



# **Westmorland and Furness Council**

## **Neighbourhood Planning Guide**



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## Glossary

This guide has been designed to be clear and concise, using as few technical terms and abbreviations as possible. A glossary of terms used in this guide is set out below.

**Basic Conditions:** The legal requirements that a Neighbourhood Plan must meet to proceed to referendum. These include conformity with national policy, contribution to sustainable development and general conformity with the strategic policies of the Local Plan.

**Community Infrastructure Levy (CIL):** A charge that local authorities can set on new development to raise funds for infrastructure. Parishes with a made Neighbourhood Plan receive 25% of CIL funds generated in their area.

**Consultation Statement:** A document that details all consultation activities undertaken during the preparation of the Neighbourhood Plan, summarises the main issues raised and explains how these were addressed.

**Design Code:** A set of illustrated design requirements that provide specific, detailed parameters for the physical development of a site or area.

**Development Plan:** Planning policy documents that set out what types of development are permitted in different locations. Once made, a Neighbourhood Plan becomes part of the development plan.

**Evidence Base:** The information and data gathered to justify the policies in the Neighbourhood Plan. This can include statistical data, survey results and technical studies.

**Habitats Regulations Assessment (HRA):** An assessment to determine whether a plan or project would have significant adverse effects on internationally designated nature conservation sites.

**Local Green Space (LGS):** A designation that provides special protection against development for green areas of particular importance to local communities.

**Made Plan:** A Neighbourhood Plan that has passed referendum and been formally adopted by the local planning authority, becoming part of the statutory development plan.

**Material Consideration:** A factor which is relevant to the determination of a planning application. Made Neighbourhood Plans are a material consideration in planning decisions.

**National Planning Policy Framework (NPPF):** The government's planning policies for England and how these should be applied.

**Qualifying Body:** An organisation eligible to prepare a Neighbourhood Plan - either a Parish/Town Council or a designated Neighbourhood Planning Forum. Also sometimes referred to as the 'Local Body' or 'Neighbourhood Planning Body'.

**Referendum:** A vote of eligible residents in the neighbourhood area to determine whether the Neighbourhood Plan should be used to decide planning applications in the area.

**Section 106 Agreement:** A legal agreement between a developer and the local planning authority to mitigate the impacts of a new development.

**Service Level Agreement:** a formal, written contract between Westmorland and Furness Council and a Local Body, outlining the level of service the Council is expected to deliver. It defines specific service expectations and responsibilities for both parties.

**Strategic Environmental Assessment (SEA):** A systematic process for evaluating the environmental implications of a proposed plan or programme.

**Supplementary Planning Document (SPD):** Documents which add further detail to policies in the Local Plan but do not form part of the development plan.

For a useful glossary of neighbourhood planning terminology, see [Locality's Neighbourhood Planning Glossary](#).

## Purpose of this Guide

This guide is aimed at helping communities decide whether to get involved in Neighbourhood Planning and to help them prepare a Neighbourhood Plan if they do.

Neighbourhood planning presents many opportunities for local communities, but it is important to be aware that the preparation of a Neighbourhood Plan could be a substantial undertaking, which could require significant time and effort. This guide will therefore provide an overview of both the opportunities and the challenges in addition to briefly outlining alternative options to preparing a Neighbourhood Plan that communities may find of interest.

When using this guide, please note that the terms Neighbourhood Development Plan and Neighbourhood Plan are used interchangeably.

## Introduction

Westmorland and Furness Council is committed to engaging local communities in the planning and development of their areas. To enable this, the Council has produced this guide to provide information on neighbourhood planning legislation, tools, requirements, finance and a step-by-step guide to producing a plan. The Council recommends reading this guide, including **Appendix 1**, before starting work on a Neighbourhood Plan. Further information is also available in the [Neighbourhood Planning Roadmap](#).

This Neighbourhood Plan Guide will be regularly reviewed and updated to reflect the most up-to-date guidance from national planning policies and Council procedures. Where relevant, revisions will be made to ensure the document remains a current and reliable resource for communities engaging in neighbourhood planning.

# **Stage One – Introduction to Neighbourhood Planning**

## What is a Neighbourhood Plan?

The Localism Act 2011 introduced significant reforms to the planning system, giving local communities new powers to shape and plan their neighbourhood. The Act introduced a new initiative called the Neighbourhood Plan, a document which allows local communities to guide the future development and use of land within their area.

Once adopted, a Neighbourhood Plan becomes part of the statutory development plan, meaning its policies are used to help determine planning applications. Through this process, residents, businesses and other stakeholders can create a shared vision and objectives for their area, influencing decisions on issues such as housing, infrastructure and local green spaces.

Preparing a Neighbourhood Plan is entirely voluntary and is initiated by the local community. These plans can establish policies for land use and development, but they must be 'pro-development' and align with the broader strategic policies for the area. Neighbourhood Plans cannot undermine these overarching policies or promote less development than what is outlined in the Local Plan.

A Town or Parish Council should only consider making a Neighbourhood Plan if they have land use related issues which are not covered in the authorities Local Plan.

Many of the issues and concerns can initially be addressed by working closely with the Local Planning Authority (LPA) while they are developing or revising their Local Plan.

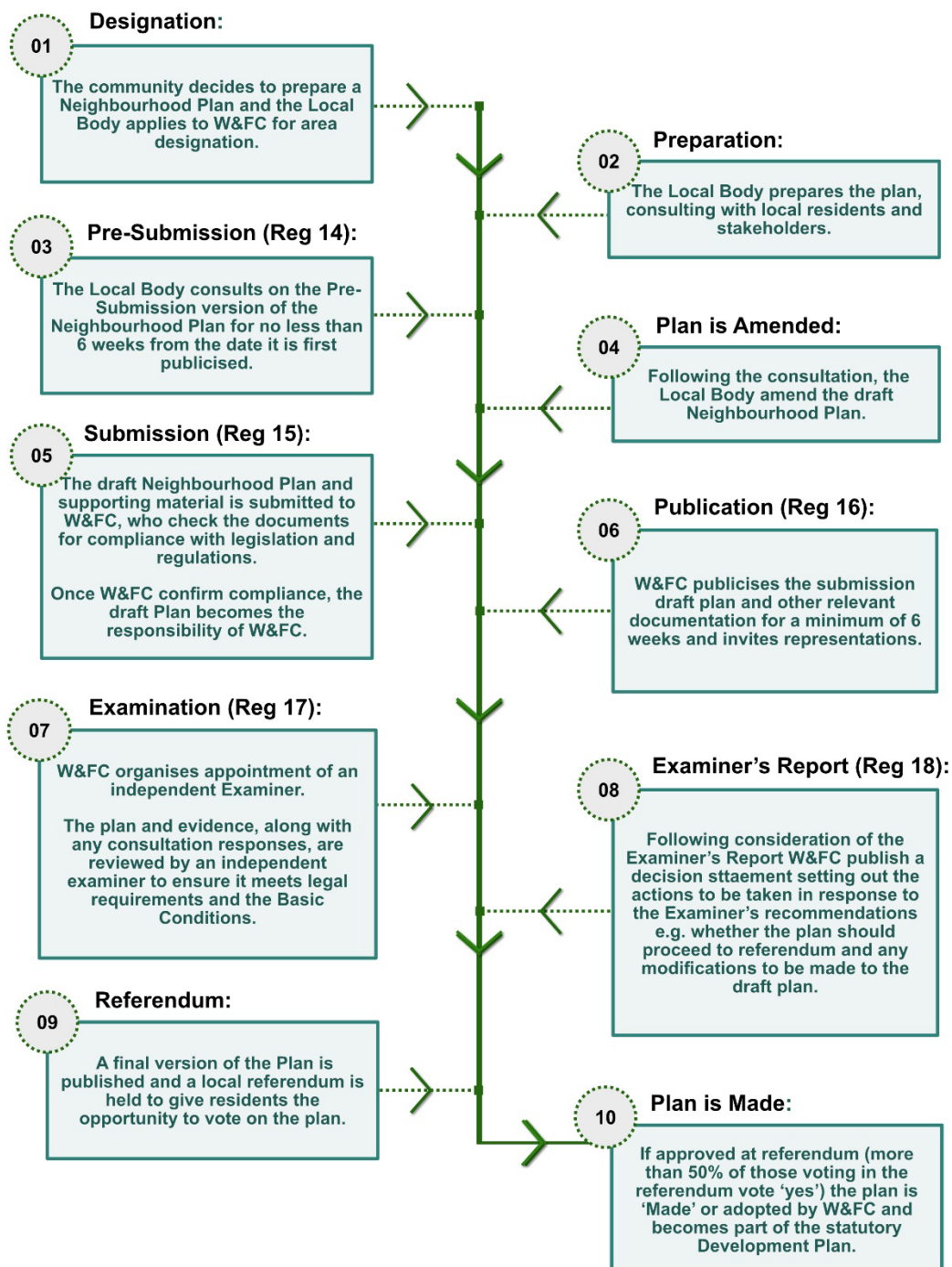
## What is Neighbourhood Planning?

Neighbourhood Planning involves a number of stages, some of which are statutory requirements set out in legislation, while others reflect best practice to ensure a robust and community-led process.

The diagram below provides an overview of each statutory stage in the Neighbourhood Plan process, from the initial designation of a Neighbourhood Plan area to the final step where the plan is formally adopted. It also highlights the respective roles of the Local Body and Westmorland and Furness Council (W&FC) throughout, showing how the plan evolves into a key part of the statutory development plan.



## Neighbourhood Plan Process



### Key

**W&FC** - Westmorland and Furness Council

**Local Body** - Town/Parish Council or Neighbourhood Forum



Parish or Town Councils typically initiate and lead the process in parished areas. In non-parished areas, a Neighbourhood Planning Forum must be established, which will be covered in more detail in the 'Neighbourhood Planning Forums' section below.

Whether you are a Parish Council, Town Council or a Neighbourhood Forum<sup>1</sup> you should seek to involve a wide variety of stakeholders in the preparation of your plan, and it should not be developed in isolation from the rest of the community.

Using a wide variety of stakeholders in the preparation of the Neighbourhood Plan will help strengthen community support and make its implementation easier. The following is a list of stakeholders that you may wish to consider involving in the process:

- Residents,
- Elected representatives,
- Community groups,
- Businesses,
- Landowners, and
- Developers.

It is advisable to involve a range of statutory consultees, including Officers from across Westmorland and Furness Council, to attend start-up meetings, provide advice, guidance and/or information for technical enquiries and to review draft documents prior to submission.

If you are a Parish or Town Council wishing to create a Neighbourhood Plan, please skip to Page 15. For Neighbourhood Planning Forum Groups, continue reading.

## What is a Neighbourhood Planning Forum?

Neighbourhood Planning Forums are established by local communities. They are comprised of a group of people who have come together to guide development in their neighbourhood area. Prospective Forums make an application to the Council to be designated as a Neighbourhood Planning Forum. Successful applications will accord with the four conditions set out in the regulations.

Forums can produce Neighbourhood Plans and Neighbourhood Development Orders (NDOs) to positively guide development within their designated neighbourhood planning areas. The scope of Neighbourhood Development Orders

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<sup>1</sup> There are 3 types of organisations, known as qualifying bodies, which can lead neighbourhood planning in an area: a Parish or Town Council; a Neighbourhood Forum or a community organisation. Source: <https://www.gov.uk/guidance/neighbourhood-planning--2#what-is-neighbourhood-planning>, Paragraph: 014 Reference ID: 41-014-20140306, Revision date: 06 03 2014. Community organisations cannot produce a Neighbourhood Plan unless they are also a designated Neighbourhood Forum.



includes two other tools, the Community Right to Build Orders (CRtBOs) and designated Local Green Spaces (LGS'), both of which enable a Forum to make decisions about land uses in a designated neighbourhood planning area.

These tools can be used to establish policies used in assessing planning applications, establish development principles for sites or identify areas for public realm, green space and local community infrastructure improvements.

It is worth noting that a Neighbourhood Planning Forum ceases to have effect at the end of a period of five years, measured from the day on which it is approved, however Forums can apply to be renewed.

### Things to Consider

It is important that Neighbourhood Forums are inclusive and representative of your community. When submitting an application to the Council, it is important to include:

- evidence of how you have engaged with different sections of the community and included them in the Forum where possible;
- evidence on how you have engaged across the different parts of the area;
- details of which groups and stakeholders you have engaged with (or have made efforts to engage with); and
- your intentions for engagement as the Neighbourhood Plan progresses and those who you intend to involve.

### Legal Requirements

The Town and Country Planning Act (1990), 61(f) Part 5 sets out the following four conditions for establishing a Neighbourhood Planning Forum:

1. It is established to promote or improve the local, economic and environmental well-being of the neighbourhood planning area.
2. It has a membership open to everyone who lives in, works in or represents the area as an elected member.
3. Its membership includes a minimum of 21 people, each of whom lives in, works in or represents the area as an elected member.
4. It has a written constitution.





### Elements to Include in the Constitution

- Name of the Neighbourhood Planning Forum.
- Purpose of the Neighbourhood Planning Forum.
- Working arrangements, including partners and their roles.
- Schedule of meetings.
- Details of how decisions will be made and recorded.
- Details of governance, including official positions (such as chair).
- Arrangements for management and financial management.
- Details of how potential conflicts of interest will be recorded and managed.
- Membership and procedures for replacement of members.
- Duration of the Neighbourhood Planning Forum (5 years from designation).

### Applying to Establish a Designated Neighbourhood Planning Forum

To be designated a Neighbourhood Forum there must be a constituted group of at least 21 people who represent a cross section of the people who live, work and do business in the area. Under legal requirements this should reflect the diversity, character and inclusivity of the area and should, if possible, include at least one of the following:

- one person living in the area,
- one person working or operating a business in the area, and
- one councillor.

A Neighbourhood Forum should be as diverse as possible. For example, it could include:

- Elderly and young people,
- Ethnic groups (reflecting the make-up of the local population),
- Residents of different economics means, and
- Small business owners.

Westmorland and Furness Council acknowledge that in areas with smaller populations and no Parish Council, assembling 21 members to form a Neighbourhood Forum may be challenging. However, it is important to emphasise that while 21 members are required, the responsibilities of individual members can be minimal and there is no obligation to provide significant time commitments.



Before submitting a neighbourhood Forum designation application to the Council, it is highly recommended that the Neighbourhood Planning Forum arrange an initial meet meeting with the Council (Planning Policy Officer) to discuss the application. Once this has transpired, a member of the proposed Forum is required submit an application form to Westmorland and Furness Council, which is available for download on the Council's [website](#).

