



Response form

Proposals for new neighbourhood planning regulations Consultation

We are seeking your views on the following questions on the Government's proposed approach to new regulations on neighbourhood planning. **If possible, we would be grateful if you could please respond by email.**

Email responses to: neighbourhoodplanning@communities.gsi.gov.uk

Alternatively, we would be happy to receive responses by post.

Written responses to:

Neighbourhood Planning Regulations Consultation
Communities and Local Government
Zone 1/J1
Eland House
Bressenden Place
London
SW1E 5DU

(a) About you

(i) Your details

Name:	James Caird
Position (if applicable):	Consultatant Consultations co-ordinator
Name of organisation (if applicable):	Institute of Historic Building Conservation
Address:	
Email Address:	
Telephone number:	

(ii) Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?

- Organisational response
- Personal views

(iii) Please tick the one box which best describes you or your organisation:

- Private developer or house builder
- Housing association
- Land owner
- Voluntary sector or charitable organisation
- Business
- Community organisation
- Parish council
- Local government (i.e. district, borough, county, unitary, etc.)
- National Park
- Other public body (please state)
- Other (please state)

(iv) Please tick the one box which best describes which viewpoint you are representing:

- Rural
- Urban

(b) Consultation questions

Question 1:

Do you agree that the proposed approach is workable and proportionate, and strikes the right balance between standardising the approach for neighbourhood planning and providing for local flexibility on:

a) designating neighbourhood areas

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Explanation/Comment:

The proposals, by attempting both standardization and flexibility, manage to achieve neither. For example, it is in everyone's interest to know, precisely, the area involved. This means that a plan should be an obligatory part of the application. In our view community organizations do not wish to, or have the resources to invent their own processes in the hope that they will work. A more prescriptive process would be simpler in the long run.

b) designating neighbourhood forums

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Explanation/Comment:

In the interests of transparency, we think that the a full statement about the nature of the qualifying body and a list of its members should be a required part of the application.

c) Community Right to Build organisations

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

Explanation/Comment:

In the interests of transparency, we think that the a full statement about the nature of the organization and a list of its members should be required to be published.

d) preparing the neighbourhood plan

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

Explanation/Comment:

We think it imperative that applications be required to assess the extent to which any heritage assets or their settings might be affected and what, if any, mitigation is proposed. Otherwise consultation with EH and other interests will not be effectual. It seems counter-productive to have statutory requirements for this later in the process and not steer proposals towards competence in their early stages.

e) preparing the neighbourhood development order

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Explanation/Comment:

We think it imperative that applications be required to assess the extent to which any heritage assets or their settings might be affected and what, if any, mitigation is proposed. Otherwise consultation with EH and other interests will not be effectual. It seems counter-productive to have statutory requirements for this later in the process and not steer proposals towards competence in their early stages.

f) preparing the Community Right to Build order

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Explanation/Comment:

We think it imperative that applications be required to assess the extent to which any heritage assets or their settings might be affected and what, if any, mitigation is proposed. Otherwise consultation with EH and other interests will not be effectual. It seems counter-productive to have statutory requirements for this later in the process and not steer proposals towards competence in their early stages.

g) Community Right to Build disapplication of enfranchisement

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Explanation/Comment:

The proposals seem reasonable.

h) independent examination

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

Explanation/Comment:

We support the requirement for proposals to be examined in connexion with their impact on heritage assets.

i) referendum

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

Explanation/Comment:

The sketchiness of the proposals in general and this consultation in particular is exemplified by the fact that there are no proposals for the referendum under this consultation.

j) making the plan or order

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Explanation/Comment:

k) revoking or modifying the plan

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Explanation/Comment:

l) parish councils deciding conditions

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Explanation/Comment:

It should be made clear the scope of conditions to be applied by parish councils. The principles of the “6 tests” for planning conditions would be a good starting point.

Question 2:

Our proposition is that where possible referendums should be combined with other elections that are within three months (before or after) of the date the referendum could be held. We would welcome your views on whether this should be a longer period, for example six months.

Three months

Six months

A different period

Explanation/Comment:

We have no view on this.

Question 3:

The Bill is introducing a range of new community rights alongside neighbourhood planning – for example the Community Right to Buy and the Right to Challenge. To help communities make the most of this opportunity, we are considering what support measures could be made available. We are looking at how we could support people in communities, as well as local authorities, other public bodies, and private businesses to understand what each right can and cannot do, how they can be used together, and what further support could be made available for groups wanting to use them.

We would welcome your views on what support could usefully be provided and what form that support should take.

Explanation/Comment:

We have no view on this.

Question 4:

Do you have any other comments on the proposals?

(Please begin with relevant regulation number and continue on a separate page if necessary)

Explanation/Comment:

There is no box in which to state our organization type. IHBC is a professional body.