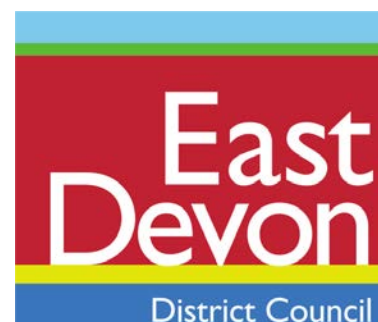
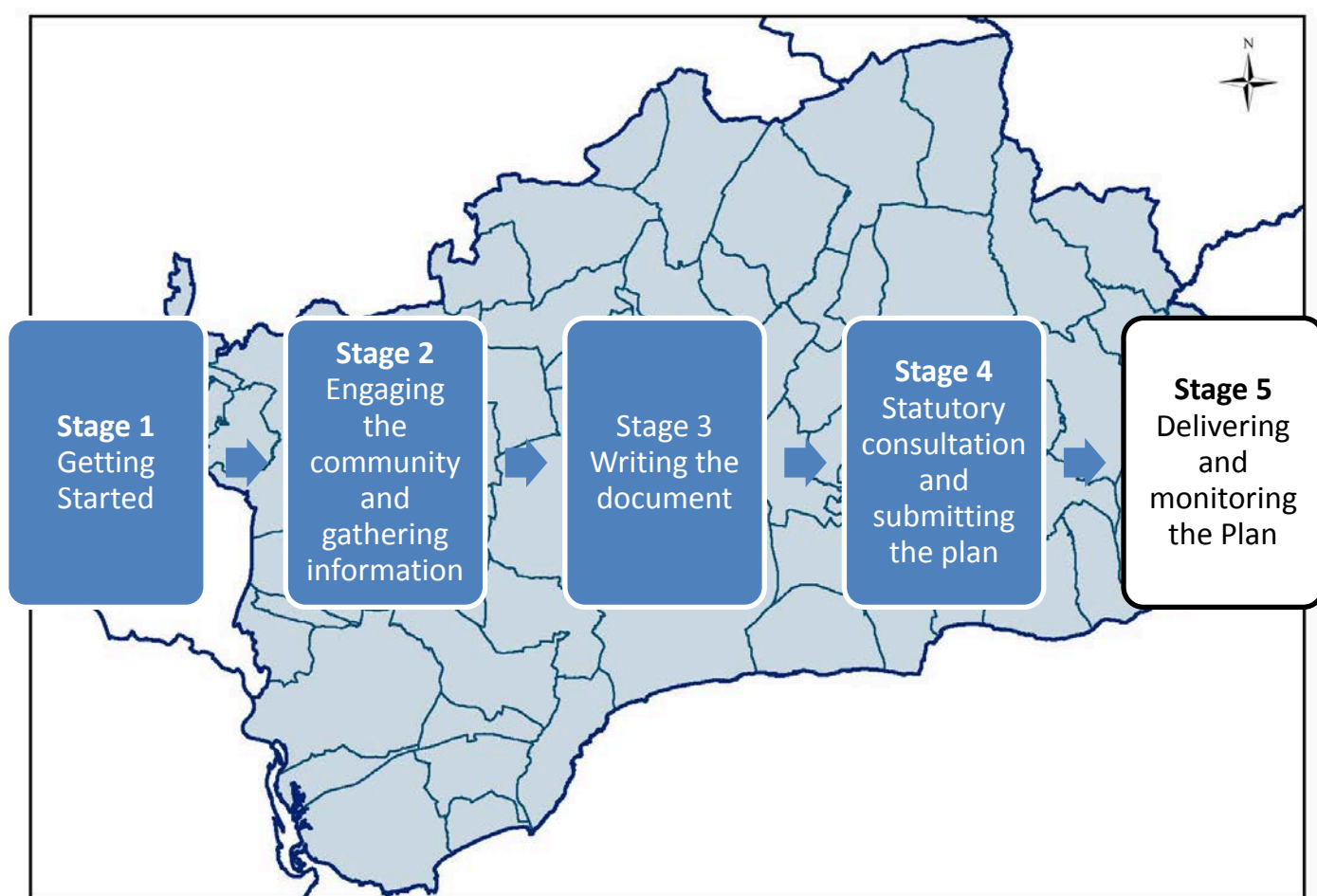


# Neighbourhood Planning Guidance



# *Delivering and Monitoring the Plan*

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## **What happens when the Plan is ‘Made’**

Neighbourhood plans are ‘made’ (i.e. brought into force or adopted) by East Devon District Council, if the majority of people voting in a referendum vote in favour (there are some very limited circumstances where this is not the case). Once a neighbourhood plan is brought into force, it forms part of the statutory development plan for the neighbourhood area in question. Consequently, decisions on whether to grant planning permission will need to be made in accordance with the neighbourhood plan, unless material considerations indicate otherwise.