Applications can be submitted to the Council at any time and will be determined using national legislation and guidance. Please submit applications to the Westmorland and Furness Council office below:

Planning Policy Team  
Westmorland and Furness Council  
South Lakeland House  
Lowther Street  
Kendal  
Cumbria  
LA9 4DQ

Email: [neighbourhood.planning@westmorlandandfurness.gov.uk](mailto:neighbourhood.planning@westmorlandandfurness.gov.uk)

### Cross District Applications

If the neighbourhood planning area, which the proposed Neighbourhood Planning Forum will manage, also covers areas within a neighbouring authority, or are within a national park local planning authority area, then the application should be sent to both planning policy departments. Whilst Prospective Forums will need to follow each Council's application process, we would recommend meeting both local planning authorities as well as suggesting a joint meeting to agree approaches and timescales.

### Mapping Requirements

The Council understands that at this stage, prospective Forums may not have the specialist software to draw maps at a sufficiently detailed scale and that decisions on boundary lines can be complex. To ensure that the boundary submitted is exactly what the prospective Forum wants, and follows clear boundaries without anomalies, the Council will make their GIS software and officer time available. Please contact the Westmorland and Furness Planning Policy Team to arrange an appointment to map the boundary as per the prospective Forum's requirements. Due to the Officer time required, please provide the Council with at least three weeks' notice. Prospective Forums will need to be aware of the Ordnance Survey User Agreement prior to this work.

W&FC would advise groups to subscribe to a third-party mapping software, as this will allow them to create maps integral to their Neighbourhood Plan. There are



several providers available, such as Pear Technology and Parish Online, with the latter offering discounts for Parish Councils. Costs associated with mapping software can be covered using [Locality grant funding](#), which is explored in more detail in the Funding and Support section of this document.

### What Happens Next?

Once the Council has received and validated the application, the Council will undertake statutory public consultation for a six-week period. Consultation will be carried out in line with the national legislation and guidance. After the 6 weeks consultation period the Council will decide whether to designate the Neighbourhood Forum.

### Determining an Application for a Neighbourhood Planning Forum

Where a valid application to designate a Neighbourhood Forum has been submitted to the Council, it will make a decision on an application within 13 weeks (or 20 weeks, where the application must be submitted to more than one local planning authority), provided there is no other neighbourhood Forum application already under consideration for all or part of the area.

After making a determination, Council Officers will draft a report containing their recommendations on whether to designate a Neighbourhood Planning Forum.

Following the neighbourhood Forum designation application approval, it is strongly recommended that the Neighbourhood Planning Forum arranges a secondary meeting with the Council (Planning Policy Officer).

### Monitoring

To ensure the conditions of the Neighbourhood Forum are continually met, the Council will monitor and engage with the Forum. Forums will be required to inform the Council of any change to the original consent and intentions detailed in its application form. Any changes to the written constitution will require the Forum to immediately notify the Council of these changes, by emailing [neighbourhood.planning@westmorlandandfurness.gov.uk](mailto:neighbourhood.planning@westmorlandandfurness.gov.uk)

Please note that the Council can withdraw a Forum's designation if it considers that the group is no longer meeting the conditions of designation.

### Why prepare a Neighbourhood Plan?

Developing a Neighbourhood Plan can help communities play a greater role in shaping the future of their area. It will bring together residents, businesses, local groups, landowners and developers to share ideas and build consensus about what needs to be done in the area. It can also help create lasting partnerships both

within and outside the community, for example, with public service providers or local businesses.

While Neighbourhood Plans can only include legally binding policies related to land use, they can also incorporate non-land-based issues in the form of aspirations. These aspirations offer a valuable opportunity to highlight community priorities, improve service delivery and support local regeneration initiatives. Although not legally enforceable like planning policies, aspirations reflect the community's broader goals and can guide future efforts. They also signal the importance of these issues to residents and may be taken forward by other bodies, such as the Parish Council or relevant stakeholders, for action and implementation.

### **What are the Key Considerations in Preparing a Neighbourhood Plan?**

Before undertaking a Neighbourhood Plan, there are several important factors to consider. These considerations include the timescales involved, potential costs associated with developing the Plan and the need for a solid evidence base to support the policies it contains.

#### **Timescales**

The timescales for preparing a Neighbourhood Plan can vary greatly depending on the complexity of the area, the issues being addressed and the level of community involvement. From the initial stages to the final referendum, the process can often take a few years. Key elements that can influence the timing include the complexity of local issues, such as housing needs, infrastructure and environmental considerations. Plans that address more detailed or contentious issues may require additional time for evidence gathering and consultation and negotiation with stakeholders. It is also important to consider any objections or challenges that may arise during the consultation stages, which can extend the process.

To help keep the process on track, it is essential to ensure that your Neighbourhood Plan aligns with the Local Plan and the NPPF. Working closely with the Council throughout the development process, seeking their advice and responding to local needs can reduce delays and help guide the Plan through examination with fewer complications.

#### **Costs**

The costs involved in preparing a Neighbourhood Plan can vary depending on factors such as the scale and complexity of the Plan, as well as the level of community involvement. The more work that can be completed by local volunteers and steering groups, the lower the costs are likely to be. However, it is highly recommended that communities engage a planning consultant from the offset to ensure their plan complies with legal requirements and meets planning standards, with some even offering assistance in obtaining funding.

In addition to professional fees for consultants, common costs associated with preparing a Neighbourhood Plan include expenses for community engagement, such as venue hire for public consultations, printing and publicity. If further technical assessments or studies are required, such as environmental assessments or housing needs surveys, these can also add to the costs.

While Westmorland and Furness Council will cover the costs associated with the examination and referendum stages, all other costs are the responsibility of the neighbourhood planning group. It's also worth noting that to help manage costs there are funding opportunities available to assist with the preparation of a Neighbourhood Plan, which will be explored in more detail in the "Funding and Support" section of this guide.

### **Evidence Base**

The use of an evidence base to support the guidance contained in a Neighbourhood Plan is fundamental to its successful adoption and implementation. Each piece of guidance or policy within the Plan must be underpinned by robust, proportionate evidence, such as Census data from the Office for National Statistics (ONS), to demonstrate its necessity and alignment with local needs and priorities. Without a solid evidence base, policies are unlikely to withstand scrutiny during the examination process or receive full support from the local community and planning authorities.

The evidence base can be drawn from several sources. Key resources include the legacy South Lakeland, Eden and Barrow Borough Local Plans, along with their associated evidence base, which may provide valuable context, research and data that is still relevant to the area in question. This can help ensure that the Neighbourhood Plan complements and supports wider strategic objectives set out by the Council.

In addition, the Town or Parish Council, or a designated Neighbourhood Forum, may undertake their own research or commission studies to provide the evidence necessary to justify policies. This can include technical assessments, such as housing needs surveys, environmental impact studies or transport and infrastructure reviews. Community engagement and consultation responses are also vital components of the evidence base, offering insights into local preferences, issues and aspirations. This combination of technical and community-generated evidence will help create a well-rounded plan that addresses both strategic and local priorities.

For more detailed guidance on how to produce supporting documents for your evidence base, please see the [Locality Neighbourhood Plans Roadmap](#).

### **Volunteer Organisation and Capacity**

One of the key considerations when preparing a Neighbourhood Plan is the effective organisation of the Steering Group that will lead the process. A well-structured and



motivated steering group is crucial to the Plan's success, as this team will be responsible for coordinating activities, engaging with the community, managing resources and drafting the Plan itself. The group should ideally include a diverse mix of skills and perspectives, representing various interests within the community, such as residents, business owners, landowners and local councillors. This diversity ensures that the Plan reflects the needs and priorities of the entire neighbourhood.

Capacity is an important factor to consider when forming a steering group. Many communities face limited capacity in terms of time, expertise and resources. It is essential to recognise that preparing a Neighbourhood Plan is a complex and time-consuming task, often requiring specialist knowledge in areas such as planning, data analysis and community engagement. To manage these challenges, the group may need to seek external support, such as hiring planning consultants or drawing on technical support offered through government funding. Additionally, assigning clear roles and responsibilities within the group will help distribute the workload and ensure that tasks are completed efficiently.

Steering groups should also be aware of the need to maintain momentum and engagement throughout the process, especially given that the preparation of a Neighbourhood Plan can span several years. Regular communication, clear timelines and realistic goals are essential for keeping the project on track and ensuring that the group has the capacity to deliver the Plan effectively. By planning ahead and seeking help where needed, even groups with limited capacity can successfully guide their community through the neighbourhood planning process.

## Alternatives to a Neighbourhood Plan

Before embarking upon preparing a Neighbourhood Plan, however, it is important to consider whether this is the right approach for your Town or Parish. The answer will depend on several factors:

- the development requirements and pressures within the Town or Parish;
- the Local Plan policy for your area;
- whether you have an adopted Town or Parish plan or one in progress; and
- the financial cost, time, resources and support needed for a Town or Parish Council to prepare a Neighbourhood Plan. Producing a Neighbourhood Plan is a significant undertaking.

There are several alternative options available to your Town/Parish and consideration should be given to these before proceeding.

## Town and Parish Plans/Community Led Plans

Town/Parish Plans and Community-led Plans contain a wide range of community issues and aspirations. Many Towns and Parishes already have some experience in producing Town/Parish Plans and many of these plans provide a basis for taking

forward planning related and land-use elements into Neighbourhood Development Plans.

There is no requirement for Town/Parish/communities to include planning issues regarding the use and development of land or buildings. There is also no requirement for a Town/Parish/community to produce a Town/Parish or Community-led Plan prior to producing a Neighbourhood Development Plan. Therefore, if the issues you would like to tackle within your area are not directly related to the development of land or buildings, then planning is not the major issue.

Town/Parish and Community-led Plans can include planning related issues. These could be the design of buildings and the types of materials used. If it is only design-related issues which concern the community then any planning elements of a Town/Parish or Community-led Plan could be endorsed by Westmorland and Furness Council as material consideration in determining planning applications.

Town/Parish and Community-led Plans will not have the same legal status in planning terms as a Neighbourhood Development Plan. To better understand the differences between a Community Led Plan (Town/Parish/Village Plan) and a Neighbourhood Plan, see the below visual.

[Action with Communities in Cumbria \(ACT\)](#) is a rural and community development charity that supports communities across Cumbria in developing Community-led Plans. ACT offers toolkits, guidance and advice to help local groups shape their vision and priorities. More information on the support ACT provides is available in the *Funding and Support* section of this guide.



## WHAT CAN BE INCLUDED IN EACH TYPE OF DOCUMENT?

### Community Led Plan (Town, Parish or Village Plan)

01

#### NATURAL ENVIRONMENT



- Look at local energy use.
- Identify waste and recycling issues.
- Recreation and open space - maintenance.

02

#### HOUSING



- Identify local housing needs.
- Identify potential future development sites.

03

#### ECONOMY



- Support local businesses.
- Make shopping and commercial areas more attractive to users.
- Community shops, hubs and cafe potential.
- Local infrastructure such as internet and mobile phone provision.
- Support training initiatives.

04

#### COMMUNITY



- Access to services.
- Improved public transport.
- Support for local services and facilities.
- Address locally specific problems.

05

#### TRAFFIC AND TRANSPORT



- Speeding traffic and traffic calming (undertake parking surveys).
- Parking problems and restrictions.
- Highway maintenance.

06

#### DESIGN & BUILT ENVIRONMENT



- Survey of local character.
- Produce village design guide.
- Identify areas and elements of importance.

### Neighbourhood Plan

01

#### NATURAL ENVIRONMENT



- Protect local habitats and important sites.
- Designate Local Green Spaces.
- Highlight local flooding and drainage issues.
- Protect important views and landscape.

02

#### HOUSING



- Identify local housing needs.
- Identify potential sites for allocation.
- Propose mix and tenure policies to meet needs.

03

#### ECONOMY



- Allocate sites for appropriate business uses.
- Write supporting policies to make shopping and commercial areas more attractive to users.

04

#### COMMUNITY



- Support and protect shops, education, community facilities etc from change of use.
- Support and identify potential for new hubs, open space, cafes and other local infrastructure.
- Seek developer contributions for specific community projects.

05

#### TRAFFIC AND TRANSPORT



- Create improved walking and cycle links / parking / vehicle charging areas.
- Create new parking policies where evidence supports this.
- Identify Highway/ Public Right of Way issues which should not be worsened by new development.

06

#### DESIGN & BUILT ENVIRONMENT



- Undertake Character Appraisal.
- Produce Design Code.
- Write locally specific design policies.
- Identify potential Non-Designated Heritage Assets.





## Town or Village Design Statement

A Town/Village Design Statement contains a description and analysis of the distinctive aspects of a Town/Village and outlines design guidance for further development. These can form part of both a Town/Parish Plan and a Neighbourhood Development Plan but can also be a document in their own right. A Town/Village Design Statement is produced by residents, in consultation with the Council as the local planning authority and can be endorsed by the Westmorland and Furness Council as material consideration in determining planning applications.

## Design Code

A design code sets out several rules for new developments in a simple concise and illustrated way which are specific for your area.

The National Model Design Code forms part of the Planning Practice Guidance and explains the characteristics of good design.

A design code is not just about the aesthetics and look of an individual building, but a range of factors that help to create a healthy, safe and green environment. It can help give homeowners, developers and the local community a steer on what is visually acceptable, rather than relying on generic policy wording.

The Council will be preparing a Design Code to cover the Council's area of responsibility as the planning authority (which excludes the areas within the Lake District and Yorkshire Dales National Parks). This will meet the Government's requirement that all local planning authorities have a design code in place covering their entire planning area. The design code is likely to be an area-wide high-level document, which will be adopted as a Supplementary Planning Document to existing legacy Local Plans upon its completion in 2025 and will inform the development of design policies in the forthcoming Westmorland and Furness Local Plan.

Parish and Town Councils can also produce a design code. A local design code sets out several rules for new developments in a simple, concise and illustrated way which are specific to a Parish or Town Council area. This option is usually for where a Parish or Town Council either already has a Neighbourhood Plan in place and it is in the process of reviewing that plan, or it is preparing a Neighbourhood Plan and wants it to include either a design code for its entire plan area or for a smaller area, such as a site. A local Parish/Town Council design code can provide the local detail to complement higher level adopted local planning authority design code(s) where these are in place. In addition, any Neighbourhood Plan design policy will need to be in general conformity with any local authority relevant planning policy including design and have regard to any published design guidance.

For more information on how to create a Design Code for your Plan, see the [Locality Neighbourhood Planning Design Coding Guidance](#).

To better understand the difference between a Town or Village Design Statement and a Design Code, please see the below visual.



