



Neighbourhood Planning Toolkit Guidance Note 7

Neighbourhood Planning: Writing Planning Policies

South Cambridgeshire District Council

Adopted February 2018

This document includes hyperlinks to a range of websites, and the hyperlinks can be accessed using the published version of this document, which is available to view via: www.scams.gov.uk/npguidance. Every effort has been made to ensure that these hyperlinks are up-to-date, however as websites change these hyperlinks can become invalid.

Herefordshire Council has kindly given permission for us to provide links to their guidance on neighbourhood planning.

Huntingdonshire District Council has kindly allowed us to take inspiration and wording from their Neighbourhood Planning Guidance.

If you have any queries relating to this document, please contact us via neighbourhood.planning@scams.gov.uk or 01954 713183.

Introduction:

The Government makes it clear that the prime purpose of neighbourhood plans should be to set out policies for the development and use of land in the neighbourhood area. All policies must be:

- Credible
- Justifiable and
- Achievable

In this respect, a neighbourhood plan will be similar to the South Cambridgeshire Local Plan but applies specifically to the neighbourhood area. As such, neighbourhood plan policies are just as important as local plan policies and therefore how they are worded is really important.

In this respect, government guidance states: “A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.” (Paragraph: 041 Reference ID: 41-041-20140306 Planning Practice Guidance 6 March 2014).

Planning policies express the details of what you want development in the area to be like. They can be quite short (a single sentence) or quite long (but generally no longer than one page). They are usually backed up/ accompanied by “supporting text” that sets the context and justification for the policy and perhaps how it would operate.

Experience from local communities who now have made neighbourhood plans has highlighted that writing policies can be one of the more challenging parts of the process! There are a number of good online guidance notes about policy writing. The publication from Locality “Writing Planning Policies” is well worth looking at, as it explains clearly in plain English how to write a policy and what wording to use in your policy to avoid having unintended consequences!

Cornwall Council has prepared a Neighbourhood Planning Toolbox that sets out a range of different policies and provides examples from made neighbourhood plans around England.

SCDC recommends, in our support offer, that you consider appointing a planning consultant who specialises in neighbourhood planning to help you in the technical process of preparing a plan. Such a consultant can provide invaluable help at the policy writing stage.

Other Resources

Locality “[Writing Planning Policies](#)” September 2014

Locality and Planning Aid England [How to write planning policies. Putting the pieces together](#)
Undated

National Planning Advisory Service [Cornwall Council Toolbox](#) Undated –published during 2016.

Herefordshire Council [Guidance Note 8: Writing planning policies](#) August 2015

[SCDC Neighbourhood Planning Toolkit](#)

What are the Basic Conditions and How to Meet them; Strategic Policies

Types of Policies:

There are generally three types of planning policy in a neighbourhood plan:

1. General policies:

These are broad policies that apply universally to development proposals across the whole of the neighbourhood plan area. They could cover, for example, local design, landscape impact or renewable energy schemes.

Example:

Sutton St Nicholas Neighbourhood Plan

POLICY 7: BUILDING DESIGN

Proposals should be designed so as to protect and enhance the distinctive character and appearance of the village and rural areas of the Parish. Regard should be had to the established built, natural and historic characteristics and the wider townscape and landscape contexts.

2. Criteria based policies:

These identify the requirements that development proposals should meet. The criteria are usually set out in bullet points and all criteria would usually have to be met to make a proposal acceptable. It is important that the policy should be written to be clear whether all of the criteria apply or whether they should be considered as alternatives. The use of “and” or “or” linking the criteria can provide the certainty for users as to whether all criteria apply or if there are alternative criteria.

Example:

Cuckfield Neighbourhood Plan

POLICY CNP 10 – BUILDING EXTENSIONS WITHIN AND OUTSIDE THE BUILT UP AREA BOUNDARY

Building extension will be permitted where it meets the following criteria:

- a) The scale, height and form fit unobtrusively with the existing building and the character of the street scene.
- b) Spacing between buildings would respect the character of the street scene.
- c) Gaps which provide views out of the village to surrounding countryside are maintained.
- d) Materials are compatible with the materials of the existing building.
- e) The traditional boundary treatment of an area is retained and, where feasible, reinforced and
- f) The privacy, daylight, sunlight and outlook of adjoining residents are safeguarded.

3. Site Specific Policies:

These apply to a specific area of land or a site. They might allocate a site for a specific development or they could seek to protect a site. Where development is proposed, the policy will usually specify the principles that need to be followed in developing the site, such as the type and amount of development and any site specific considerations. Site allocation policies can also be criteria based where specific requirements are required to be met.

With all site specific proposals, it is important to speak to the landowner and/or development promoter. When the neighbourhood plan is examined, the Examiner will need to ascertain whether the policies and site allocations are deliverable and the landowners / site promoters views will be critical in satisfying this question.

