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Who will benefit from Neighbourhood Plans?

Neighbourhood Plans are far from a ‘silver bullet’ for community-led development, but used with skill and imagination they could offer another option for community activists, says **Bob Colenutt**

At one level, the powers set out in the Localism Act to allow communities to draw up Neighbourhood Plans appear, on the surface, to be an initiative that should be welcomed. But we need to look deeper into the context and the small print to see what exactly is going on. Neighbourhood Plans are part of the Coalition Government’s ‘Big Society’ agenda, aimed at encouraging community and voluntary activity and devolving powers from the central and local government. More narrowly, they were introduced to placate rebellious rural parishes and shire counties demanding more say about plans for housing adjoining small towns and villages.

However, the legislation applies to neighbourhoods of all types, and in complicated urban areas the purpose behind Neighbourhood Plans is less clear. For example, what can they do for cities and towns with a complex geography of communities and neighbourhoods, many with problems of poverty, disadvantage, poor housing and job shortages? Can Neighbourhood Plans advance local demands for renewal and regeneration in communities like these?

Strict Conditions

Neighbourhood Plans are not an open-ended community right; the right depends upon strict conditions set down by the Government and local authorities.

For example, the Government has said that they cannot be used to oppose development proposals local people do not like- – much to the disappointment of many communities who thought the measures were giving them powers to block new housing or commercial developments they don't want in their back yard.

Crucially, Neighbourhood Plans must conform to Government planning policy guidance (set out in the National Planning Policy Framework) and local authority approved plans; they cannot buck approved planning policy. Local authorities will be the gatekeepers of the scheme: they will judge whether a neighbourhood organisation (called a 'Neighbourhood Forum' in the Act) is "representative" and is thus permitted to draw up a plan.

Dampening down expectations

Although these are early days, local authorities in the East Midlands spoken to by researchers from the Northampton Institute for Urban Affairs want to dampen down expectations. Where communities are opposing housing development or claiming development land as protected green space, local authorities are dissuading them from thinking that they can change approved plans or block development they do not want.

Where there is little or no development pressure, the challenge lies in the other direction – since Neighbourhood Plans deal mainly with land use, local communities will be frustrated to find that Neighbourhood Plans have little to offer directly in the relief of poverty, the renewal of housing stock, or the creation of jobs.

Community plans and community-led development are not new and have often arisen from community campaigns against local authority plans or private development. Would the existence of Neighbourhood Plans have helped out in the great battles between communities and developers during the last property boom? For example, in Coin Street in London, a battle between the local community armed with its own community plan and developers began in mid-1970s, leading eventually to the transfer of 13 acres of development land to the community.¹ If at the beginning of this battle the community had been required to draw up a plan that conformed with local authority or government planning policies, it may never have got off the ground. Seen in this context, Neighbourhood Plans are not a ‘silver bullet’ for community-led development.

Who pays?

Furthermore, there is matter of who will have the time and resources to prepare a Neighbourhood Plan and take it through an examination in public and a referendum. Local authorities certainly do not have the staff to do all the work that will be needed to help neighbourhoods in the task if there is a surge in demand for neighbourhood plans. Richer communities may be able find their own funds, but the rest are likely to struggle.

The Government is being somewhat coy about this. Aware of the pressure to provide some sort of financial support to incentivise Neighbourhood Plans, last year the Government announced that £50 million would be made available during the spending review period to enable local authorities to fulfil their Neighbourhood

Plan duties. At the time of writing the details of how this allocation will be made have not yet been announced, but the likelihood is that this money will be allocated directly to local authorities – if so, it is questionable whether local communities will see much of this.

Opportunity for whom?

Arguably, community involvement with the Neighbourhood Plan process might even be counter-productive, because of the conditions and limitations imposed and the necessary entanglement with local authorities' Neighbourhood Plan management regimes. Planning lawyers for local authorities and developers will have a field-day crawling over the legitimacy of community organisations and the legality of individual Neighbourhood proposals.

In spite of their limitations, demanding the right to draw up a Neighbourhood Plan might be a good tactic for communities wishing to challenge developers or local authority thinking. Crucially, it is unclear at this stage whether there will be an appeal process if a local authority refuses to accredit a community organisation wanting to draw up a plan.

Potentially, Neighbourhood Plans can be used in conjunction with two other community rights – the Community Right to Buy land on a local authority disposal register, and the Community Right to Build, i.e. to obtain planning permission for community-led development. But these two rights also have to go through a bureaucratic local authority approval process.

In conclusion, the right to a Neighbourhood Plan is an important but a strictly conditional right. Politically, Neighbourhood Plans are designed to ensure they do

not conflict with government policy on planning, housing or land; they will not make it easier to block development or activate communities opposed to local authority or government planning policies.

In spite of this, used with skill and imagination, Neighbourhood Plans could offer another option for community activists, and they could potentially be a useful weapon in the battle for justice in land and property.

Note

1 *A Very Social Enterprise*. Coin Street Community Builders, 2008