# WHAT CAN BE INCLUDED IN EACH TYPE OF DOCUMENT?

## Village Design Statement

### 01 What is a Village Design Statement?

- Village, Town, and Parish Design Statements are created by the local community.
- These statements highlight the unique character of an area and outline guidelines for designing new developments.
- Once the council adopts them, they serve to inform and support the policies within the Local Plan and can be considered in the decision-making process for planning applications.

Whilst they are a material consideration, in comparison, a Design Code (see opposite) can form part of a Neighbourhood Plan policy and therefore would carry additional weight in the decision making process.

### 02 What should a Village Design Statement include?

A description of the character of an area in terms of:

- The setting of the settlement(s) within the landscape,
- The type, form and nature of the settlement, and
- The locally specific characteristics and details of the buildings and spaces within the area.

Design Principles (based on the findings of the above) to guide future development. This may include a new greenfield development, a redevelopment site and of varying sizes such as a small group of buildings, household extensions / alterations.

### 03 What is the process involved?

To be a recognised Village Design Statement it must be:

- produced following consultation with the local community and stakeholders, including statutory consultees such as W&FC, Historic England, Environment Agency and Natural England (as appropriate),
- amended in response to the consultation comments,
- in accordance with relevant Local Plan policies, and
- adopted by W&FC as a supplementary planning document.

## Design Code

### What Should a Design Code Cover?

#### 01 Character and Identity:

Define the unique attributes of the rural area that should be preserved and enhanced, such as historical landmarks, local architecture and landscape features.

#### 02 Building Types and Uses:

- Specify the types of buildings that are appropriate for the area, including residential, agricultural and community buildings.
- This should also cover the scale, height and density of new developments.

#### 03 Materials and Façade Treatment:

- Provide guidelines on the materials and finishes for buildings to ensure they are in keeping with the local character.
- This could include the use of local stone, timber, and traditional construction techniques as well as contemporary solutions.

#### 04 Open Spaces and Landscape:

- Outline the approach to preserving and enhancing green spaces, including parks, private gardens, and agricultural land.
- This should also include guidance on native hedgerows, trees, and landscape features.

#### 05 Access and Connectivity:

- Ensure that new developments are well connected with existing roads, footpaths, and cycle routes.
- This should also consider public transportation options and accessibility for all.

#### 06 Environmental Sustainability:

- Promote sustainable building practices and the use of renewable energy sources.
- This can include guidelines on energy efficiency, water management and biodiversity.

## Neighbourhood Development Order and Community Right to Build Order

Neighbourhood Development Orders (NDOs) and Community Right to Build Orders (CRtBOs) offer local communities the power to grant planning permission for specific developments within their area without the need for a formal planning application.

NDOs allow communities to permit specific types of development or changes of use in designated areas. This can include new housing, commercial projects or restoration of historic features, all while providing certainty to developers by reducing planning obstacles.

CRtBOs are a specific type of NDO that enables small-scale, community-led developments, such as affordable housing, community centres or local business hubs. Any profits from projects under a CRtBO must be reinvested into the community.

While Neighbourhood Plans offer a comprehensive framework for shaping future growth, NDOs and CRtBOs provide an alternative, faster route for specific developments. These orders can be ideal when:

- you want to fast-track planning permission for a particular development, such as new homes or community facilities;
- your community has a clear project in mind and would benefit from the streamlined process of an NDO or CRtBO; or
- the focus is on small-scale, immediate improvements, like redeveloping a specific site or regenerating an area without going through the full neighbourhood planning process.

For some groups, creating a full Neighbourhood Plan may seem overwhelming if they only wish to enable specific projects. An NDO or CRtBO might be a more straightforward and faster approach for such goals.

## Rely on Local Plan Policy

The current Local Plans for the Council's area comprise the following:

- the Eden Local Plan 2014 – 2032;
- the Barrow Borough Local Plan 2016 – 2031; and
- the South Lakeland Local Plan 2003 – 2025.

All of the above Local Plans contain policies to guide development within the area. There are some rural areas within the Council's area of planning responsibility which will face few development issues and pressures so the existing policies contained within the adopted Local Plans may provide the necessary guidance required.

However, the Council is currently in the early stages of preparing a new, single Local Plan for the entire area with the exception of the areas that fall within the National Parks. It is too early to advise what these policies may look like and whether that will provide the clarity or guidance that you are seeking in relation to particular matters.

You may therefore wish to wait until the Local Plan has progressed further before deciding whether to pursue Neighbourhood Plan.

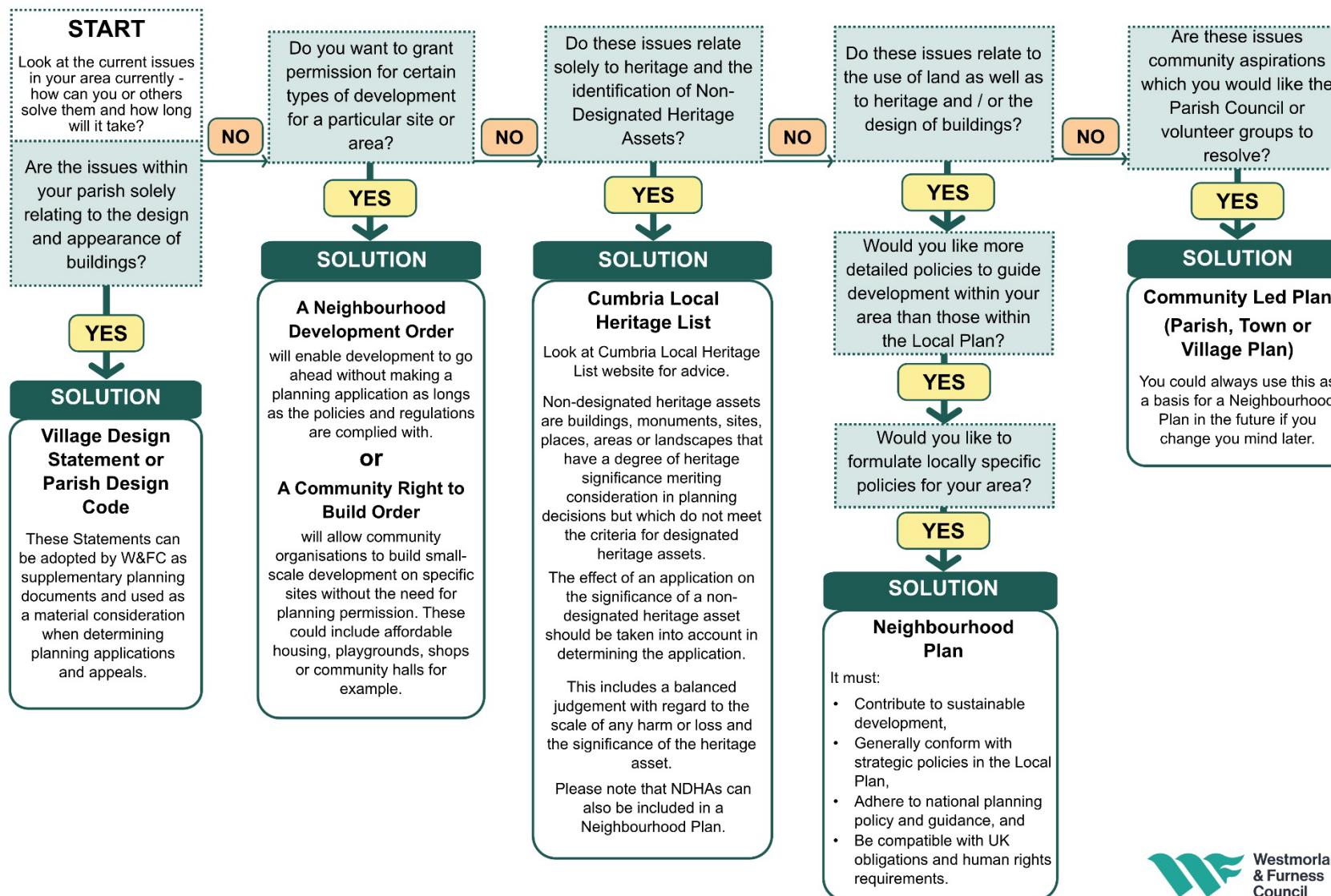
The flowchart below gives some guidance to assist you with the most appropriate choice of planning tool for your community.





## Flowchart: Choosing the Right Approach for your Parish/Town

### WHAT TYPE OF DOCUMENT IS MOST SUITABLE FOR YOUR PARISH/TOWN?



## Westmorland and Furness Council Support – Neighbourhood Planning Service Level Agreement

Westmorland and Furness Council will expect any Parish Council, Town Council or Neighbourhood Planning Forum to enter into a Neighbourhood Planning Service Level Agreement (SLA) with the Council. A completed and signed service level agreement will ensure that both parties are clear about their responsibilities when producing a Neighbourhood Plan.

The Service Level Agreement sets out the Council's statutory duties and additional support it will provide to communities producing a Neighbourhood Plan. The Council will cover the costs of the Council run statutory consultations, independent examination and the referendum.

The Council will work with communities to support them through the neighbourhood planning process by:

- **Quick and transparent decision making** – on the designation of neighbourhood areas and Neighbourhood Planning Forums;
- **The effective management of Council responsibilities** – for example with appointment of independent examiner and arrangements for a referendum; and
- **Implementation** – determining planning applications in accordance with adopted Neighbourhood Plans.

More specifically, the Council will fulfil its 'Duty to Support' by:

- Enhancing existing working relationships with Town and Parish Councils and build new positive relationships with Neighbourhood Forums;
- Meeting local communities interested in neighbourhood planning at an early stage, setting out the general and area specific level of support that can be provided;
- Assisting local communities to prepare a plan that will include providing advice on which issues are considered to be relevant planning matters and suitable for inclusion in Neighbourhood Plans;
- Attending at briefings and meetings (subject to Officer availability);
- Providing advice and mediation as required;
- Maintaining a neighbourhood planning page on the Council website;
- Provide Local Plan GIS Layers;
- Advising on how neighbourhood planning can support regeneration, service delivery and other matters.

The Council will also assist with specific requests for technical assistance. Subject to reasonable requests, the Council will provide the following:

- Electronic versions and up to five printed copies of key maps e.g. Local Plan Land Allocation map(s) for use at consultation events and for inclusion within draft and final plan documents.<sup>2</sup>
- The most up to date available evidence base, including the Strategic Housing Market Assessment (SHMA) and other evidence information supporting the emerging Westmorland and Furness Local Plan in addition to that pertaining to the legacy South Lakeland, Eden or Barrow Borough Local Plans (whichever is most relevant).
- Contact details of statutory consultees and other relevant groups.
- Information on relevant European and national legislation and policies and adopted and emerging Local Plan policies.

### Key Responsibilities and Working Together

The Council, local communities and businesses will need to work together if neighbourhood planning is to be successful. The following table below outlines the main responsibilities and the type of approach that is needed from all parties.

#### Parish/Town Council/Neighbourhood Forum

1. Identify the need to prepare a plan.
2. Submit application for a Neighbourhood Plan area designation.
3. Submit application to be a Neighbourhood Forum (if applicable).
4. Identify vision and objectives.
5. Consult and engage with the community as well as statutory and non-statutory consultees.
6. Prepare evidence to support proposals.
7. Prepare the Plan and supporting documents.

#### Working together

A successful Neighbourhood Plan will involve collaboration between all interested parties, working together for the community.

<sup>2</sup> Only material that is published by/is in the ownership of Westmorland and Furness Council will be published. There will be a charge for the Council's Print Services. The Parish, Town Council or Neighbourhood Planning Forum will need to be aware of Westmorland and Furness Council's Ordnance Survey User Agreement prior to any printing.

### Westmorland and Furness Council

1. Duty to support.
2. Designate a Neighbourhood Plan area.
3. Designate a Neighbourhood Plan Forum (if applicable).
4. Ensure compliance with statutory and EU requirements.
5. Advise examiner on representations received and other matters.
6. Fund and organise independent examination.
7. Consider examiner's recommendations and make any modifications to the Plan that may be required.
8. Fund and organise public referendum.
9. Adopt the Neighbourhood Plan.

## Neighbourhood Planning Areas

The Figure below illustrates the journey of a Neighbourhood Plan from conception to reality.



Before conception, the first stage in the production of a Neighbourhood Plan is for the Parish/Town Council or Neighbourhood Forum to agree the area the Plan will cover and submit an application for approval to Westmorland and Furness Council.

### What is a Neighbourhood Planning Area?

A neighbourhood planning area defines the area in which the Town/Parish Council or proposed neighbourhood Forum will guide development. Within a designated neighbourhood planning area, Neighbourhood Plans and NDOs can be developed by the designated Town/Parish Council or Neighbourhood Forum.

The boundaries of a neighbourhood planning area should form a coherent spatial area, taking into consideration local physical characteristics, as well as reflecting the broader nature of the population, uses and features of the area.



A neighbourhood area can also be determined as a neighbourhood planning business area. The Council will make this determination, based on an assessment of whether the area is '*wholly or predominantly business in nature*', as defined in legislation. Should the applicant wish the area to be considered as a neighbourhood business area, they should alert the Council to this at the application stage.

### How is a Neighbourhood Planning Area Established?

The neighbourhood planning area should be defined in consultation with the community. It is highly recommended for the Parish/Town Council or prospective Forum to discuss the proposed area with the Council well in advance of submitting an application. Following discussions, an application can be submitted to the Council for the defined area to be designated as a neighbourhood planning area.

The Council will then make a decision on the designation of the area.

### What Does a Neighbourhood Planning Area Look Like?

- Can be of any shape or size;
- Can cover any area within Westmorland and Furness;
- Should reflect the character of the area; and
- Cannot overlap with another neighbourhood planning area. In the event of adjacent groups being unable to agree on the position of their area boundaries, the Council will manage discussions and determine the final agreement.

### Defining a Neighbourhood Planning Area

Town/Parish Councils or prospective Forums should demonstrate that they have considered the different elements that make up the character of the area and that the area will form a coherent spatial area.

### Guidance at the National Level:

Paragraph 033 of the Neighbourhood Planning Policy Guidance provides guidance on considerations when deciding the boundaries of areas, including:

- electoral ward boundaries;
- village or settlement boundaries;
- the catchment area for walking to local services such as shops, primary schools, doctor surgeries, parks or other facilities;
- the area where formal or informal networks of community-based groups operate;
- the physical appearance or characteristics of the neighbourhood, for example buildings may be of a consistent scale or style;
- whether the area forms all or part of a coherent estate either for businesses or residents;
- whether the area is wholly or predominately a business area;
- whether infrastructure or physical features define a natural boundary, for example a major road or railway line or waterway;
- the natural setting or features in an area; and
- the size of the population (living and working) in the area.

