



South Tyneside Council

Neighbourhood Planning in South Tyneside : Frequently Asked Questions.

The following has been prepared by Council officers and aims to provide a high level overview to some commonly asked questions.

What are Neighbourhood Plans?

A Neighbourhood Plan focuses on a local area rather than the Borough as a whole. Producing Neighbourhood Plans is optional. Neighbourhood Plans can establish a vision for an area, include general planning policies for the development and use of land in a neighbourhood and they can allocate sites for development. They should be about local rather than strategic issues. If adopted, they will form part of the development plan for the Borough and used to assist in the determination of all planning applications in that area.

Can a Neighbourhood Plan stop development from happening in the area?

No – a Neighbourhood Plan can guide development so it is more appropriate to the local context and help decide where it goes within the area. Government has made it clear that Neighbourhood Plans are not a tool for residents to oppose proposals for new developments close to them.

Who can prepare a Neighbourhood Plan?

Neighbourhood Plans can only be prepared by a “Neighbourhood Forum” in areas like South Tyneside without parishes. Prospective Neighbourhood Forums must apply to the Council to be designated and must be made up of a minimum of 21 members, who either live, work or are a Councillor in the area concerned. The Forum also needs a written constitution.

What is a Neighbourhood Area?

A Neighbourhood Area is the geographical area that a Neighbourhood Plan covers. There cannot be more than one Neighbourhood Plan relating to a Neighbourhood Area, and Areas cannot overlap.

Neighbourhood Forums must apply to the Council for a Neighbourhood Area to be designated. This can be made at the same time as, or separately from, an application to be a prospective Neighbourhood Forum.

How long will it take to prepare a Neighbourhood Plan?

It will be up to individual Forums to decide on the pace at which they wish to progress their plans. However, on average the process is likely to take around two years.

What conditions must a Neighbourhood Plan fulfil?

Neighbourhood Planning does not mean that communities can plan how and what they like. Neighbourhood Plans will have to meet a number of conditions:

- They must have regard to national planning policy;
- They must be in general conformity with the strategic policies contained within the local plan; and
- They must be compatible with EU obligations and human rights requirements.

How much work will be required to produce a Neighbourhood Plan?

This will largely depend on how much detail the plan goes into. Neighbourhood Forums would also need to use appropriate, proportionate and up-to-date evidence to support the policies in a proposed Neighbourhood Plan. In addition, there are minimum statutory requirements (e.g. Sustainability Appraisal) that will need to be completed.

What evidence has the Council already produced?

The Council's emerging Local Plan is to be informed by robust studies and research into a number of planning topics (e.g. employment, flood risk etc), which also provide advice and information. A number of studies have already been prepared whilst others are the process of being completed. See our [Local Plan Webpages](#) for details.

What is the Council's role in the Neighbourhood Planning process?

The Council has a duty to provide technical advice and practical support to those producing a Neighbourhood Plan. However, in view of current limits on our resources constraints, the level of support may be constrained at times. The Council also has to:

- Agree the composition of, and formally designate, neighbourhood forums;
- Agree the boundary of the area to be covered by a Neighbourhood Plan;
- Organise the check by an independent examiner into a Neighbourhood Plan before it can be voted on in a local referendum;
- Organise the referendums; the plan will need to get majority support;
- Adopt the Neighbourhood Plan and bring it into force.

Do Neighbourhood Forums make the final decision on planning applications in their area if they have an adopted Neighbourhood Plan?

No, decision making on planning applications is the responsibility of this Council as the local planning authority (LPA). The community leads on preparing the plan and setting out the policies for development in their area. When adopted, Neighbourhood Plans will be statutory planning documents and form part of the local development plan. The Council will make decisions on planning applications in accordance with those policies, unless material considerations indicate otherwise (see [section 38\(6\) of the Planning and Compulsory Purchase Act 2004](#)).

