

## Neighbourhood Planning in London Conference

Venue: St John's Church, 73 Waterloo Road, London SE1 8TY

Held: Thursday 21st September 2022 (12.30-17.30)

### Notes:

#### 12.30 Welcome – Canon Giles Goddard, Vicar of St John's, Waterloo and Trustee of South Bank & Waterloo Neighbours

1. Explained that restoration works are nearly completed; the church is diversifying its roles and now also serves as an arts, community and conference venue (<https://stjohnswaterloo.org>).

#### 12.35 State of play in London – Tony Burton, Convener, Neighbourhood Planners.London

2. Nationally >2850 active neighbourhood plan (NP) groups with 1350 NPs made at 31 March 2022.
3. >75% Local planning authorities (LPAs) areas, covering 14 million people, have active NP groups.
4. Of the 1350 referendums held, the average "Yes" vote has been >80% and only five have seen NPs rejected.
5. There are now four times as many NPs in place as Local Plans.
6. London had 26 made NPs in place at 31 March 2022 - with the average time taken to prepare and have a NP made 64 months.
7. 67 Neighbourhood Forums (NFs) have been designated here since 2011; peak growth in numbers was upto 2016; there has since been a tailing off.
8. 23 London Boroughs (LBs) still have no made NPs; eight have no designated NFs.
9. Balance of funding support still favours LPAs rather than NFs; total support between 2013-2022 totalled £1.515m to LPAs and £0.97m to NFs.
10. Unlike parish and town councils, NFs have no access to CIL monies once their NP is made.
11. There is only one parish council in London (Queens Park in north west Westminster City Council area – cf: <https://queensparkcommunitycouncil.gov.uk/>).

#### 12.50 Neighbourhood planning and community action - Tony Armstrong, Chief Executive, Locality

12. Explained background on Locality – a "laboratory for social progress" – with a wide membership of community organisations providing a whole range of services including community centres, community energy schemes, community shops and various sporting facilities.
13. They provide research, advice and guidance for their members and lobby on their behalf. They advocate devolution of central Government powers to community level generally, and especially to help combat poverty. With local authorities they try to help break down "silos" between their different service departments to provide more person-oriented services.
14. He noted their 2018 Bob Kerslake-led study "People Power" (cf: <https://locality.org.uk/about/key-publications/findings-from-the-commission-on-the-future-of-localism/>). It advocated much more local-level civic engagement to help foster greater social cohesion and improved local health and well-being.
15. Following on from that they have taken part in the current "We're Right Here" community power campaign, which partly looks towards the introduction of a Community Powers Act to see localism strengthened, with more decisions devolved to the community level from central and local government.

16. They view the NF model as an important guide to what might be possible, based on their experience of NP groups (part of their membership) and as Locality:
- Administer the grant support system, providing upto £18k per group
  - Provide technical support and an advice service
  - Provide online toolkits and case studies about the aspects of NP preparation
  - Provide a quarterly newsletter
  - Have organised a network of “regional champions” able to offer advice to NP groups in their areas

• **Questions & Discussion**

Two key points came out here:

17. There is no equivalent organisation to NeighbourhoodPlanners.London operating in any other English region. Bristol CC has set up a planning forum of some kind, but it is not aimed at helping local NPs in particular; the North West region is known to have investigated setting up something similar.
18. Many LPAs are known not to readily fund and assist NFs in their areas. One response by groups in Westminster CC’s area to that LPA reluctance has been to form a “Forum of Forums” where they can meet to share information.

**1.30 Neighbourhood Priorities Statements (NPSs) – do they have a role?**

• **Introduction - Tony Burton**

19. Noted what the draft legislation indicates about these – i.e. the Levelling Up and Regeneration Bill, 2022.
20. A summary of its key points is included at the end of these notes.

• **Testing the potential - Professor Gavin Parker, Reading University**

21. Whilst the Government is still committed to NPs, NPSs are one way of refreshing the model.
22. They offer communities a simpler option which can be produced more quickly.
23. Parish/town councils and NFs can look to them as alternative vehicles to consider the choices facing them and then voice their priorities for their areas.
24. LPAs must then take these into account when drawing up their Local Plans.
25. Their scope can also cover a far wider range of issues, not solely those related to land use.
26. He suggested likely issues with NPSs might be:
- a. Their accountability and how much they reflect the views of all the local community;
  - b. Whether they will dovetail seamlessly with the Local Plan timetable – especially if they are longer, more complex documents which take longer to produce for a particular area, they could easily get out-of-step with the Local Plan timetable.
  - c. How far they are free of a NP and whether parts of the NPS will eventually easily transfer/inform the Local Plan.
  - d. Whether the outcome will be transparent – i.e. that a NF will know they have been listened to and their NPS recommendations acted on.