### Guidance at a Local Level:

Groups should also demonstrate that they have considered the Council's existing evidence base and local plan documents. If the Council considers the area may negatively impact on the delivery of strategic policies (these include the Local Plan policies and site allocations), the Council may identify potential amendments to the boundary.

### Applying to Establish a Neighbourhood Planning Area – Submitting an Application to the Council

To support the process of preparing a neighbourhood planning area, the Council encourage interested groups to meet and begin discussions with the Westmorland and Furness Planning Policy Team, well in advance of submitting an application. This meeting will provide advice and guidance on key considerations, which will help to ensure that the area can be designated without delays.

A proposal for designating a neighbourhood area must be submitted to Westmorland and Furness Council's Planning Policy Team for approval in the early stages of

developing the Neighbourhood Plan. When applying for approval please include the following:

1. application form for neighbourhood planning area (this can be downloaded from the Westmorland and Furness Council's [website](#));
2. a clear map outlining the defined area which the Plan refers to (this can be provided by the Council); and
3. applications can be submitted to the Council at any time and will be determined using national legislation and guidance. Please submit applications to **the Westmorland and Furness Council Office** below.

Planning Policy Team  
Westmorland and Furness Council  
South Lakeland House  
Lowther Street  
Kendal  
Cumbria  
LA9 4DQ

Email: [Neighbourhood.Planning@westmorlandandfurness.gov.uk](mailto:Neighbourhood.Planning@westmorlandandfurness.gov.uk)

### Cross District Applications

If the proposed neighbourhood planning area also covers other areas within a neighbouring authority, for example, if the neighbourhood area is also within a national park local planning authority, then the application will need to be sent to both planning departments. While applicants will need to follow each Council's application process, we would recommend meeting the relevant local planning authorities, as well as suggesting a joint meeting to agree approaches and timescales.

### Mapping Requirements

The Council understands that at this stage, Parish/Town Councils and Forums may not have the specialist software to draw maps at a sufficiently detailed scale and that decisions on boundary lines can be complex. To ensure that the boundary submitted is exactly what is required and follows clear boundaries, without anomalies, the Council will make their GIS software and Officer time available. Please contact the Westmorland and Furness Planning Policy Team to arrange an appointment to map the boundary as per the Parish, Town Council's or Neighbourhood Forum's requirements. Due to the Officer time required, please provide the Council with three weeks' notice. The Parish, Town Council or Neighbourhood Forum will need to be aware of the Ordnance Survey User Agreement prior to this work.

## What Will Happen Next?

Once the Council receives the application, it will be advertised for a period of 6 weeks. W&FC will use local publications and media to bring awareness to people that live, work and do business in the area that an application has been made – this includes publicising the neighbourhood planning area application on the W&FC website. Other methods, such as notifying any relevant stakeholders, will also be undertaken. Consultation will be carried out in line with the national legislation and guidance and any comments received will be considered when deciding whether to approve or decline the neighbourhood area.

## Determining an Application for a Neighbourhood Planning Area

The Council will consider the consultation responses and information in the application to make a determination according to its legislative requirements, in particular sections:

61G – Meaning of a ‘neighbourhood area’;

61H – Neighbourhood areas designated as business areas;

61I – Neighbourhood areas in areas of two or more local planning authorities; and

61O – Guidance of the Town and Country Planning Act (1990 (as amended)) and with regard to Planning Practice Guidance for Neighbourhood Planning, paragraphs 033 and 035<sup>3</sup>.

Elements that Westmorland and Furness Council will need to consider:

- Has a clear map identifying the boundary of the proposed neighbourhood planning area been provided?
- Has a statement explaining why the boundary of the proposed area is considered to be appropriate been provided and does it take into account:
  - Sections 61G, 61H, 61I and 61O of the Town and Country Planning Act (1990) and Planning Policy Guidance for Neighbourhood Planning Paragraphs 033 and 035;
  - Elements of character for the area and the diversity of its population;
  - The Council's existing evidence base, Local Plan strategic objectives and policies and site allocations; and
  - Whether the area boundary would negatively impact on the delivery of strategic policies (in which case the Council may decide to amend the boundary); and

<sup>3</sup> Paragraph 033, Reference ID: 41-033-20140306, Revision date 06 03 2014 and Paragraph 035, Reference ID: 41-035-20161116, Revision date 16 11 2016.

- Has a statement that the organisation or body making the area application is a relevant body for the purposes of s61G of the 1990 Act been provided?

An application for a neighbourhood planning area will be determined by Westmorland and Furness Council in the following timescales: 13 weeks from the date immediately following that on which the application was first publicised (the Council will advertise for 6 weeks) except where the area to which the application relates falls within the areas of two or more local planning authorities in which case 20 weeks from the date immediately following that on which the application was first publicised. After making a determination on the neighbourhood planning area application, Council Officers will draft a report containing their recommendations.

## Funding and Support

Once your neighbourhood planning area application has been approved, you will need to secure both funding and support to create your Neighbourhood Plan and supporting documents. You may be eligible for two main types of support which are funded by Government to help with the neighbourhood planning process:

**Grant Funding:** This is financial support that can help cover the costs of developing your Neighbourhood Plan, including consultations, technical assessments and other activities related to plan preparation.

**Technical Support:** All neighbourhood planning groups are eligible to apply for technical support packages from Locality, a national membership network that offers specialist advice and resources to communities, and their delivery partners AECOM. This free support will be delivered by a consultant working one to one with your group with a clearly defined brief, such as producing a Design Code, a Strategic Environmental Assessment (SEA), evidence review or site assessment. You can apply for both grant and technical support on the Locality Neighbourhood Planning website. There are also detailed toolkits, templates and guidance on the resources section of the same website.

The Locality Neighbourhood Planning website also has an enquiry form that you can complete and submit online at <https://locality.tfaforms.net/f/npadviceservice>. You can apply for both Grant Funding and Technical Support simultaneously if you meet the eligibility requirements for each. For more information and to apply for both grant funding and technical support, visit [Locality's Grant Funding webpage](#).

[Action with Communities in Cumbria \(ACT\)](#) similarly provides both grant funding and technical support for neighbourhood planning. As well as supporting groups to develop and implement their plans, a grant of £150 is also available to communities considering Neighbourhood Planning in the Eden locality.

Please note that although the information was correct at the time of writing, the level of support and amounts are subject to change each financial year and the window for grant funding applications also vary. Please check with the [Locality](#) website for further details.

There are also a number of other resources that can be used to inform the development of your Neighbourhood Planning Forum and neighbourhood area. These include:

- Locality's Network: <https://neighbourhoodplanning.org/network/>
- Action with Communities in Cumbria (ACT): <https://www.cumbriaaction.org.uk/>
- Planning Practice Guidance from Department of Levelling Up, Housing and Communities (DHLUC): <https://www.gov.uk/guidance/neighbourhood-planning--2>
- Planning Aid England: <https://www.planningaid.co.uk/hc/en-us>
- Royal Town Planning Institute <https://www.rtpi.org.uk/planning-advice/neighbourhood-planning/>

## Westmorland and Furness Council Neighbourhood Planning Service Level Agreement

In addition to the general sources of support available, Westmorland and Furness Council provides assistance to communities preparing a Neighbourhood Development Plan, or where applicable, modifying an existing one.

Once you have read this guide and are ready to begin preparing a Neighbourhood Development Plan, you should refer to the Service Level Agreement (SLA). The SLA sets out the nature and extent of support that Westmorland and Furness Council will offer to Town and Parish Councils (or a Neighbourhood Planning Forum where relevant) in the Westmorland and Furness area outside of the National Parks, to fulfil its statutory duties and support and guide the preparation of the Neighbourhood Plans. It also details what Westmorland and Furness Council expects from Town or Parish Councils (or a Neighbourhood Planning Forum) in the process.

The Council has a statutory duty to:

*“Give...advice or assistance to...facilitate the making of proposals for Neighbourhood Development Orders [/Plans] in relation to neighbourhood areas within their area”.  
(Town and Country Planning Act 1990, Schedule 4B, Paragraph 3).*

To support effective joint working, the Council expects Local Bodies to enter into a Service Level Agreement with Westmorland and Furness Council once a neighbourhood planning area has been formally designated.



The Service Level Agreement can be viewed and downloaded from the Westmorland and Furness Neighbourhood Planning [website](#).

## **Stage Two – Preparing a Neighbourhood Plan**



## Preparing the Plan

Before delving into the specifics of your Neighbourhood Plan, it is crucial to follow a structured process that addresses all legal and community considerations. This section outlines the key stages of the neighbourhood planning process, beginning with the screening for environmental assessments and the identification of local issues and aims. It then moves on to the development of policies and supporting materials. Additionally, this section covers the steps after the Plan's creation, including Pre-Submission Consultation, Submission to Westmorland and Furness Council, Independent Examination and the Referendum.

### Screening and Strategic Environmental Assessments (Or their Equivalent)

Before starting the development of your Neighbourhood Plan, it is important to determine whether a Strategic Environmental Assessment (SEA) is required. This is a critical step because Neighbourhood Plans must comply with statutory and EU environmental requirements to meet the Basic Conditions. An SEA or Habitats Regulations Assessment (HRA) may be necessary if your plan is particularly ambitious or complex, with the potential to significantly impact the environment. Identifying the need for an SEA at the beginning of the process ensures that environmental considerations are integrated into the Plan from the outset, avoiding delays and ensuring compliance. The Council has prepared a Screening Opinion Questionnaire to help determine whether a Strategic Environmental Assessment (SEA) is necessary. It is available on the Council's website and should be completed and submitted accordingly. Visit our [website](#) to access the Screening Opinion Questionnaire.

The responsibility for determining whether an SEA is required falls to the Parish or Town Council (or Neighbourhood Forum, if applicable). This can often be done by a member of the steering group without the need for technical assistance. If an SEA is required, the assessment should begin early in the process - ideally, when developing the initial policies, proposals and allocations - to ensure that environmental factors are properly considered and addressed.

Additionally, while not legally required, it is good practice to also consider the social and economic impacts of your Neighbourhood Plan. Doing so will help ensure that your plan promotes sustainable development and meets the needs of the community.

### Step 1 – Identifying Issues and Aims

While there is no rule on what a Neighbourhood Plan should look like, it is important that it contains policies, in addition to supporting text and accompanying maps and imagery, that reflect the needs and wants of the community. To do this, it is recommended that the Steering Group undertakes an initial community consultation to identify what residents believe to be the key issues and aims within their area - this will form an important part of the Plan's evidence base.

One example of a medium that can be used to conduct a community consultation is a survey. A survey can be used to gather information about what residents' views on what the Neighbourhood Plan should aim to achieve, as well as their opinions, concerns and preferences regarding aspects of development such as:

- Housing,
- Employment,
- Community Facilities,
- Highways, Transport and Road Safety,
- Landscape and the Natural Environment, and
- Heritage and Design.

Examples of questions that could be asked in the survey are as follows:

**Example 1** - What, if anything, do you like about your Town/Parish?

**Example 2** - What, if anything, do you dislike about your Town/Parish?

**Example 3** - What kind of housing, if any, do you think is essential for new homes within the Town/Parish?

To maximise participation and ensure a diverse range of responses, it is important to make the survey available both electronically and in hard copy. Offering an online version allows residents to complete the survey at their convenience, while hard copies ensure that those without internet access can still take part. To increase the response rate and strengthen the evidence base, the survey should be widely advertised through multiple channels. Digital promotion could include social media posts, local community websites and email newsletters, while in-person methods such as distributing flyers, posters in public spaces and announcements at local events can help reach a broader audience.

## Step 2 – Creating a Vision and Objectives

Once you have received the responses from your community consultation, you should now have a clearer understanding of the community's issues and aims for the Neighbourhood Plan. Having this information should now allow you to develop an overarching vision and objectives for the Plan.

### What is a Vision?

The vision will be an overarching statement, or series of statements, which describes your area in the future, say 10 to 20 years. It is an optimal mid to long-term goal detailing what you want your area to look like at the end of the Plan period and is written in the future tense as a statement of what 'will be'.

When creating your vision, consideration should be given to the social, environmental and physical trends that are likely to affect the area over the period of

the Plan. The vision should not only be aspirational but also grounded in evidence and data – including a mixture of quantitative (facts and figures about the area) as well as qualitative (community views about opinions on what's important) research.

Your vision may focus on your area's 'unique selling point' – that is, what makes the area a distinctive, desirable place to live. Moreover, your vision may want to look at the area's untapped potential, for example buildings and land that could be revitalised and/or repurposed.

### How to Develop a Vision

There are several exercises that you can undertake to develop your vision.

Firstly, you will want to gain a good understanding of what your area will look like in the future. This will help you to create your vision, as well as your objectives and policies, to ensure that social, environmental and physical trends that you have identified will be maintained (if supported) and mitigated (if opposed).

To understand what your area will look like in the future, you will first need to get a clear picture of the community's current characteristics. To do this, you may want to engage in the below:

1. **Community profiling:** source statistical data on household size, incomes, population size, popular tenures etc.
2. **Listing assets:** make a list of all the area's physical assets, their location and current condition. This could include recreational spaces, village halls, footpaths, playing fields, developments of affordable housing etc.
3. **Reviewing existing plans and initiatives:** gather information from existing plans, initiatives or proposals that effect your area. It is important to try and understand what impact these plans will have on the area and what this means for the community. These could include:
  - Previous Community Led Plans developed in the area (e.g. Village Design Statements and Parish Plans).
  - Your local Council's planning documents (e.g. Local Plan and emerging Local Development Framework documents).
  - Local Sustainable Community Strategy.
  - Local Transport Plan.
  - Housing Strategy or Housing Needs Assessments.

Once you have created a list of existing local characteristics, amenities etc. within the area, you will want to undertake a love it/hate it exercise, e.g. what people like, dislike and want to see more of. You may wish to carry out a community exercise or series of consultations to attain this information.

Once you have established this information, you will want to draft a set of statements based on these characteristics, e.g. *"our parish will sustain and enhance our local green spaces"*, see below for more real examples.

### What is an Objective?

An objective is specific and will set out what you want to achieve to help make the 'vision' a reality. These will need to relate to land-use issues. Objectives for non-land use issues will be addressed in aspirations.

Put simply, objectives are statements of intent that link back to your vision and outline the steps you will take to realise it.

### How to Develop an Objective

There is usually more than one objective to address each element of your vision. Overarching objectives should address the area's strengths (what you want to see more of or continue) and weaknesses (what you want the Plan to address) and deal with any other issues identified.