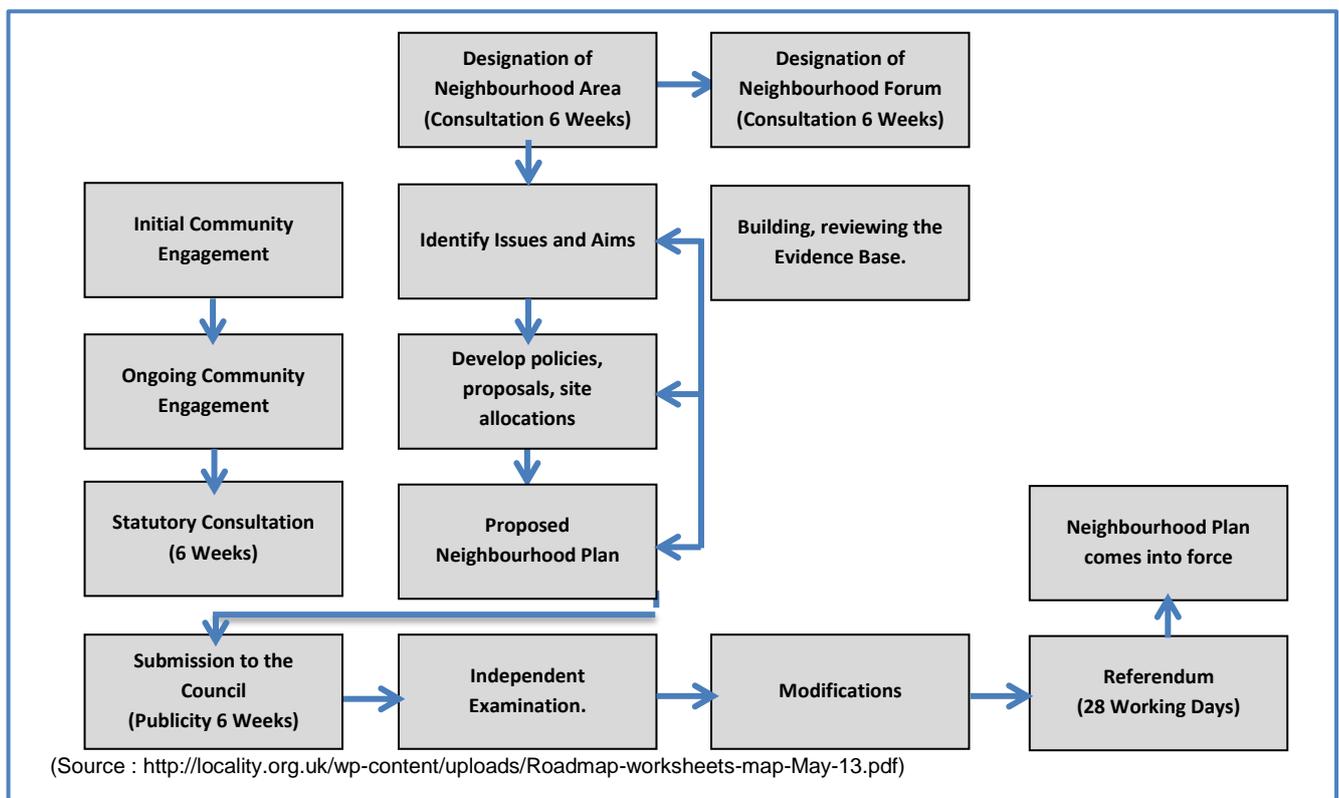
Should policies of a Neighbourhood Plan conflict with those of the Council's a Local Plan, [section 38\(5\) of the Planning and Compulsory Purchase Act 2004](#) states that precedent is given to the most recently adopting plan policy.

Who will pay for the Neighbourhood Planning process?

It will be up to the Neighbourhood Forum to pay for the preparation of a Neighbourhood Plan. The Council will only pay for the independent examination and the referendum, as well as provide technical advice and practical support.

What does the Neighbourhood Planning Process Look Like?

The process is summarised below, but see our [5 Steps Guide to Neighbourhood Planning](#)



How long does a Neighbourhood Plan last?

There is no Government guidance on how long a plan should last, but a typical plan period would be about 10-15 years. There is no requirement to review or update a Neighbourhood Plan. It will also be necessary to monitor the Neighbourhood Plan and undertake a review if circumstances change, for example if they conflict with policies in a Local Plan that is adopted after the making of the Neighbourhood Plan. In such cases, the more recent plan policy takes precedence.

Who should I contact if I want to find out more?

Contact the Strategic Planning Team by emailing local.plan@southtyneside.gov.uk or calling (0191) 424 7688 or visit www.southtyneside.gov.uk/planning.

Where can I find further information?

You can find out more about Neighbourhood Plans and the Localism Act from these sources:

- The [Localism Act](#) – Powers for Neighbourhood Planning have been established in the Localism Act 2011
- [A plain English guide to the Localism Act](#) – on the Ministry of Housing, Communities and Local Government (MHCLG) website
- [Neighbourhood Planning \(General\) Regulations 2012](#) (as amended)
- National Planning Practice Guidance “[Neighbourhood Planning](#)”, Ministry of Housing, Communities and Local Government (MHCLG) website
- [Your Place, Your Plan](#) – a leaflet from the TCPA for community organisations, business and individuals looking to get involved in Neighbourhood Planning
- [Neighbourhood Planning Support](#) – on the Locality Website.