

## General information about the planning system and neighbourhood plans

### **The Planning System**

Most new buildings, major changes to existing buildings or major changes to the local environment (including building work, engineering work and mining work) 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 and work in their area.

Ealing 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 Council area.

### **Local Plans**

Ealing 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 National Planning Policy Framework (NPPF).

The Ealing Local Plan comprises the following documents (together with an associated Adopted Policies Map;

The Development Strategy 2026 (also known as the Core Strategy DPD) that sets out a vision for the future development of the borough and covers a 15-year plan period up to 2026.

The Development Sites DPD that supports the delivery of the Development Strategy through allocating land for a particular use or type of development.

The Development Management DPD (also known as the Generic Development Control/Management DPD) that seeks to guide decisions on planning applications where no provision has been made elsewhere

(e.g. the London Plan) and where, because of the unique characteristics of Ealing we feel a more distinctive approach needs to be taken.

The joint West London Waste Plan that plans for all waste in the plan area up to 2031.

The Planning for Schools DPD that establishes the council's approach to providing primary and secondary school places and will help to identify sites which may be suitable for providing them, whether by extension to existing schools or on new sites.

### **National Planning Policy Framework (NPPF)**

The NPPF 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 Planning Authorities when preparing local plans and making decisions on planning applications. It includes a presumption in favour of sustainable development.

### **Neighbourhood Planning**

Neighbourhood planning was introduced under the Localism Act 2011. It aims to give members of the community a more 'hands on' role in the planning of their neighbourhoods.

Neighbourhood plans are prepared by neighbourhood forums. The local community can decide what to include in a neighbourhood plan, but it must meet the following 'Basic Condition';

- a) Must have regard to national planning policy and advice contained in guidance issued by the Secretary of State
- b) Must contribute to the achievement of sustainable development
- c) Must be in general conformity with strategic policies in the development plan for the local area (i.e. the Local Plan)
- d) Must be compatible with EU obligations and human rights requirements

Neighbourhood plans should not promote less development than set out in the Local Plan or undermine its strategic policies.

There is a statutory process that must be followed for the making of a neighbourhood plan. The neighbourhood area (the area to which the

plan relates) must be designated and there can only be one neighbourhood plan for each neighbourhood area. The neighbourhood plan must also specify a period for which it is to have effect.

The plan must be prepared through a process of consultation with local residents and businesses before an independent examiner reviews the plan and checks whether it meets the basic conditions and other legal requirements. The examiner then reports whether any modifications should be made to the plan and whether it should proceed to referendum stage.

The Council then decides, having regard to the statutory criteria, whether to accept the recommendations and proceed to referendum. If the neighbourhood plan proceeds to referendum, the Council will instruct the authorities Counting Officer to organise the referendum.

The referendum will ask those voting whether they want the Neighbourhood Plan to be used by the Local Planning Authority to help it decide planning applications in the area covered by the plan.

In the case of the West Ealing Centre Neighbourhood Plan Referendum, to be held on Thursday 3 May 2018 all those electors registered to vote at Local Elections, that are resident in the referendum area, will be entitled to vote in a Residential referendum.

All businesses registered to vote in the same referendum area, will also be able to vote in a separate business referendum. For businesses, a separate business register has to be prepared by the authorities appointed Business Registration Officer especially for the referendum. In order to qualify a business has to be a non-domestic ratepayer within the referendum area, who has registered a named voter as their business vote holder on the business voting register.

If more than half of those voting in both the Residential and Business referendums have voted in favour of the neighbourhood plan the local planning authority must make it part of the statutory development plan and use it when determining decisions on planning applications within the Plan area.

If a majority of those who have voted in one of the referendums vote in support of making the Plan and the majority of those who vote in the

other referendum do not support the making of the Plan, it is the Local Planning Authority (Ealing Council) that must decide whether the Plan should be brought into force.

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

<https://www.gov.uk/neighbourhood-planning>