When writing your objectives you should aim to meet the SMART criteria:

**S** = Specific

**M** = Measurable

**A** = Achievable

**R** = Relevant

**T** = Time-bound

### Step 3 - Building the Evidence Base

After establishing the vision and objectives for your Neighbourhood Plan, the next crucial step is to begin building a solid evidence base. This will provide the foundation for drafting your policies and supporting text, ensuring that the Plan is grounded in clear, factual information relevant to your local area.

By building a strong, balanced evidence base, your Neighbourhood Plan will be more likely to succeed in addressing local issues, passing examination and guiding future development in your community.

### Why Evidence is Important

Planning guidance emphasises the need for proportionate and robust evidence to support the decisions made in a Neighbourhood Plan. Policies should be grounded in a proper understanding of the area they pertain to and address local issues with a realistic, place-specific approach. This collection of social, economic and environmental data, known as the 'evidence base', is essential to ensure that your plan is relevant, effective and capable of achieving its objectives.

### Stages of Evidence Gathering

Evidence collection should begin early in the planning process and will likely continue as the Plan evolves. To avoid becoming overwhelmed, it is helpful to approach evidence gathering in stages.

Start by gathering readily available information from the local authority and other public bodies to paint a broad picture of the area. Local Plans, census data, environmental designations, transport studies and technical reports will form the foundation of your evidence base. This stage is crucial for understanding the strategic context of your neighbourhood within the wider local authority area.

As the key themes and priorities for your plan become clearer, you can then focus on collecting more specific evidence related to these areas.

It is important to note that while much of the data you need may already exist, there are likely to be gaps or outdated information that is not sufficient or tailored enough to address specific issues within your plan's area. This is where new, locally focused evidence becomes necessary. Surveys of local businesses, transport audits or environmental appraisals can provide detailed, neighbourhood-specific data to justify the policies in the Plan.

### The Scope and Scale of Evidence Required

The scope and scale of the evidence required for your Neighbourhood Plan will depend on several factors, including the size of your neighbourhood area, the complexity of the issues you aim to address and the local context. It is important to tailor the evidence base to meet the specific needs of your plan while avoiding the collection of unnecessary data.

A Neighbourhood Plan focuses on the use and development of land, so the evidence must cover social, economic and environmental conditions that influence local planning decisions. The evidence base should include information on:

- **Population and demographics:** Understanding the socio-economic profile of the area is a good starting point. This includes population trends, age profiles, employment sectors and income levels. Census data, local authority statistics and community surveys are all valuable sources of this information.
- **Local economy and employment:** Evidence should cover key industries, employment rates, commuting patterns and business trends in the area. It's important to consider how well local skills align with available employment opportunities and the availability of business infrastructure, such as enterprise units or business parks.
- **Housing:** Evidence on current housing stock, vacancy rates, tenure types and housing needs is crucial. Local authority housing assessments, such as Strategic Housing Market Assessments (SHMA) and Strategic Housing Land Availability Assessments (SHLAA), will provide much of this data. If you are eligible, you can apply for technical support from Locality, which will undertake a Housing Needs Assessment (HNA) for you free of charge.
- **Transport and infrastructure:** Evaluate the capacity of transport networks, public transport availability and cycling and pedestrian facilities. Local

transport studies and highways authorities can provide essential insights here.

- **Natural environment:** Understanding environmental features such as local green spaces, biodiversity, landscape designations (e.g., Sites of Special Scientific Interest and National Landscapes) and flood risks is vital. Local Plans, Natural England and environmental impact assessments are valuable sources for this data.
- **Heritage and built environment:** Designated heritage assets, including listed buildings, conservation areas and scheduled monuments, need to be considered. Conservation area appraisals and local historic environment records provide valuable details.
- **Retail and community services:** An audit of retail spaces, vacancy rates, community assets (such as libraries, schools and medical facilities) and the local high street's vitality is important for addressing the community's needs. Local Plans and business surveys can offer this data.

### Balancing Evidence with Community Input

While the evidence base provides the factual backbone of the Neighbourhood Plan, it is equally important to align this data with the needs, aspirations and concerns of residents and stakeholders. By ensuring that the Plan reflects local priorities and is not just a collection of data-driven policies, community consultation fosters a sense of ownership, increases transparency and enhances the likelihood of successful implementation.

In addition to an early consultation to help identify broad themes and concerns, W&FC recommends ongoing consultation, particularly mid and late-stage engagement. Regular community input can be used to refine policies and develop supporting text, ensuring that community input is not only sought but also meaningfully incorporated into the decision-making process. For example, consultation could be undertaken to propose non-designated heritage assets or allocate sites for housing development.

To maintain momentum and ensure inclusivity, it is important to use a variety of engagement techniques such as workshops, surveys, focus groups and public meetings. Additionally, feedback mechanisms are crucial - people need to see how their input has influenced the Plan, whether through newsletters, websites or follow-up events. Regular updates help build trust and ensure ongoing participation.

Ultimately, by integrating community feedback with evidence-based research, the Plan can strike a balance between data-driven policies and local priorities, resulting in a well-rounded, representative document that has broad community support.



## Writing Planning Policy

Writing effective policies is a key element of the neighbourhood planning process, as these policies will directly influence future development in your area. Well-drafted policies ensure that your vision for the community is reflected in planning decisions, making them a vital tool for shaping the future of your neighbourhood.

### Key Considerations for Writing Policies

1. **Clarity and Precision:** Neighbourhood Plan policies need to be clearly written, precise and unambiguous. Decision-makers must be able to interpret and apply your policies consistently when assessing planning applications.
2. **Linking Policies to Objectives:** Each policy should be directly linked to your Neighbourhood Plan's vision and objectives. This alignment ensures that policies contribute to the broader goals of the community and are not created in isolation. For example, if an objective is to preserve local green spaces, there should be a policy dedicated to the protection and enhancement of these areas.
3. **Evidence-Based Approach:** Policies must be supported by a strong evidence base, gathered through research and community engagement. This evidence should justify why the policy is needed and how it addresses specific local issues. Data on housing needs, traffic patterns, environmental concerns and community amenities can all provide the foundation for robust policies.
4. **Local Relevance:** While Neighbourhood Plans must be in general conformity with national and local strategic planning policies, they should also reflect the unique characteristics and needs of the local area. Your policies should address gaps or provide additional detail beyond what is covered by your Local Plan to avoid repetition/duplication, ensuring they are tailored to the specific context of your neighbourhood.
5. **Positive and Deliverable Policies:** Policies should be framed positively, encouraging development that meets local needs and enhances the community. Avoid overly restrictive language that might deter beneficial projects. Additionally, ensure that policies are realistic and can be delivered within the timeframe of the Plan.

### Examples of Neighbourhood Plan Policies

To ensure a well-structured and clear Neighbourhood Plan, you may want to include a policy table. A policy table offers a concise overview of how each policy aligns with the Neighbourhood Plan's vision and objectives. It also links the policy to the evidence base that supports it, ensuring that policies are both justified and clearly rooted in the priorities of the community.

Although policy themes should be developed based on the vision, objectives and feedback gathered from community consultations, the following is a list of example



policies commonly relevant to most Neighbourhood Plans. These themes provide a structured approach to tackling key issues such as housing, employment, transport, the natural environment and community infrastructure. By developing policies around these themes, the Neighbourhood Plan ensures that local needs are met while aligning with national and local planning requirements.

### Policy Themes Examples

**Site Allocation:** Site allocations involve identifying specific areas of land for future development, such as housing, employment or community facilities. Including site allocations in the Neighbourhood Plan allows the community to influence where development should take place and what form it should take. This can provide clarity and certainty for both developers and residents.

Engage with the local planning authority early in the process to ensure that neighbourhood site allocations complement those in the Local Plan. Close cooperation is essential to avoid conflicts and to ensure that your Neighbourhood Plan's allocations contribute to the overall development strategy of the area.

Engage with landowners, developers and the wider community to gather input on site availability and local priorities. When assessing potential sites, consider factors such as accessibility, environmental constraints, proximity to public transport and the availability of local services. This ensures that site selections are transparent, evidence-based, and in line with sustainability principles.

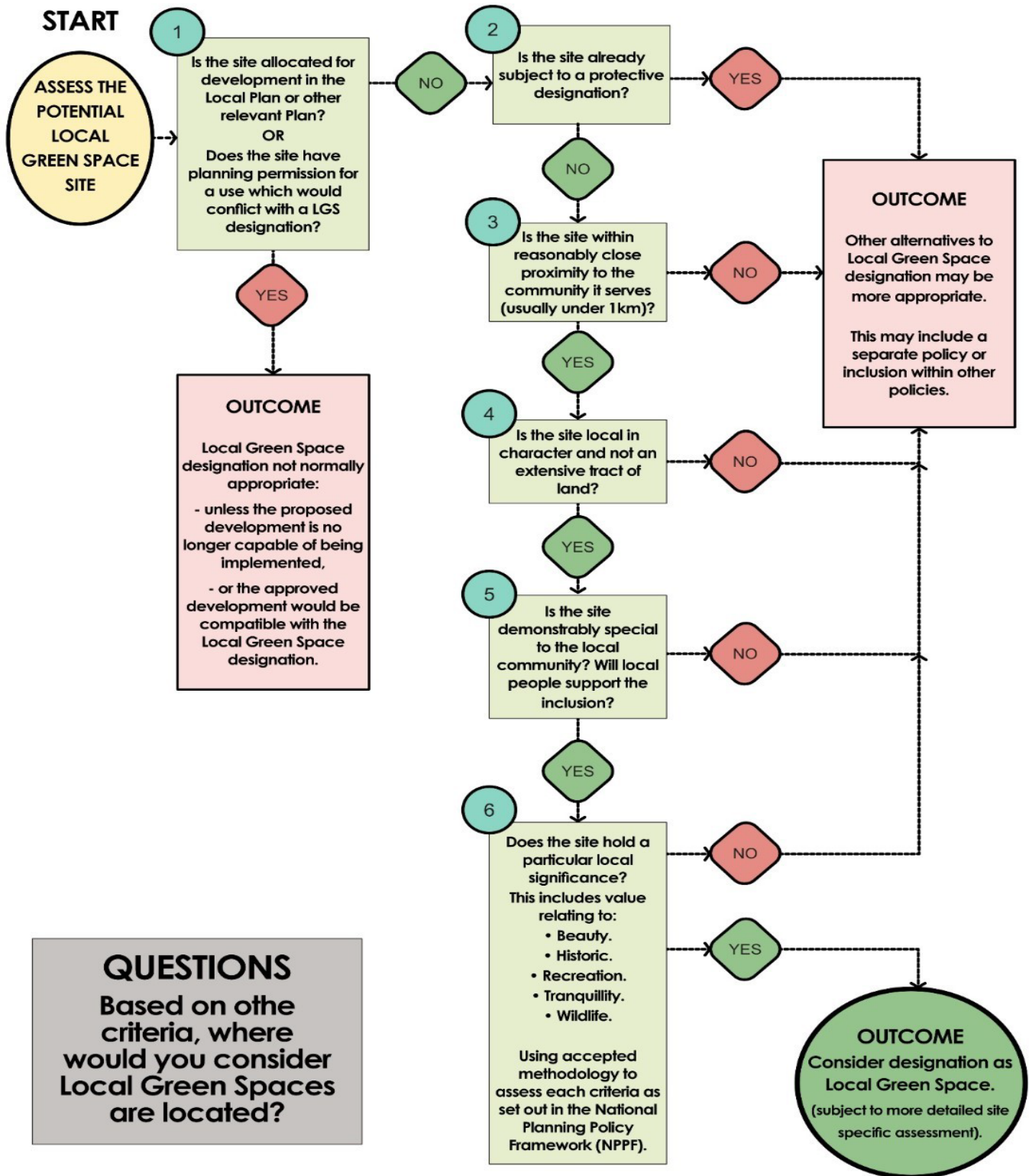
**Natural Environment:** Protecting and enhancing the natural environment is a core theme in neighbourhood planning. Policies can cover issues such as biodiversity, green spaces, tree preservation and the creation of new wildlife habitats.

The Plan can designate specific green areas as Local Green Spaces, offering them protection from development. These spaces must be demonstrably special to the community and meet the criteria set out in the NPPF, such as:

- located within a reasonable distance of the community it serves,
- clearly valued by the local community;
- holds notable significance, such as for its beauty, historical importance, recreational use (including playing fields), tranquillity or abundant wildlife; and
- is small in scale and local in character, rather than a large or expansive area.

Policies for managing development within Local Green Space should be consistent with Green Belt policies, excluding provisions relating to grey belt and previously developed land.

For more guidance on how to designate Local Green Spaces within your Plan, please see the Local Green Space Assessment Flowchart below.



The NPPF ( December 2024 ) strengthens requirements for addressing climate change. Neighbourhood Plans should consider how they can contribute to mitigating and adapting to climate change impacts, supporting renewable and low carbon energy and associated infrastructure, incorporating green infrastructure and sustainable drainage systems and promoting development that minimises

vulnerability to climate impacts. The NPPF (December 2024) introduces significant new policies regarding Green Belt development, including the concept of "grey belt" land and "Golden Rules" for development on Green Belt land.

**Historic Environment:** Neighbourhood Plans often include policies to protect and enhance the historic environment. This includes listed buildings, conservation areas and other designated heritage assets. Such policies help to safeguard local character while promoting the sensitive use and adaptation of historic buildings. The Plan also can propose a list of Non-Designated Heritage Assets (NDHA), which can be a monument, building, site, area or landscape that has heritage significance.

For more information on what constitutes an NDHA and how to allocate NDHAs within your Plan, please see Westmorland and Furness' Non-Designated Heritage Assets Assessment Guidance on the Council's [website](#). For further information on the local list approved assets in Westmorland and Furness, please see the Cumbria Local Heritage List on the Council's [website](#). The NPPF (December 2024) introduces significant new policies regarding Green Belt development, including the concept of "grey belt" land and "Golden Rules" for development on Green Belt land.

### Meeting the Basic Conditions

For a Neighbourhood Plan to be successful, it must meet certain legal requirements known as the Basic Conditions which include ensuring the Plan has appropriate regard to national policy. These conditions ensure that the Plan is consistent with national and local planning policies, contributes to sustainable development and respects both legal and environmental obligations. The Basic Conditions are set out in the Town and Country Planning Act 1990 (as amended) and include the following key criteria:

- The Neighbourhood Plan must align with national policies, specifically those contained in the NPPF and guidance issued by the Secretary of State. This ensures that the Plan reflects broader planning principles established by the government, such as sustainable development, economic growth and housing delivery.
- A Neighbourhood Plan must demonstrate that it supports the principles of sustainable development. This means balancing economic, social and environmental objectives to ensure that development meets the needs of the present without compromising the ability of future generations to meet their own needs. This is a core principle outlined in the NPPF.
- The December 2024 NPPF specifically addresses neighbourhood planning, emphasising that Neighbourhood Plans should support strategic policies in Local Plans they should shape and direct development outside of strategic policies and once adopted, Neighbourhood Plan policies take precedence over existing non-strategic policies. Neighbourhood Plans must be in general conformity with strategic policies in the development plan.