• **How could they be helpful? - Eileen Conn, Peckham Vision**

([https://www.peckhamvision.org/wiki/Main\\_Page](https://www.peckhamvision.org/wiki/Main_Page))

27. She explained their group is not a NF; it was formed 18 years ago re plans to redevelop the town centre and comprises a mix of local residents and some businesses.
28. There have been a plethora of planning initiatives during those years which they have engaged their community on. Currently they have some 13k residents who they connect with and consult digitally.
29. LB Southwark generally seen as anti-NPs and still refuses to engage actively with Peckham Vision which – with its small core group - has seen little advantage in forming a NF and pursuing a NP (probably involving several years' work) as a result, especially given they have been successful in their current form with a number of planning initiatives such as:
  - a. stopping demolition proposed around Peckham Rye Station
  - b. undertaking a Townscape Heritage initiative in the town centre to identify buildings at risk and lobby for their retention and reuse (including some listed buildings)
  - c. successfully campaigning for Peckham Rye Station to be listed
  - d. and for a Conservation Area to be declared in the town centre
  - e. engaging with the Peckham Area Action Plan and such issues as retention of the town centre's multi-storey car park
30. To close she suggested the NPS proposal could be advantageous for groups such as Peckham Vision. It would allow them to more easily apply their "street experience" to local planning issues, free of any technical planning considerations involved with producing a statutory document - and enable them to also identify and lobby for their non-land use priorities. Paradoxically, she thought a NPS might also serve to focus a disparate community on the merits later of going ahead with producing a NP.

• **Alex Nicoll, Hampstead Neighbourhood Forum (<https://www.hampsteadforum.org>)**

31. NP made in 2018 for an area mainly comprising residential housing, with two small town centres and four Conservation Areas.
32. Their NP took four years to eventually become made – he could see the contrasting advantages of instead producing a simpler NPS.
33. How long can a NP truly reflect a community's views? It's a prolonged process to revise a NP if it's thought to need reviewing and revising. A NPS might be a quicker, more flexible alternative which is not tied to purely land use issues but embracing a broader range of a community's vision of its needs.
34. If ideas for national Development Management policies really come in, will they also impact adversely on existing NDPs?
35. Against that, he could see at least two issues with a NPS:
  - a. might it unduly raise expectations in a community if it was more wide-ranging in scope than a NP; and
  - b. it could become a political document.

• **Piloting a "simpler approach" – Marc Acton Filion, London Borough of Tower Hamlets (LBTH)**

36. LBTH are one of the pilot LPAs for NPSs. Their NFs have found it a difficult and slow process to produce full NPs (details of their range of NFs are at: [https://www.towerhamlets.gov.uk/lgnl/planning\\_and\\_building\\_control/planning\\_policy\\_guidance/neighbourhood\\_planning/neighbourhood\\_planning.aspx](https://www.towerhamlets.gov.uk/lgnl/planning_and_building_control/planning_policy_guidance/neighbourhood_planning/neighbourhood_planning.aspx)). LBTH are trying to foster their NFs looking towards taking a simpler, design-focussed approach, producing design visions for their respective areas via a NPS rather than a more complex NP.

• **Discussion**

Points raised here included:

37. It is not clear how NPSs will necessarily encourage more urban area NFs to form, nor to encourage them to go on to produce NPs.
38. Without legislation it is unclear how NPSs will fit in the planning system – and without their having a referendum stage it is unclear how much public support (and therefore, political “weight”) they will really have.
39. Given their wider-than-land-use scope, NPSs could help break the silos in local government between different services, by focussing debate on local health, social care, environment, education, transport and other needs.

### [2.50-3.30 Break]

### 3.30 Neighbourhood planning – Government update

#### • Rob Griffith, Department for Levelling-up, Housing and Communities (DLUHC)

40. RG is policy lead on NPs at DLUHC, supporting and advising ministers as well as overseeing the contract for the Neighbourhood Planning Support Programme, currently administered by Locality. He can be contacted via: [neighbourhoodplans@levellingup.gov.uk](mailto:neighbourhoodplans@levellingup.gov.uk).
41. He outlined the history of NP development across England since 2011. Some areas have seen much greater NP activity – e.g. Leeds and Herefordshire - than others. Most urban areas, particularly in the North, have seen little activity.
42. This has resulted in DLUHC coming forward with its NPS proposals, which were incorporated in the Levelling Up and Regeneration Bill (current version at: <https://bills.parliament.uk/bills/3155>). Its thinking is that:
  - a. not all communities have the capacity to produce full NPs
  - b. they often have much broader aims and needs in their areas than purely land use ones
  - c. an NPS could help a community focus its aims and ideas and go on to produce a full NP, or a local design code, as well as other community initiatives
  - d. NPSs are not meant to replace NPs, but to be an additional tool open to communities
  - e. the Bill gives only a broad definition of NPSs so that communities can decide what option will work best for them – e.g. a NPS which purely concentrates on local design criteria for new development through to something much wider in scope than purely land use objectives

