

General information about the planning system and neighbourhood plans

The Planning System

The planning system manages the use and development of land and buildings with the purpose of creating sustainable places to live and work. Without a planning system in place, development would not be controlled and could take place anywhere, with considerable impact upon the environment.

The planning system has two main parts:

- Plan making – setting out policies to guide development over a period of time.
- Development management – where planning decisions are made through the assessment of planning applications.

Not all forms of development require planning permission as some building operations, such as small extensions to the rear of residential properties, or some changes of use, are covered by permitted development rights.

For development proposals that do require planning permission Wiltshire Council are responsible for deciding whether the development should go ahead.

Decisions on planning applications are based on national planning policy, the Local Development Plan (including the Wiltshire Core Strategy and other Development Plan Documents and Supplementary Planning Documents) and any relevant neighbourhood plan.

National Planning Policy Framework

The National Planning Policy Framework (NPPF) first published in March 2012, revised in July 2018, updated in February 2019 and July 2021 and revised in September 2023 sets out the Government's planning policies for England and how these are expected to be applied both in terms of plan making and determining planning applications. The framework gives guidance to local planning authorities. It makes clear that the purpose of planning is to help achieving sustainable development, which balances economic, social and environmental goals.

National Planning Practice Guidance (NPPG) supports the NPPF and provides further guidance on planning issues such as neighbourhood planning.

The Development Plan

Planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise.

The current Development Plan documents for Wiltshire Council authority area currently comprises of:

- Wiltshire Core Strategy, adopted in January 2015 (incorporating Saved policies from District Local Plans), which include strategic policies addressing the local planning authority's priorities for the development and use of land in its area. The policies in this local plan set out to deliver key development including homes and jobs required, the provision of retail and community facilities and infrastructure. Policies relating to managing climate change, conservation and enhancement of the natural and historic environment are also included.
- Chippenham Site Allocations Plan,
- Wiltshire Housing Site Allocations Plan
- Minerals and Waste plans.
- Once 'made' neighbourhood plans will also form part of the development plan for the neighbourhood area they relate to.

Additional information about the Development Plans is available on the following website:

<https://www.wiltshire.gov.uk/planning-policy>

Neighbourhood Planning

Neighbourhood planning was introduced under the Localism Act 2011 and gives new rights and powers to help local communities shape new development in their area. It enables communities to develop a shared vision for their neighbourhood and develop local policies for determining planning applications.

Neighbourhood Plans can be prepared by Parish/Town Councils. The local community can decide what to include in a neighbourhood plan, but it must meet a number of 'Basic Conditions' to ensure they are legally compliant. **They are:**

- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan
- The making of the neighbourhood plan contributes to the achievement of sustainable development
- The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area
- The making of the neighbourhood plan does not breach, and is otherwise compatible with, retained European Union (EU) obligations
- Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan

There is a statutory process that must be followed for the making of a neighbourhood plan. The boundary of the neighbourhood area to which any neighbourhood plan relates must be designated by the council, and there can only be one neighbourhood plan for each neighbourhood area. The neighbourhood plan must also set out what time period it will apply for.

The draft neighbourhood plan must be prepared through a process of consultation with local residents and businesses. The final draft of the plan must also be subject to a consultation period of a minimum of 6 weeks, where interested parties are given the opportunity to submit representations on it.

An independent examiner reviews these comments and checks whether the neighbourhood plan meets the basic conditions and other requirements set out in the regulations. The examiner then reports whether any modifications should be made to the plan and whether it should proceed to referendum.

Wiltshire Council then decides, having regard to the statutory criteria, whether to accept the examiner's recommendations and proceed to referendum. If the neighbourhood plan proceeds to referendum, the council is responsible for organising the referendum. The referendum will determine whether the council should use the neighbourhood plan for the area concerned to help it decide planning applications. All those registered to vote in the election of Councillors within the neighbourhood area are entitled to vote in the referendum.

At a referendum, a neighbourhood plan needs to gain a 'Yes' vote from the majority of voters (more than 50%) to enable Wiltshire Council to formally 'make' the neighbourhood plan.

If the neighbourhood plan is made, then it will become part of the statutory development plan and will be used in the determination of planning applications.

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