- The Plan must be in general conformity with the strategic policies of the Local Plan for the area. Strategic policies include those relating to housing, employment, infrastructure and environmental protection. While Neighbourhood Plans can add detail and local specificity, they must not conflict with the overarching strategy of the local authority's development plan.
- The Neighbourhood Plan must comply with retained EU obligations, including environmental assessments and human rights. Even after Brexit, these obligations continue to play a critical role in ensuring that planning respects environmental protections and human rights standards.
- The Neighbourhood Plan must not breach any requirements of the Habitats Regulations. This means that the Plan must undergo a Habitat Regulations Assessment (HRA) if there is a likelihood of significant environmental impacts on protected habitats, ensuring the conservation of biodiversity.
- The Plan must also be compatible with the Convention rights as defined by the Human Rights Act 1998. This ensures that the policies within the Plan respect and protect the rights of individuals, particularly in relation to equality, non-discrimination and access to justice.

### Conformity with the National Planning Policy Framework

The NPPF (December 2024), is a key document that guides the preparation of Neighbourhood Plans. It outlines the government's policies on land use planning and all Neighbourhood Plans must demonstrate consistency with the NPPF to meet the Basic Conditions. The NPPF highlights the importance of sustainable development and sets out three overarching objectives that must be reflected in your plan:

1. **Economic Objective:** Your Neighbourhood Plan should support economic growth by creating policies that contribute to a strong local economy. This could include policies that encourage small business development, protect local jobs or support rural economic activities.
2. **Social Objective:** The Plan should aim to support the social wellbeing of the community by protecting and enhancing local amenities, encouraging the provision of new community facilities and promoting housing development that meets local needs. Ensuring access to services and addressing the needs of younger and older residents are often key social goals.
3. **Environmental Objective:** Environmental sustainability should be a core focus of the Neighbourhood Plan. This includes protecting natural landscapes, enhancing biodiversity and mitigating the impacts of climate change through sustainable design principles. Policies could cover the protection of green spaces, support for renewable energy and safeguarding of natural habitats.

To ensure compliance with the NPPF, each policy in your Neighbourhood Plan should be cross-referenced with relevant sections of the NPPF. This helps demonstrate that your policies have been developed in line with national guidance and support sustainable development.

Please also note that the NPPF is updated regularly and you will need to check the latest version and include the correct paragraph numbers as appropriate. This document may include numbers which have been superseded.

### Alignment with the Westmorland and Furness Local Plan

In addition to conforming to national policies, the Neighbourhood Plan must be in general conformity with the strategic policies set out in the Local Plan. These strategic policies typically cover issues such as housing targets, economic development, environmental protection and infrastructure provision.

Currently we are preparing a new Local Plan for Westmorland and Furness (excluding the National Parks). When this is adopted, it will replace all the [existing Local Plans that were adopted by the former Councils](#).

The Local Plan will:

- set out how much new development (e.g. homes and employment sites) is needed to support our communities;
- make sure new development is built in the right places and in a way which is best for people and the environment;
- allocate sites for new housing and other development;
- protect some areas and green spaces from development;
- include policies that are used to decide planning applications; and
- plan for development relating to minerals and waste.

Public consultations will be ongoing. For more information, please visit the [Local Plan Consultations Page](#).

Your Neighbourhood Plan should not conflict with these strategic objectives but instead add local detail and context. For example, if the Local Plan sets a target for housing delivery in your area, the Neighbourhood Plan might specify where new housing should be located or the types of housing that are most needed locally. The Plan should also reflect the unique character and needs of your neighbourhood, ensuring that it is responsive to local priorities.

By demonstrating how your plan conforms to both national and local policies, and how it meets the Basic Conditions, you ensure that your Neighbourhood Plan will be found "sound" at examination and can proceed to referendum and eventual adoption.

### Regulation 14 – Pre-Submission Consultation

The Regulation 14 Consultation is a vital step in the neighbourhood planning process, providing the community and stakeholders with the opportunity to review and comment on the draft Plan before it is formally submitted for examination. This Pre-Submission Consultation must run for a minimum of six weeks and is carried out by the qualifying body, such as the Parish/Town Council or Neighbourhood Forum.



## Key Requirements

During the consultation period, the qualifying body is responsible for the following:

1. **Publicising the Draft Plan:** The draft Neighbourhood Plan must be widely publicised to the local community, including residents, workers and business owners. To achieve this, the qualifying body should:
  - **Upload the draft plan to the Parish or Town Council website**, making it easily accessible for the community.
  - **Post notices on local bulletin boards** throughout the neighbourhood, including community centres, libraries and other public spaces. These posters should provide information on where the Plan can be viewed and details on how to make representations, including the deadline for submitting feedback.
  - **Create a feedback form** to facilitate the submission of comments. This form should be available online and in print, providing consultees a structured and easy way to give their views on the draft Plan.
2. **Consulting Statutory Consultees:** In addition to local stakeholders, certain statutory bodies must be consulted. These may include organisations such as the Environment Agency, Natural England and Historic England. A full list of consultees should be obtained from Westmorland and Furness Council to ensure all necessary parties are notified. These consultees must be emailed directly, with a link to the draft plan and clear instructions on how to participate in the consultation.
3. **Submitting the Draft to the Local Authority:** A copy of the draft Neighbourhood Plan must be sent to Westmorland and Furness Council's Planning Policy Team as part of the consultation process. This ensures the local authority is aware of the Plan and can provide any relevant feedback before it proceeds to examination.

## Reviewing Feedback

After the six-week consultation period, the qualifying body must carefully consider all comments and representations submitted. Each submission should be reviewed and decisions made on whether to amend the Plan in response to the feedback. The qualifying body is not required to adopt every suggestion but must demonstrate that all comments were considered thoughtfully.

Any changes made to the draft Plan, along with the reasons for those changes, should be documented. This information will form part of the Consultation Statement, which will be submitted with the final Plan to the local authority for examination.

## Submission to Westmorland and Furness Council

Once the draft Neighbourhood Plan is complete, it must be formally submitted to Westmorland and Furness Council, which will begin the process of independent

examination and, eventually, a community referendum. The submission must include several key documents to demonstrate that the Plan has been developed according to legal requirements and meets the Basic Conditions.

The qualifying body has to submit the following to Westmorland and Furness Council:

- the submission version of the Neighbourhood Plan,
- a map of the area covered by the Neighbourhood Plan,
- the Consultation Statement,
- a statement explaining how the basic conditions stated within the Localism Act have been met,
- strategic Environmental Assessment (SEA) Report<sup>4</sup> (if required) or a statement explaining why the SEA is not required, and
- Habitat Regulations Assessment (HRA) (if required) or a statement explaining why the HRA is not required.

### The Consultation Statement

The Consultation Statement is a key document that demonstrates how the community and stakeholders have been engaged throughout the development of the Neighbourhood Plan. It is a requirement for the Plan's submission and provides evidence of the consultation processes that have been followed, particularly focusing on the Regulation 14 Consultation. This statement helps to show that the Plan has been developed with input from those who live, work and do business in the area, and that their feedback has been properly considered and addressed.

### What the Consultation Statement Should Include

- **Summary of Previous Engagement:** While the main focus of the Consultation Statement is on the Regulation 14 Consultation, it should also include a summary of any earlier engagement activities. This might include initial consultations, surveys, public meetings or exhibitions held throughout the development of the Plan. Including this information highlights that a thorough and ongoing engagement process has been conducted from the outset.
- **Details of Who Was Consulted:** The statement should list all the individuals, organisations and groups that were consulted during the Regulation 14 Consultation period. This includes:

<sup>4</sup> **References in this guidance note to Strategic Environmental Assessments (SEA)** – Note that The Levelling-Up and Regeneration Act (LURA) Part 6 sections 152 to 167 (including Schedule 13 relating to Part 6) regulates on the replacement of the current system with the new Environmental Outcome Reports (EORs). EOR to replace EIA, SA and SEA. The LURA secures powers to implement a new system. In February 2024 Central Government (Department of Levelling-Up Housing and Communities) announced that the introduction of the new environmental processes (EORs) will be delayed until at least 2025.



- local residents,
- local businesses,
- statutory bodies (such as the Environment Agency, Natural England and Historic England), and
- neighbouring Councils and community groups.

This ensures transparency and shows that the consultation reached a wide audience.

- **Details of How Consultation Was Carried Out:** The statement should explain how the consultation was conducted. This includes describing the methods used, such as:
  - online surveys or feedback forms,
  - public drop-in sessions or meetings,
  - posters and flyers distributed in the community, and
  - digital communications, including email alerts and website postings.
- **Summary of Key Issues and Concerns Raised:** The statement should include a summary of the main issues, comments and concerns raised by the consultees during the Regulation 14 consultation. This might include feedback on proposed policies, concerns about potential impacts of certain developments or suggestions for additional policies or areas of focus.
- **How Issues Were Addressed:** It is important to explain how the concerns and issues raised during the consultation were considered and addressed. This section should outline any changes or adjustments made to the Plan in response to feedback. For example, if a policy was amended or if further evidence was included to address concerns, this should be clearly documented.

## The Basic Conditions Statement

The Basic Conditions Statement is a crucial document that accompanies the Neighbourhood Plan submission. It provides a clear explanation of how the Plan meets the legal requirements set out in the Town and Country Planning Act 1990, ensuring that the Plan adheres to all necessary regulations and guidelines. The statement serves to demonstrate to the independent examiner that the Neighbourhood Plan has been carefully developed in line with national and local policies and that it meets the basic conditions required for it to proceed to examination and referendum.

For detailed information on what to include in a Basic Conditions Statement, visit Locality to access their [Neighbourhood Plan Roadmap](#).

Once the application has been received by the Council, it will carry out a validation check to see whether the Neighbourhood Plan meets the legislative requirements. The Council will inform the qualifying body on whether the draft Neighbourhood Plan is valid and this will be published in a 'Decision Statement', which is a Council decision notice that considers each of the Examiner's recommendations and the

reasons given for them as set out in the Examiner's Report, as required by Regulation 12 of Schedule 4B of the Town and Country Planning Act 1990.

As soon as possible after validating the application, the Council will publish the details of the proposed Neighbourhood Plan on its website for a minimum of 6 weeks – this stage is known as Regulation 16, not to be confused with the Regulation 14 Pre-Submission Consultation. The Council will also publicise details of where the Plan can be inspected and where the public can make representations on the Council's website, alongside the Plan.

## Independent Examination

The Independent Examination is a critical stage in the neighbourhood planning process, ensuring that the Plan meets all the necessary legal requirements before it can proceed to referendum. The independent examiner, appointed by the local planning authority, is tasked with reviewing the Plan's compliance with national and local policies, as well as its alignment with the legal Basic Conditions. The examiner's role is to assess whether the Plan should be approved, modified or rejected based on these criteria.

### Appointment of the Independent Examiner

The local planning authority is responsible for appointing an appropriately qualified and experienced independent examiner. The examiner is selected in agreement with the neighbourhood planning body and should possess the following qualifications and attributes:

- experience in planning legislation, policies and procedures;
- membership of a recognised professional body (such as the Royal Town Planning Institute or Royal Institution of Chartered Surveyors);
- independence from any conflicts of interest or bias to ensure impartiality;
- effective communication skills to engage with various stakeholders, including those with differing levels of planning knowledge; and
- the ability to make well-reasoned, impartial decisions based on the evidence provided.

Once appointed, the examiner will be provided with the submitted Neighbourhood Plan and all relevant supporting documents, including comments received during the Regulation 16 publicity period.

### Scope of the Independent Examination

The purpose of the independent examination is to determine whether the Plan complies with the Basic Conditions, which include:

- Conformity with national policies, including the National Planning Policy Framework.

- Contribution to sustainable development across economic, social and environmental aspects.
- Conformance with the local development plan, particularly with the strategic policies of the local authority.
- Compliance with EU obligations (for matters such as environmental protection).
- Compatibility with human rights laws.

The examiner will also assess whether the proposed referendum area should be limited to the neighbourhood area or extended to a wider area if the Plan is likely to affect surrounding communities.

### The Examination Process

The independent examination is generally carried out through written representations, meaning that the examiner reviews the submitted documents and any feedback from stakeholders. However, if necessary, the examiner may call a public hearing to discuss specific issues in more detail or to ensure fairness and transparency in the process. This might be needed to clarify complex matters or hear from parties with differing views.

The examiner will focus on whether the Neighbourhood Plan meets the basic conditions and where necessary may suggest modifications to bring the Plan into compliance.

### The Examiner's Report

Following the examination, the independent examiner will produce a report for the local authority and the neighbourhood planning body. This report will provide:

- a recommendation on whether the Plan meets the basic conditions and should proceed to referendum;
- suggested modifications, if necessary, to ensure compliance with the basic conditions; and
- a conclusion on whether the Plan should proceed to referendum and whether the voting area should be limited to the neighbourhood area or extend to a wider region.

In some cases, the examiner may determine that the Plan cannot proceed to referendum if it does not meet the required conditions or if modifications cannot resolve the issues.

### Modifications

Once the examiner's report is received, the **local planning authority** is responsible for:

- deciding whether to accept the examiner's recommendations and proceed with the referendum;

- making modifications to the Plan, if required, to meet the basic conditions and ensuring these modifications are made in consultation with the neighbourhood planning body; and
- if the authority disagrees with the examiner's recommendations, it must provide clear reasoning for any changes made and undertake additional consultation.

In cases where the neighbourhood planning body disagrees with proposed modifications, it has the option to withdraw the Plan from the process.

Once the Plan has been modified (if necessary), the local authority must publicise the modifications and provide details of where they can be reviewed. Publicity ensures transparency and gives the community an opportunity to review any changes before the Plan proceeds further.

## Referendum

Once the Neighbourhood Plan has been examined and found to meet the necessary conditions, including any recommended modifications, the Plan proceeds to the **referendum stage**. This is the final opportunity for the local community to approve or reject the Plan, giving local residents the power to decide if it should become part of the statutory development plan.

The local planning authority is responsible for organising the referendum, with the election's unit overseeing the process. They must ensure that key details about the Plan and the referendum are made available to the public in advance.