Example:

Woodcote Neighbourhood Plan

Site WNP02 is allocated for 9 dwellings, subject to:

- i. the proposed development conforming to the policies contained in the Woodcote Neighbourhood Plan and the South Oxfordshire Core Strategy; and
- ii. the following site specific requirements;
 - a. the development will occupy the blue shaded area edged in black shown on Map 12.ii;
 - b. vehicular access to the site will only be from the Chiltern Rise site (WNP01);
 - c. vehicular access to the site from the Reading Road will only be permitted for existing housing;
 - d. the provision of pedestrian access to the Reading Road at, or near, the current entrance to Woodcote Garden Centre for the new homes on the site and the adjoining Chiltern Rise site;
 - e. development will take place outside the safeguarding area for the gas pipeline; and
 - f. retention of the existing vegetation to the north of the site to provide some screening from adjacent open fields.
- iii. The landowner and any proposed developer notes that the allocation of the site in the Woodcote Neighbourhood Plan is subject to the grant of planning permission and the start of work on site not later than 31st March 2023.

The site comprises a collection of low key buildings and greenhouses associated with the current garden centre use. This brownfield site is available for redevelopment as the existing business use as a garden centre is not viable. The site is very well screened by houses fronting the Reading Road and by trees and hedges to the north. This existing vegetation should be retained to provide some screening from adjacent open fields.

Writing the policies:

Planning policies must be written in a manner that makes their intention clear to the end users of the neighbourhood plan. They should be based upon the information gathered during previous stages of evidence gathering and community engagement.

There should not be room for a reasonable person to be able to misinterpret your aspirations. There have been legal challenges to the exact wording of policies.

In determining what policies to include in the neighbourhood plan, the following considerations should be made:

- a) Is there a clear intention behind your policy?
- b) Is it distinctive for your area and not duplicating local plan or national policy?
- c) Is it supported by robust evidence?
- d) Is it clear and unambiguous?
- e) Is it positively worded?
- f) Is there a clear “golden thread” between the neighbourhood plan’s vision, objectives and the policy?
- g) Does the policy relate to the development and use of land for which planning permission would be required?
- h) Is it in line with the National Planning Policy Framework?
- i) Is it in conformity with the strategic policies of the adopted local plan?
- j) Does it contribute towards sustainable development?
- k) Is it compatible with EU obligations e.g. does it need a SEA assessment?

You will need to demonstrate conformity with h-k in the Basic Conditions Statement that accompanies the neighbourhood plan when submitted to South Cambridgeshire.

We have included a **policy check sheet** at the back of this guidance note that will help to clarify whether the proposed policy meets the above requirements.

How can SCDC help?

As part of our support offer to parish councils SCDC will provide constructive comments on emerging draft policies in the neighbourhood plan against the basic conditions.

However SCDC cannot write your policies for you. This is not part of our statutory duty to support parish councils.

How many policies should you include in your plan and what cannot be included?

Include only as many policies as are necessary to implement your vision – no more and no less. On average, made plans contain between 10-20 policies. However, in exceptional circumstances, you may need 50, or you may need no more than 5.

Top tip

If you have more than 20 policies you may wish to think carefully about whether all are relevant/ does your plan need so many policies?.

You need to remember that your plan is a planning policy document and there are some issues it cannot include. Policies cannot be included that:

- propose less growth in an area than is in the Local Plan
- remove permitted development rights, i.e. if development doesn't not require planning permission, a policy can't prevent it;
- extend or alter a conservation area or identify new list buildings;
- review the green belt boundary;
- deal with transport issues such as the need for new roads (such as a bypass) as this is the County Council's responsibility;
- be about minerals, waste or other 'nationally important' decisions;

What is the Examiner's role with regard to policies?

The examiner's role is to make a simple check against the basic conditions. S/he will remove policies that are not fit for purpose. It is advisable to have your plan undergo a health-check at the relevant stage – which is usually at the pre-submission consultation stage so that any issues can be identified prior to completing the Plan and submitting it to SCDC. In our support offer to parish councils we will pay up to a maximum of £1,000 towards a single pre-submission health check

Top Tip

There are now over 400 neighbourhood plans that have been successful at referendum across England. They include a wide range of policies that have been approved by the Examiners of these plans. It is well worthwhile studying these plans to see if there are any policies you could adapt for your plan. Look at the [Cornwall Council Toolbox](#).

Framework for assessing neighbourhood plan policies

Policy / Proposal		Details
Is there a clear intention behind your policy?		
Is it supported by robust evidence?		
Is it clear and unambiguous?		
Is it positively worded?		
Is there a clear “golden thread” between the neighbourhood plan’s vision, objectives and the policy?		
Does the policy relate to the development and use of land for which planning permission would be required?		
Is it in line with the National Planning Policy Framework?		
Is it in conformity with the strategic policies of the adopted local plan?		
Does it contribute towards sustainable development?		
Is it compatible with EU obligations eg does it need a SEA assessment?		