

## **General information about the planning system and neighbourhood plans**

### **The planning system**

Most developments, such as new buildings, major changes to existing buildings or major changes to the local environment, will require planning permission from the local planning authority. The planning system in the UK manages the use and development of land and buildings by making decisions about the future of our cities, towns and countryside and considering the vision and sustainable needs of future communities.

The aim of the system is to strike a balance between different interests in a democratic society. Without a planning system, everyone could build or use land without regard to the effect this may have on people who live and work in the area or to societal, economic or environmental interests. Swale Borough Council is the local planning authority which is responsible for deciding whether a development – anything from a house extension to a business park - should be approved or refused planning permission.

Swale Borough Council will do this through plan-making i.e., creating a local plan for how the area will develop over a set period of time to guide future development. All planning applications for proposed development will need to conform to national planning policy, the local plan created by Swale Borough Council, and any other relevant plans, such as a neighbourhood development plan.

### **National Planning Policy Framework**

The National Planning Policy Framework (NPPF) was first published on 27 March 2012 and last updated on 19 December 2023.. The framework gives guidance to local planning authorities and neighbourhood forums on creating local and neighbourhood plans respectively as well as decision-making with respect to planning applications. The NPPF includes a 'presumption in favour of sustainable development' at the heart of the framework. For plan-making this means plans should positively seek opportunities to meet the development needs of their area and be sufficiently flexible to adapt to rapid change in decision-taking, this means approving development proposals without delay that accord with an up-to-date development plan that may include 'made' neighbourhood plans.

## **Local Plans**

Swale Borough Council must prepare a Local Plan which sets out the vision for the future of the local authority area with specific policies outlined that future development would need to accord to. Local Plans must be positively prepared, justified, effective and consistent in accordance with national planning policy (NPPF) with the objective of contributing to sustainable development. Swale Borough Council's current Local Plan, Bearing Fruits, was adopted in July 2017.

## **Neighbourhood Planning**

Neighbourhood planning was introduced by the Localism Act 2011 to give new planning rights and powers to members of the local community to develop a shared vision and shape future development in their local neighbourhood. Neighbourhood plans can be prepared by either a Parish Council or a Neighbourhood Forum (a community group designated to take forward Neighbourhood Plans in areas without parishes).

A neighbourhood development plan sets out policies in relation to the development and use of land within the neighbourhood area, an area specified in the neighbourhood plan. A neighbourhood plan must cover only one specified area for a set time period and be positively prepared, justified, effective and consistent with Local Plans, the NPPF, EU obligations and human rights as well as contributing to achieving sustainable development.

The Neighbourhood Plan must be prepared following a formal process that involves:

- the designation of a Neighbourhood Area;
- a process of consultation with residents on a draft plan prepared by the community;
- a final draft plan which undergoes the local planning authority's community engagement and legal compliance processes;
- an independent examination which may suggest modifications to the final draft plan before recommending whether the plan can proceed onto a referendum stage;
- the local planning authority decides whether to accept the examiner's recommendations and proceed to referendum;
- a community referendum (only includes voters which are entitled to vote in a local government election in the referendum area and their qualifying address for the election is in the referendum area); and,
- if the referendum majority vote is in favour of the Neighbourhood Plan, then being 'made' by the local planning authority.

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If the majority of those who vote in a referendum are in favour of the draft neighbourhood plan then the neighbourhood plan must be made by the local planning authority within 8 weeks of the referendum. Once the neighbourhood plan is in force, it will be used in determining planning applications and decisions where development is proposed in the neighbourhood area.

The Faversham Neighbourhood Plan was examined between April and May 2024 and the independent examiner recommended, subject to modifications to meet the basic conditions, that were subsequently agreed, that the plan should proceed to referendum.

The Faversham Neighbourhood Plan referendum will be held on the Thursday 21 November 2024 and the referendum will ask whether Swale Borough should use the Faversham Neighbourhood Plan to help it decide planning applications.

More information on neighbourhood planning can be found on our website at <https://swale.gov.uk/planning-and-regeneration/local-plans/neighbourhood-planning>.