

General information about the planning system and neighbourhood plans

The Planning System

The planning system manages the use and development of land and buildings. The planning system has two main parts:

- Plan-making – setting out proposals for development and policies to guide development over time; and
- Managing development – where development is agreed through the granting of planning permission.

Most development requires consent, known as planning permission, to take place. This is done by submitting a planning application to a local planning authority which decides whether to approve or refuse the application. Some types of development do not require planning permission as they are covered by permitted development rights.

For a development that requires planning permission Lambeth Council is responsible for deciding whether the development proposals within their areas should be approved –

Decisions on planning applications should be made in accordance with a Council's development plan unless material considerations indicate otherwise. Lambeth's development plan currently comprises:

- The Mayor's London Plan 2016 (consolidated with alterations since 2011)
- The Lambeth Local Plan 2015

National Planning Policy Framework

The National Planning Policy Framework (NPPF) which sets out the Government's planning policies for England and how these are expected to be applied was updated on 19 June 2019. It includes a presumption in favour of sustainable development. Further guidance to the NPPF is provided in the Planning Practice Guidance.

Local Plans

Lambeth Council must prepare a local plan which sets planning policies within the local authority area. Local Plans must be prepared with the objective of contributing to the achievement of sustainable development. They must be positively prepared, justified, effective and consistent with national policy in accordance with the Planning and Compulsory Purchase Act 2004 (as amended) and the National Planning Policy Framework.

The Lambeth Local Plan was adopted in 2015. It contains a strong vision for the development of the borough. However, changes to national planning law and policy, a full review of the London Plan and changes in Lambeth means that a partial review of the Local Plan is currently underway. Once adopted, the Revised Lambeth Local Plan will supersede the Local Plan 2015.

Neighbourhood Planning

Neighbourhood planning was introduced under the Localism Act 2011 and introduced new rights and powers to allow local communities to shape new development in their local area by coming together to prepare neighbourhood development plans (usually referred to as neighbourhood plans) or neighbourhood development orders/community right to build orders. It enables communities to develop a shared vision for their neighbourhood and deliver the sustainable development they need through planning policies relating to the development and use of land. If approved at referendum, a neighbourhood plan forms part of the Council's development plan and will be used to determine planning applications in the neighbourhood area.

Neighbourhood plans can be prepared by Parish Councils or neighbourhood forums (in areas not covered by a Parish).

The local community can decide what to include in a neighbourhood plan, but it must meet the following 'Basic Conditions':

- a) Must have regard to national planning policy and advice contained in guidance issued by the Secretary of State
- b) Must contribute to the achievement of sustainable development
- c) Must be in general conformity with strategic policies in the development plan for the local area
- d) Must not breach and is otherwise compatible with EU obligations Must meet prescribed conditions and in relation to neighbourhood plans are concerned with habitat assessment.

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

There is a statutory process that must be followed for the making of a neighbourhood plan. The neighbourhood area (area to which the plan relates) and neighbourhood forum must be designated and there can be one neighbourhood plan for each neighbourhood area. The neighbourhood plan must also specify a period of which it is to have effect.

The draft neighbourhood plan must be prepared through a process of consultation with local residents and businesses. The draft neighbourhood plan is then submitted to the council who must make a decision on whether it complies with the relevant statutory requirements. It is formally published where people are given the opportunity to submit comments.

The council, in agreement with the neighbourhood forum, appoints an independent examiner. The examiner assesses whether the neighbourhood plan meets the basic conditions and other statutory requirements. The examiner then recommends whether any modifications should be made to the plan and whether it should proceed to referendum stage. The council must make a decision on each of the examiner's recommendations and decides whether to proceed to referendum.

Referendum

If the neighbourhood plan proceeds to a referendum, the Council are responsible for organising it. The referendum will consider whether the local planning authority should use the neighbourhood plan for the area concerned to help it decide planning applications. All those registered to vote within the neighbourhood area are entitled to vote in the referendum.

The local planning authority must 'make' a neighbourhood plan which is the subject of a referendum if more than half of those voting have voted in favour of the plan. Once made and adopted the neighbourhood plan will be part of the statutory development plan and will be used in determining decisions on planning applications.

Additional information in relation to neighbourhood planning is available on the following website: <https://www.gov.uk/guidance/neighbourhood-planning--2#the-neighbourhood-planning-referendum>