base prior to examination. If you choose to do this, you will need to build these costs into your budget.

Putting together your evidence base

Evidence gathering can be time consuming and possibly expensive so ask yourselves the following questions:

- What do you need to find out and why (you do not need to collect everything)?
- Do you really need it to inform your choices about land use and development?
- What would happen if you didn't have it?
- Is it relevant to your area and your emerging planning objectives?
- If so, what is the best way of getting it? Does it already exist or does it need to be created?

Sources of evidence	Notes
Previous local studies / surveys	You may already have a Parish or Town Plan, a Design Statement , have undertaken a Housing Needs Survey or other local study. If this was done in the last few years, you may be able to use these findings.
Demographic data	The Office of National Statistics web site is data heaven (or hell depending on your ability to find your way round it) http://www.ons.gov.uk/ons/index.html Rural Services Network summarises data for Braintree District http://www.rsnonline.org.uk/community-planning-pages/neighbourhood-planning-in-braintree or a summary profile for your area can be purchased from RCCE http://www.essexrcc.org.uk/Community_Profiles.aspx
Braintree District Council's evidence base	https://www.braintree.gov.uk/info/200230/planning_policy/701/new_local_plan/8 Some studies are highly complex and it may be difficult to find the part that relates to your Neighbourhood Plan area. The next section of this document suggests evidence that may be most useful.
Essex County Council's evidence	Essex County Council has a duty to support NP and a variety of evidence sources for highways, education etc. There is also a useful guide about developer contributions http://www.essex.gov.uk/Environment%20Planning/Development-in-Essex/Documents/Developers-guide.pdf
Seek information from utilities companies and infrastructure providers	This may seem like hassle, but it should help to identify key issues and constraints from the outset, and reduce delays later in the process.
Seek information from statutory bodies (e.g. Highways Agency)	Statutory bodies have a duty to co-operate and must provide information on issues that might affect the deliverability of your plan.
Magic Maps	An interactive map displaying information about the natural environment http://www.magic.gov.uk/

Environment Agency Maps	A collection of environmental maps http://maps.environment-agency.gov.uk/wiyby/wiybyController?ep=maptopics&lang=_e
Undertake your own studies	Gathering the views and opinions of residents is likely to be something you will do yourselves, although you can of course pay someone to do all, or part, of this for you. The BDC Neighbourhood Planning Officer can assist you with community engagement. You can also gather information from local organisations, schools, doctors etc. about the condition and capacity of their facilities. If you have appropriate expertise on your steering group (e.g. planners, surveyors, architects) you may be able to undertake certain studies yourselves e.g. character assessment, site assessment etc.
Commission evidence from consultants	If evidence does not exist elsewhere and needs to be commissioned, write a clear brief with clear objectives to ensure your requirements are met and that you get value for money.
Evidence produced by third parties e.g. local businesses, developers	This might be useful but you would need to consider its impartiality

You may also like to look at the Planning Aid England Document How to Gather and Use Evidence

http://www.ourneighbourhoodplanning.org.uk/storage/resources/documents/How_to_gather_and_use_evidence.pdf

Topic Related Evidence

Most Neighbourhood Plan groups set up topic related working groups to gather evidence, to assess and draw conclusions from it, and to suggest planning objectives and possible policies for the emerging plan.

The next three pages are organised under the following topic headings:

- Housing
- Environment
- Economy
- Getting Around
- Heritage
- Community Facilities and Wellbeing

Each Neighbourhood Plan area will arrange its sub groups differently, some combining topics into fewer working groups, others expanding to have separate groups to explore particular concerns e.g. education, leisure facilities etc.

The suggested documents in the tables on the following pages can be found in the BDC Local Plan Evidence Base pages http://www.braintree.gov.uk/info/200230/planning_policy or using internet search engines. However, if you have any problems in finding a document, please contact the Neighbourhood Planning team at Braintree District Council:

- Jan Stobart, Neighbourhood Planning Officer (under contract from Rural Community Council of Essex), jan.stobart@braintree.gov.uk 01376 552525 ext 8667
- Alan Massow, Senior Policy Planner

Housing

Key things to find out	Current population, trends and projections Current housing stock (type and tenure) Housing need (objectively assessed) in the area Housing prices (purchase and rent) and affordability Existing housing and development policies and strategies Site availability and an assessment of those sites
Advice and guidance	PAS advice note Housing Needs Assessment for Neighbourhood Plans Locality Guide Community Led Housing
Documents to look at	BDC Housing Strategy (expected December 2015) Demographic Projections 2013-2037 Strategic Housing Land Availability Assessment (SHLAA 2010 but new one available Oct 2015) Strategic Housing Market Assessment (SHMA) Call for Sites interactive map Evaluation of Landscape Capacity Analysis Study Affordable Housing Needs Assessment Affordable Housing Viability Assessment Residential Land Availability Assessment
Maps to prepare	Development opportunities (and constraints – see environment) Sites available and their assessment
Possible additional studies	Parish Housing Needs Survey Individual land availability assessments / site assessments