## **Making the Plan**

If the plan is supported by over 50 per cent of those who vote, East Devon District Council will ‘make’ the neighbourhood plan. The process is slightly different in Business Areas, where two separate referenda will be held in parallel. The first will be for residents and a second referendum will be held for businesses (or more specifically non-domestic rate payers). Each business will have one vote. In this instance the outcome of the business and residents’ referenda will be considered separately. If both are in favour of the Neighbourhood Plan it will be ‘made’. If both reject the Neighbourhood Plan it won’t be ‘made’. Where the two outcomes conflict with each other the decision about whether or not to ‘make’ the Neighbourhood Plan will rest with East Devon District Council. Once the referendum result is known, the plan should be ‘made’ promptly.

## **Delivery and implementation**

In some ways, the process of making a neighbourhood plan is only the beginning. If plans are to meet their aims and objectives they will usually require support and continuing review by the local community and the District Council. We are often asked by local communities to work with them to implement their policies and proposals and, anticipate being asked in the future for guidance to determine how the 25% of Community Infrastructure Levy funds (when it is chargeable) should be spent. Moving forward, your group could transition from plan-making focus to infrastructure delivery focus, and we can support you by explaining our approach to capital spending, asset management and CIL spending, so that your group can get the best value from neighbourhood CIL spending in order to deliver the neighbourhood vision and objectives.

## **Monitoring and Review**

Plan makers are required by legislation to monitor the effects of their plans. As part of the statutory development plan this will usually be carried out by the District Council as local planning authority or at the national level. Some impacts may, however, warrant local level monitoring – and your group will probably want to do this anyway to make sure that your plan continues to be effective. We are happy to discuss this with you.

Given that neighbourhood plans are a relatively recent concept and not many have been made, the issue of reviewing the plan has not yet arisen in East Devon. We envisage that most communities will want to review their plans periodically, to assess their effectiveness and ensure they are up to date. The frequency at which this should happen is up to the Parish Council responsible for the plan but the following table gives possible timescales.

What is being reviewed?	Possible timescale	Reason
Community Actions	Annually, possibly as a standing item at the annual general meeting	Community Actions are not part of the 'development plan' (they aren't planning policies) and weren't subject to examination or referendum but often feature in Neighbourhood Plans as they address important local issues. Regular review ensures that these actions are being addressed by those responsible for their implementation (usually the Parish Council).
Specific Policies	Annually-5 yearly depending on nature of policies	<p>Review times will depend on the nature of the policy. For example:</p> <ul style="list-style-type: none"> <li>• Where they relate to a specific allocation or proposal, they may cease to be relevant once that development is implemented (although that doesn't mean that the Plan must be updated to exclude them).</li> <li>• Government guidance may change, or other circumstances occur such as an appeal or court decision, so that policies require review to remain relevant.</li> <li>• Local circumstances may change</li> </ul> <p>Given that policy amendments will need to undergo the same legal process as producing a neighbourhood plan, you may decide that this is too onerous unless a major plan review is required.</p> <p>It has not yet been tested but it may be possible to produce a statement setting out which policies no longer apply in decision making.</p>
Strategic Environmental Assessment and Habitat Regulations Assessment (SEA and HRA)	<p>Depends on likelihood of significant effects</p> <p>Monitoring should be ongoing, with reviews in response to (major) development proposals</p>	<p>All plans will be screened for likely significant effects and assessments will be required where likely significant effects are identified.</p> <p>Monitoring will be required to ensure that development does not result in 'harm' and that mitigation is implemented. Review will depend on the outcomes of monitoring.</p>
The Neighbourhood Plan	5-10 yearly or in line with Local Plan review	<p>Most plans are reviewed during their lifespan to ensure the policies remain relevant. The frequency of review will depend on local circumstances.</p> <p>Plans should also be reviewed in line with the Local Plan reviews to ensure they are not superseded by it.</p> <p>It has not yet been tested but it may be possible for the District Council to produce a statement setting out which NP policies are 'saved' and will continue to apply in decision making when a new Local Plan is adopted.</p>