

Statement of General Information relating to Town and Country Planning including Neighbourhood Planning and the Referendum

1. The Planning System

The planning system manages the use and development of land and buildings with the aim 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 on people and the environment. Potential development activity is managed through planning applications, using local plans as a basis to make decisions.

Planning involves making decisions about the future of our towns, villages and countryside, ensuring the needs of communities are met in a sustainable manner. The Council is responsible for plan making to set out policies to guide development over a period of time and manage development through determination of planning applications.

Not all forms of development require planning permission as some proposed development, depending on the scale and type, is covered by permitted development rights. For development that requires planning permission the Council is responsible for deciding whether the development could go ahead. Decisions on planning applications are based on National Planning Policy and Guidance, the Local Plan and relevant adopted neighbourhood plans.

2. National Planning Policy

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. The framework gives guidance to local planning authorities in drawing up development plans and on making decisions on planning applications. The NPPF includes a presumption in favour of sustainable development and sets out core planning principles to be followed which include environmental, social and economic aspects.

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

3. Local Plans

Local Plans are prepared by Local Planning Authorities and provides a long-term development strategy, setting out policies and proposals for new housing, shopping, employment, and travel in the area and are used to make planning decisions and determine planning applications.

The Rotherham Local Plan consists of:

- Core Strategy (adopted 2014)
- Sites and Policies document (adopted 2018)
- The Barnsley, Doncaster and Rotherham Joint Waste Plan (adopted 2012)
- Dinnington St John's Neighbourhood Plan (adopted 2021)
- Wickersley Neighbourhood Plan (adopted 2022)

Further information on the adopted Rotherham Local Plan is available on the following website: <https://www.rotherham.gov.uk/planning-development/guide-local-plan>

4. Neighbourhood Plans

The 2011 Localism Act gave communities new planning powers to produce neighbourhood development plans, or to grant planning permission for specified developments or types of development (neighbourhood development orders and community right to build orders). If a neighbourhood plan is successful and passes all necessary stages of production including public consultation, examination and a referendum, it will become part of Rotherham's Local Plan and would be taken into account in making planning decisions within the neighbourhood plan area.

5. Who can prepare a Neighbourhood Plan?

Where a community wants to take up the opportunities offered by neighbourhood planning, the legislation enables three types of organisation, known as qualifying bodies.

In areas with a parish or town council, a neighbourhood plan is prepared by the relevant town or parish council. If an area does not have a town or parish council, a neighbourhood forum or a community organisation can be formed to prepare a plan for a specific area.

6. What can be in a Neighbourhood Plan?

Neighbourhood plans are about "development" (such as new buildings and changes in the use of land or buildings). A neighbourhood plan can help to shape the type of development in an area in future, but it cannot stop all development, or plan for less than the Local Plan has determined. Neighbourhood plans often contain policies to reinforce the local character of the area, to protect features of particular local importance, and measures to address local problems or shortfalls. The local community can decide what to include in the neighbourhood plan, but it must meet the following 'Basic Conditions':

- Have regard to national policies and advice contained in guidance issued by the Secretary of State.
- Contribute to the achievement of sustainable development.
- Be in general conformity with the strategic policies of the development plan for the area.
- Be compatible with retained European Union (EU) and European Convention on Human Rights obligations.

7. How is a Neighbourhood Plan prepared?

There is a statutory process that must be followed for the making (adoption) of a neighbourhood plan.

The neighbourhood area (area to which the neighbourhood plan relates) must be designated and there can only be one neighbourhood plan in each neighbourhood area. The neighbourhood plan must also specify a period for which it is to have effect. The draft plan must be prepared through a process of consultation with local residents and business and the final draft plan must be subject to a set 'publicity period', where people are given an opportunity to submit comments.

An independent examiner would be appointed to review these comments and check whether the neighbourhood plan meets the Basic Conditions and other requirements set out in the Regulations. The examiner will report and recommend whether a neighbourhood plan meets the Basic Conditions and can proceed to a referendum, and if it requires any modifications to do so.

The Council will consider the examination report and decide, having regard to the statutory criteria, whether to accept the recommended modifications and proceed to a referendum.

Subject to gaining the approval of the majority of votes (more than 50%) at the referendum, the neighbourhood plan will form part of the statutory development plan for the borough.

8. Additional information on Neighbourhood Planning

Additional information on neighbourhood planning is available on the following websites:

<https://www.rotherham.gov.uk/planning-development/neighbourhood-planning/1>
<https://www.gov.uk/guidance/neighbourhood-planning--2>