The local authority must publish information about the Neighbourhood Plan 28 working days before the referendum date, ensuring that all voters are fully informed about the Plan. They are also required to give formal notice of the referendum 25 working days prior to the poll, including the date of the vote and the referendum question.

## Referendum Question

The question asked in the referendum will typically be phrased as follows:

***"Do you want Westmorland and Furness Council to use the Neighbourhood Plan for [name of neighbourhood area] to help it decide planning applications in the neighbourhood area?"***

This straightforward question ensures that voters understand the key issue at hand: whether the Neighbourhood Plan should be used to guide future planning decisions in the area.

## Who Can Vote?

Only those individuals on the electoral register are eligible to vote in the referendum. In areas where a business area has been designated as part of the Neighbourhood Plan, there will be two separate referendums: one for residents and another for non-

domestic ratepayers (business owners). This ensures that both the residential and business communities have a say in the Plan's future.

### Voting Outcome

If more than 50% of the votes cast are in favour (a 'yes' vote), the Neighbourhood Plan becomes part of the statutory development plan for the area.

For areas with both residential and business referendums, both groups must vote 'yes' for the Plan to be fully approved. If the results differ between the two groups, the local planning authority will decide whether to bring the Plan into force.

### Adoption of the Plan

Once a Neighbourhood Plan is approved through the referendum, it formally becomes part of the statutory development plan for the area. This means that it must be considered alongside the Local Plan when making planning decisions. Local planning authorities and planning inspectors are required to make their decisions in accordance with the policies set out in the development plan, unless there are material considerations that justify deviating from it.

### Use of the Plan in Development Management

After the Plan comes into force, it plays a key role in the management of development within the neighbourhood area. Planning applications and appeals will be assessed based on the policies contained within the Neighbourhood Plan, in addition to the Local Plan. The Plan's policies will guide decisions on various types of development, such as housing, business or infrastructure projects, ensuring that future growth aligns with the community's vision and objectives.

If a proposed development does not align with the policies of the Neighbourhood Plan, objections can be raised and planning authorities should give consideration to these concerns. On the other hand, if a development proposal supports the Neighbourhood Plan's aims and complies with its policies, it can be supported as part of the decision-making process.

### Monitoring the Neighbourhood Plan

Once the Plan is in force, it is important to continuously **monitor** its effectiveness and how well its policies are being implemented. The Town or Parish Council (or the Neighbourhood Forum, if applicable) should establish procedures to track relevant planning applications in the neighbourhood area. This monitoring can help identify whether the policies are being applied correctly and whether they need to be adjusted over time.

Here are some steps to consider after your plan is made:

1. **Monitor Planning Applications:** While your local planning authority must consider your Neighbourhood Plan when making decisions, staying proactive

by reviewing planning applications and submitting responses referencing your Plan's policies helps ensure your community's vision is implemented effectively.

2. **Track LPA Decisions:** Keep an eye on how the LPA applies your Neighbourhood Plan policies to real-world planning applications. This will help you determine whether the policies are being enforced as intended. If you find that your policies are not being used effectively, it may be time to review and revise your Plan.
3. **Stay Updated on Local and National Planning Policies:** Planning laws and policies can change, potentially affecting the relevance of your Neighbourhood Plan. Regularly checking for updates will help ensure your Plan remains aligned with broader planning frameworks and does not become outdated.
4. **Establish a Monitoring Group:** Setting up a group dedicated to monitoring how your Plan is being implemented can keep things on track. This group can evaluate progress, address issues and ensure that the Plan's policies are being followed.
5. **Focus on Community Projects:** If your Plan includes specific community projects or aspirations, consider creating an implementation group to help bring those projects to life. This group can focus on securing funding, engaging with stakeholders and overseeing the progress of these initiatives.

By staying involved in the monitoring and implementation process, you can ensure that your Neighbourhood Plan remains a living document that continues to shape development in line with your community's needs and goals.

### Updating the Plan

Changes in national planning policy, Local Plans or legislation may affect the relevance or effectiveness of the Neighbourhood Plan over time. It is important to monitor these changes and assess whether the Plan needs updating to remain in alignment with current policies or to address new local needs.

- **Minor Updates:** If the Neighbourhood Plan's policies are not materially affected, minor updates can be made by the local planning authority, with the consent of the neighbourhood planning body. In this case, the process does not require re-consultation, re-examination or a new referendum. This makes it easier to address small issues or make corrections to the Plan without repeating the full process.
- **Substantial Revisions:** If the modifications are substantial and would significantly change the nature of the Plan, a full review process must be carried out. This involves:

- **Pre-Submission Consultation:** The neighbourhood planning body must explain whether the modifications are substantial enough to change the nature of the Plan.
- **Independent Examination:** The local planning authority must provide the examiner with the revised Plan, the original Plan and an explanation of why the modifications are considered significant.
- **Referendum Decision:** If the examiner decides that the modifications do not change the nature of the Plan, the Plan can proceed without a new referendum. However, if the changes are deemed substantial, a new examination and referendum process will be required.



## APPENDIX 1 - Schedule

### 1. Roles and Responsibilities

#### Background and Context

Neighbourhood planning was introduced by the Localism Act 2011. The associated Regulations (The Neighbourhood Planning (General Regulations 2012) as amended<sup>5</sup> require the Council to undertake certain provisions. In addition, the Council is also required to provide technical advice and support.

This Schedule sets out how the Council will meet its statutory obligations and the level of assistance it will offer to Local Bodies in respect of Neighbourhood Plan areas, the neighbourhood plan-making process and designating a Neighbourhood Forum. It does **not** apply to Neighbourhood Development Orders.

Once an application for a neighbourhood area has been submitted to the Council, a 6 week consultation will be undertaken and the Council, which is the local planning authority, must publicise on its website a copy of the area application, details of how to make representations and the date by which any representations must be received.

The Council will prepare a notice and ask the Local Body forum to display the notice within the Parish or Town, as appropriate. The Council will notify the Parish or Town Council and ward member of this consultation period.

Regulation references in the flowcharts below refer to the Neighbourhood Planning (General) Regulations 2012, as amended.

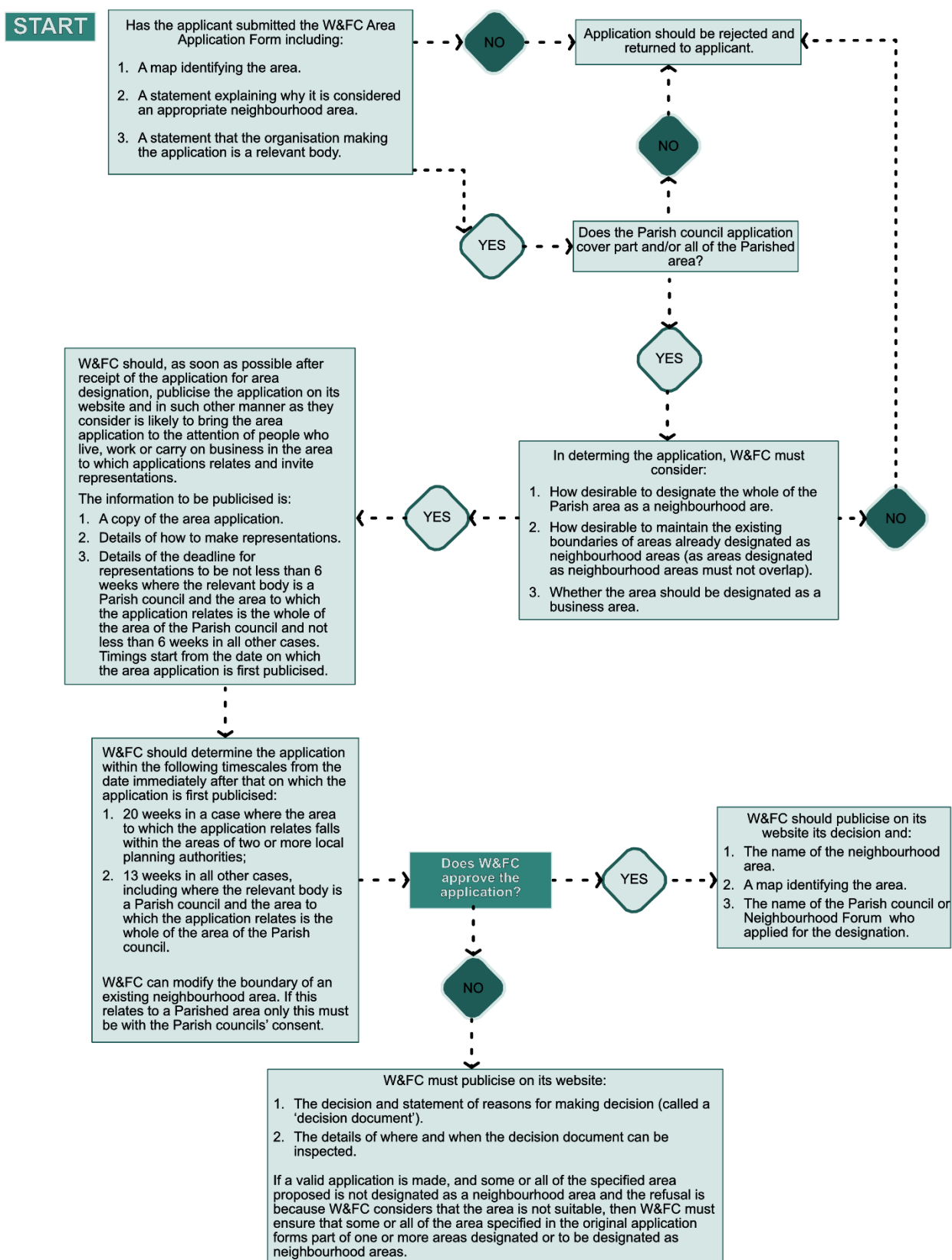
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<sup>5</sup> 2012 Regulations as amended by The Neighbourhood Planning (General) (Amendment) Regulations 2015, The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016 and The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2017.