Environment

Key things to find out	Public open space in the area and how each is used The character of the landscape Flood plains and local drainage Land of high agricultural value Land of high biodiversity value Spaces and trees with designations to protect them Existing environment and climate change policies Capacity for carbon reduction and local energy generation
Advice and guidance	PAE guide How to prepare a character assessment PAE video How to address design and character
Documents to look at	Landscape Character Assessment 2006 Evaluation of Landscape Capacity Analysis Study Green Spaces Strategy 2008 Open Spaces Action Plan 2014 Mid Essex Flood Risk Assessment Essex Biodiversity Action Plan Agricultural Land Classification map (eastern region) Water Cycle Study Update (in progress) Climate Change Strategy and Action Plan
Maps to prepare	Development constraints such as flood plains, land of high agricultural value, or high biodiversity value Important Open Spaces within the built environment Biodiversity value (including TPOs and green corridors)
Possible additional studies	Local Open Space & Landscape Assessment and Biodiversity Review (a Parish Green Plan) Energy Descent Action Plan

Economy

Key things to find out	<p>Employment / skills (employment sectors) of economically active residents</p> <p>Commuting patterns (in and out commuting)</p> <p>Levels of unemployment</p> <p>The different classes of existing local businesses</p> <p>Opportunities for new businesses (possibly different classes) and barriers for business</p> <p>Local retail offer and unique selling points</p> <p>The character of the street scene (shop fronts, signage and street furniture)</p> <p>Opportunities for rural tourism and business opportunities in the countryside</p>
Advice and guidance	<p>Planning Practice Guidance Ensuring the vitality of Town Centres</p> <p>LGA Publication Tackling Skills Gaps</p>
Documents to look at	<p>Economic Development Prospectus 2013-2026</p> <p>Employment Sites Viability Review 2012</p> <p>Employment Land Needs Assessment Study (in progress)</p> <p>Retail Study Update (in progress)</p>
Maps to prepare	Local business and retail sites
Possible additional studies	Town or Village Centre Study and Strategy

Getting Around

Key things to find out	<p>Different transport infrastructure (footpaths, cycleways, bridleways, pedestrian footways, roads, rail)</p> <p>Parking facilities</p> <p>Strengths and weaknesses of local transport infrastructure and parking</p> <p>Car ownership / number of vehicles</p> <p>Assessment of traffic flow and congestion</p> <p>Road traffic accidents and assessment of safety</p> <p>Impact of new development on transport infrastructure</p>
Advice and guidance	<p>Planning Practice Guidance Transport Evidence Base</p> <p>Planning Practice Guidance Travel Plans and Transport Assessments</p>
Documents to look at	<p>Local Transport Plan 2011 – Essex CC</p> <p>Highways Impact Assessment (in progress)</p> <p>Cycling Strategy (in progress)</p> <p>Parking Standards 2009</p> <p>Public Rights of Way definitive map</p>
Maps to prepare	<p>Network of walking and cycling routes</p> <p>Main vehicle routes</p> <p>Access to key destinations</p>
Possible additional studies	<p>Parish level traffic volume studies</p> <p>Assessment of traffic calming measures</p>

Heritage

Key things to find out	Listed buildings and other heritage assets (ancient monuments, ancient lanes etc.) The character of the built environment Conservation areas
Advice and guidance	PAE guide How to prepare a character assessment PAE video How to address design and character
Documents to look at	Conservation Area reviews and management plans Historic Characterisation Study Protected Lanes Study BDC Cultural Strategy
Maps to prepare	Conservation areas and character areas (including listed buildings, ancient monuments etc.)
Possible additional studies	Parish level Character Assessment and Design Statement

Community Facilities and Wellbeing

Key things to find out	The buildings (and sites) that are used to deliver community services (education, health, sport, leisure and general wellbeing) The condition and capacity of each building / site Impact of changing demographics on the delivery of community services Impact of new development on the delivery of community services The need for additional, or different, buildings / sites to enable continued delivery of community services
Advice and guidance	Planning Practice Guidance Health and Wellbeing Planning Practice Guidance Open Space, Sport and Recreation LGA publication The council role in school place planning LGA publication on the role of Health and Well Being Boards LGA publication The Challenges of an ageing society LGA publication Creating a better care system PAS Evidence Template Youth Facilities
Documents to look at	Community Facilities / Halls Assessment (in progress) Infrastructure Plan (in progress) Open Spaces, Sport and Recreation Strategy (in progress) Commissioning School Places in Essex 2014 - 2019 Mid Essex Clinical Commissioning Group (MECCG) Back to Balance, Fast Forward 5 year strategy 2014-2019
Maps to prepare	Locations of Community Buildings used for education, health, sport, leisure and general wellbeing
Possible additional studies	Local assessment of community facilities and capacity to deliver community services

Community Engagement

As stated on the first page, opinions and aspirations are an essential element of your evidence. It is recommended that you produce a Community Engagement Plan as part of your evidence base setting out:

- Methodology - how you gathered comments and a profile of respondents (age, gender)
- Comments gathered – analysed by topic heading and further analysed by key words
- An assessment of findings – the key messages from the comments gathered.