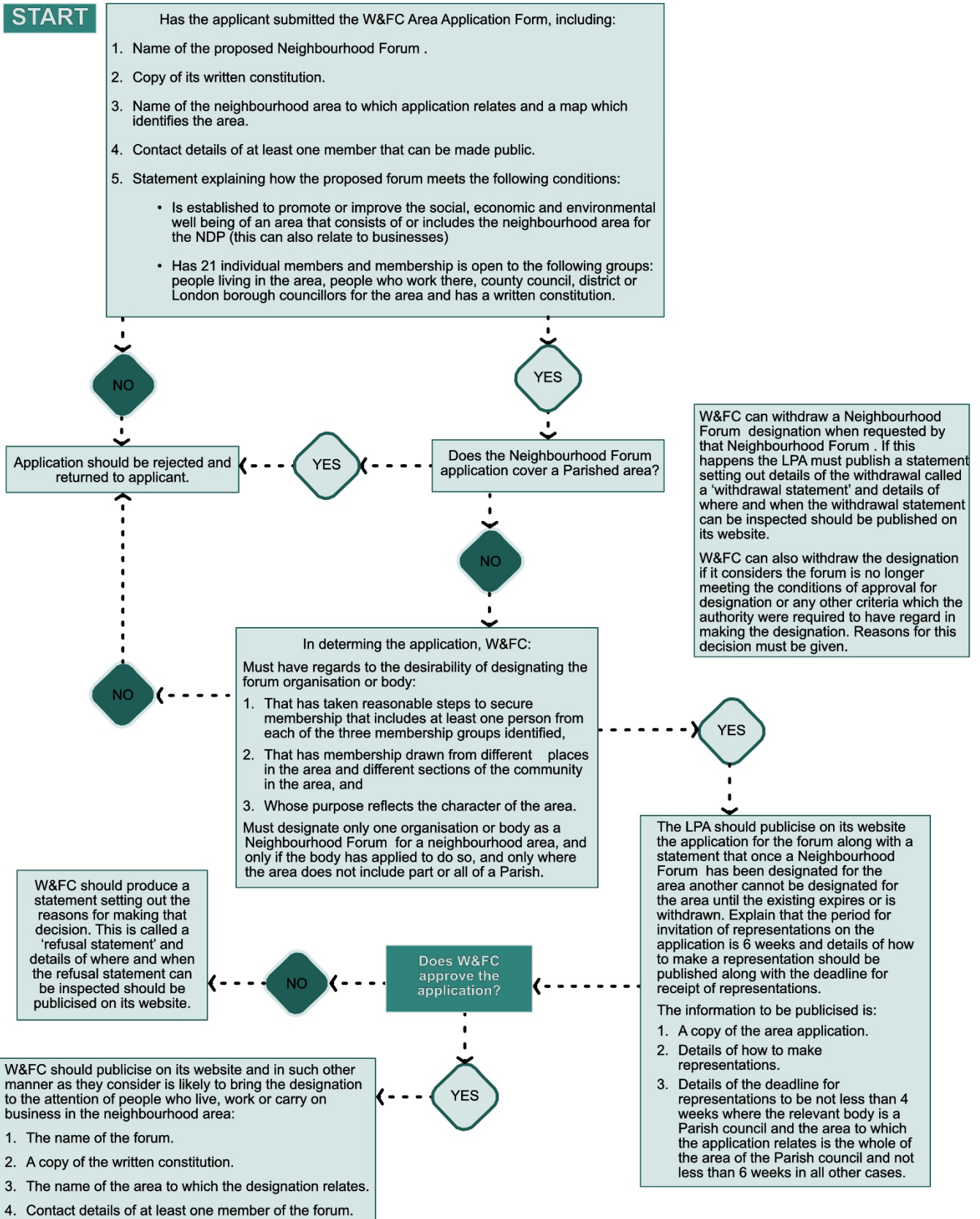


## The Statutory Obligations for the Council

### Designation of a Neighbourhood Area

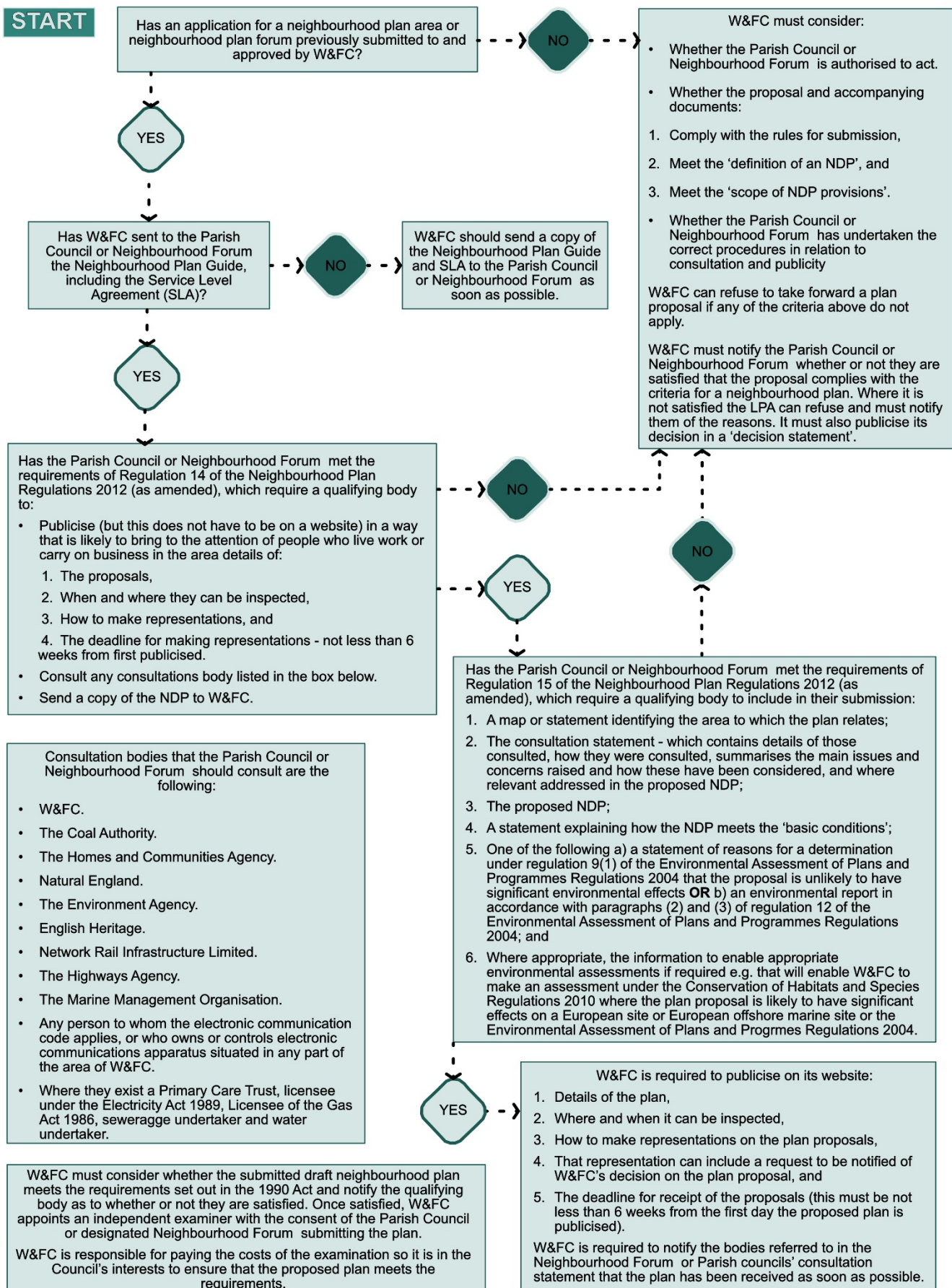


# Designation of a Neighbourhood Forum

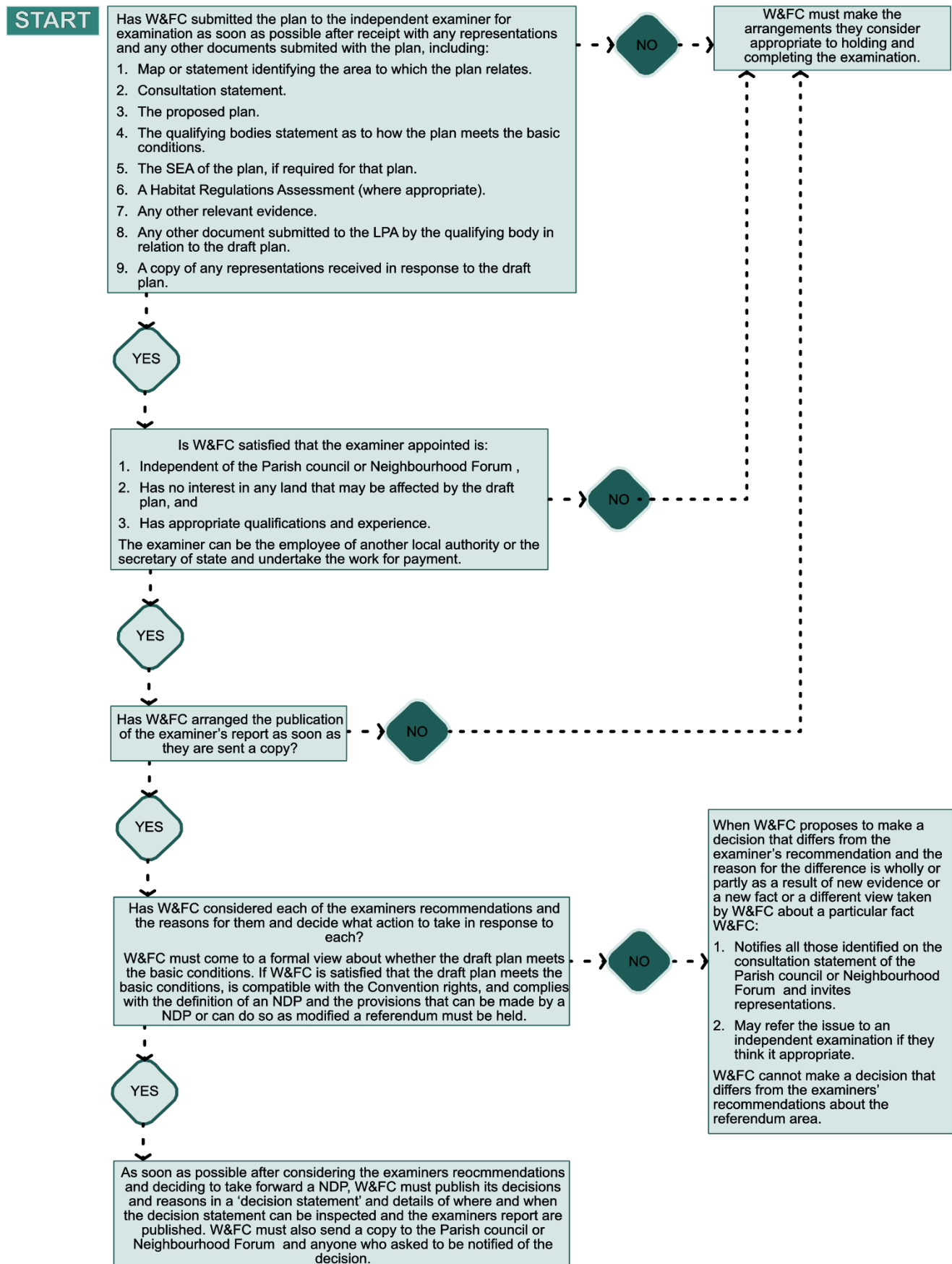




# Receipt of a Neighbourhood Development Plan by W&FC

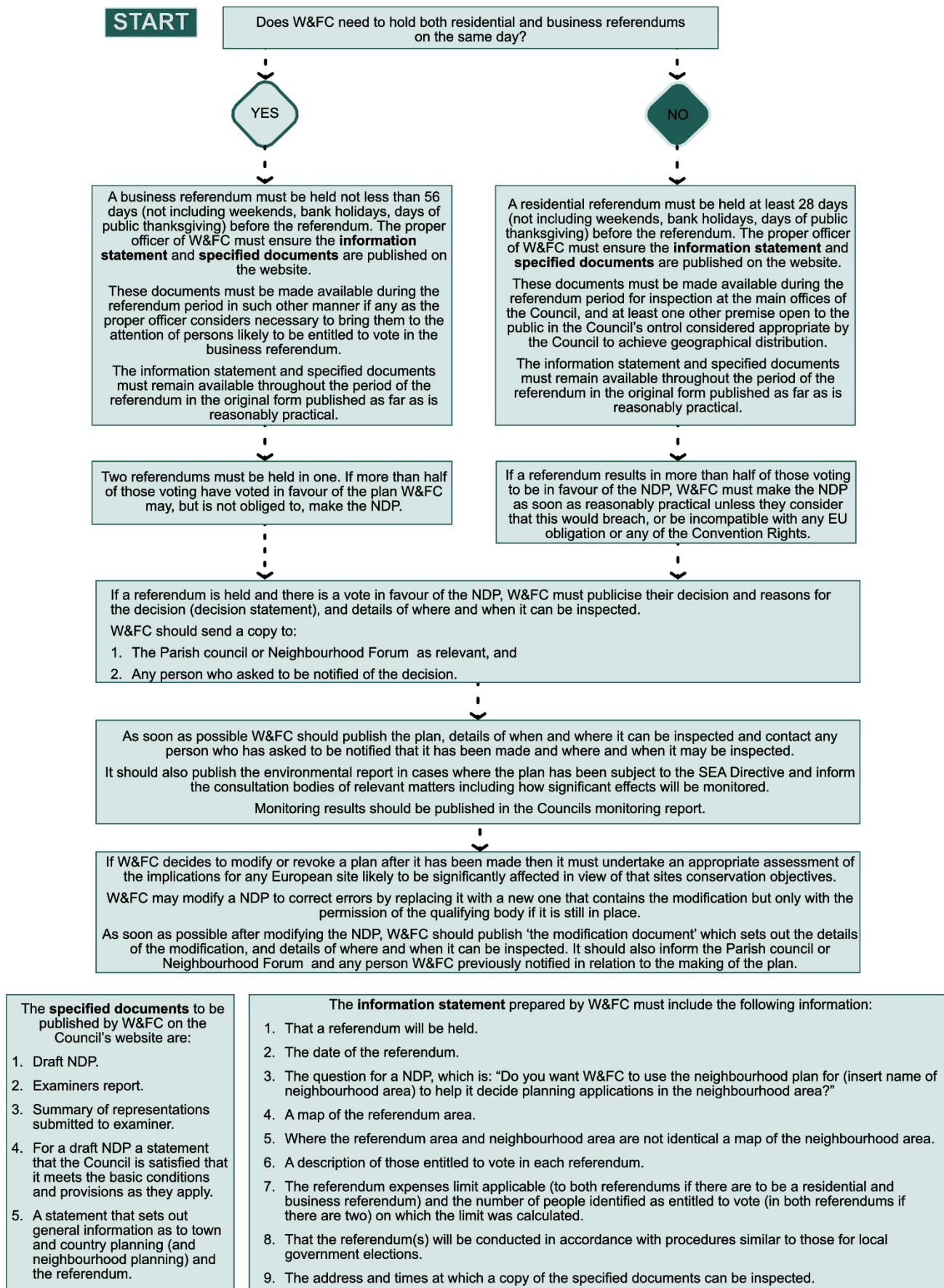


# Examination of a Neighbourhood Development Plan





# Referendum for a Neighbourhood Development Plan





## APPENDIX 2 – Area Designation Form

To access the Area Designation Form, please visit Westmorland and Furness Council's Neighbourhood Planning [webpage](#).

## APPENDIX 3 – Further Information/Signposting

### Westmorland and Furness Council

Planning Policy Team  
South Lakeland House,  
Kendal  
Cumbria  
LA9 4DQ

Telephone: 01539 733 333 and ask for Planning Policy.

### Locality

Manages neighbourhood planning funding and support nationally.

Website: <https://locality.org.uk/neighbourhood-planning>

Neighbourhood Planning Queries: <https://neighbourhoodplanning.org/advice/>

### Planning Aid England

Provides independent planning advice and support to communities preparing their Neighbourhood Plans.

Website: [www.rtpi.org.uk/planning-aid](http://www.rtpi.org.uk/planning-aid)

Email: [advice@planningaid.rtpi.org.uk](mailto:advice@planningaid.rtpi.org.uk)

Telephone: 0330 123 9244

### Planning Advisory Service

A free online resource for planners and communities.

Website: [www.pas.gov.uk](http://www.pas.gov.uk)

### Ministry of Housing, Communities and Local Government

A useful resource for neighbourhood planning, policy announcements and regulations/guidance.

Website [www.gov.uk](http://www.gov.uk)

### The Local Government Association:

Has a simple guide for councillors for neighbourhood planning, which can be accessed [here](#).

### Neighbourhood Plans:

- **Neighbourhood Planning (General) Regulations 2012** – see <https://www.legislation.gov.uk/uksi/2012/637/contents/made>
- **GOV.UK Planning Practice Guidance (PPG) Neighbourhood Planning** - see <https://www.gov.uk/guidance/neighbourhood-planning--2>
- **‘Locality’ Neighbourhood Planning Support** – everything you need to know about how to develop a Neighbourhood Plan and what support is available (applying for Government (DLUHC) grant funding), advice, resources, toolkits and guidance. See [https://neighbourhoodplanning.org/?gclid=EAlaIqobChMkY7owtyjgwMVzjeDBx3zngr2EAAYASAAEqJOFD\\_Bwe](https://neighbourhoodplanning.org/?gclid=EAlaIqobChMkY7owtyjgwMVzjeDBx3zngr2EAAYASAAEqJOFD_Bwe)
- **‘Locality’ How to Create a Neighbourhood Plan** – your Step-by-Step Roadmap Guide (2018 edition) including deciding on whether to produce a Neighbourhood Plan. See <https://neighbourhoodplanning.org/toolkits-and-guidance/create-neighbourhood-plan-step-by-step-roadmap-guide/>
- **Campaign to Protect Rural England and the National Association of Local Councils Guide** – see <https://www.cpre.org.uk/resources/how-to-shape-where-you-live-a-guide-to-neighbourhood-planning/>

### Design Codes:

- **Design Codes:** more information on these can be found at Government National Planning Practice Guidance (PPG). See <https://www.gov.uk/guidance/design#para008>
- **National Model Design Code Guidance Parts 1 and 2** – see <https://www.gov.uk/government/publications/national-model-design-code>
- **Neighbourhood Planning Design Coding Guidance** – see <https://neighbourhoodplanning.org/toolkits-and-guidance/neighbourhood-planning-design-coding-guidance/>

## **Neighbourhood Development Orders and Community Right to Build:**

**‘Locality’ Neighbourhood Development Orders and Community Right to Build Orders** - see <https://neighbourhoodplanning.org/toolkits-and-guidance/neighbourhood-development-orders-community-right-build-orders>

## **Community-Led Plans (sometimes called Town/Parish Plans):**

**Cumbria Action with Communities (ACT) - Community Led Planning** – see <https://www.cumbriaaction.org.uk/what-we-do/community-led-planning/>