#### • Questions and Discussion

43. Currently, DLUHC are testing the scope of the NPS concept through a series of pilot projects across England. Once the Levelling Up and Regeneration Bill is enacted then secondary legislation and guidance will be put in place on what the form and content of NPSs should be. DLUHC are considering how to eventually transition to a system of NPSs, NPs and Local Plans and exploring what support arrangements might be needed.
44. One query concerned where NPs have had a positive effect on LPA decisions; Holbeck in Leeds was cited, Locality might have other examples, and LBTH have taken on board the Spitalfields NP Policy Spital 7 on Affordable Workspace as a model for a possible policy in their current Local Plan review (cf referendum version of the NP at: [https://www.towerhamlets.gov.uk/ignl/planning\\_and\\_building\\_control/planning\\_policy\\_guidance/neighbourhood\\_planning/Spitalfields.aspx](https://www.towerhamlets.gov.uk/ignl/planning_and_building_control/planning_policy_guidance/neighbourhood_planning/Spitalfields.aspx)).

### 4.00 The role of Design Codes – early lessons

● **Introduction – Angela Koch, Convener, Neighbourhood Planners.London**

45. AK concentrated on explaining the bases for NFs drawing up local design codes:
- a. NPPF para. 132 sets design as a key decision factor and refers to the value of design codes
  - b. Ditto para. 8 in national PPG
  - c. National Model Design Code 2021 explains the process involved in drawing up a code, viz: analysis, vision setting and then the code (policy) itself
46. She accepted that whilst Codes can help communities get back a say in the design of new development in their areas, in London the picture is often complicated by such factors as the requirements of the London Plan and its associated SPGs, local Borough Plan policies, or the requirements of infrastructure bodies such as TfL or Network Rail.
47. Whilst NPs can be a good “seat” on which a local design code can sit, Examiners can be uncomfortable with a draft code if they interpret it as being too prescriptive in nature.
48. AK suggested that design review panels could give codes added weight – and that NFs could lobby for a code to be implemented partly via an Article IV declaration or a requirement that only full planning applications would be accepted for new development in a NF area.

● **Being a Design Code Pathfinder**

○ **Hugh White, Finsbury Park & Stroud Green Neighbourhood Forum**

49. Ran through their current work as part of their NP preparation to get a code in place to guide future redevelopment of the Finsbury Park Station site. It suffers from poor pedestrian access routes and little green/open space in its surrounding area. Further details on this are at: <https://finsburyparkstroudgreen.com>

○ **Pearl Arbenser-Simmonds & Justin Brown, South Woodford Neighbourhood Forum**

50. They are currently carrying out a community survey – cf: <https://www.surveymonkey.co.uk/r/sowo-design-code-your-neighbourhood> - which they hope will identify local views on what a design code for their NP might include. Their main NP website is at: <https://www.southwoodfordsociety.org/neighbourhood-plan>

● **Discussion**

51. Key factors for getting a local design code in place probably include:
- a. Good, inclusive public consultation
  - b. A good mix of volunteers in a NF to carry out the work required
  - c. A good relationship between the NF and LPA

**4.45 How neighbourhood planning is tackling green infrastructure**

● **Research results – Chris Moss, University of Manchester & Greengage**

52. Ran through a current study he is carrying out using AI to analyse green policies in made NPs. Has used a database of 998 plans provide by DLUHC.
53. His conclusions so far are that flooding, trees and biodiversity are the top three environment issues most commonly addressed in NPs.
54. Amongst London’s NPs he noted examples of policies in:
- a. South Bank & Waterloo NP – covering green infrastructure, green space and air quality
  - b. Hackbridge & Beddington (LB Sutton) – featured nine separate environment policies

## • Discussion & Questions

55. The issue of whether London NPs covered environment policies in any detail seems to depend on what their main focus is. Some have not covered green issues at all, concentrating instead on other local priorities such as town centre regeneration (Sudbury, LB Brent) or townscape conservation (Norland, RB Kensington & Chelsea).

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## Background to the introduction of NPSs in the Levelling Up & Regeneration Bill (LURB), 2022

Notes from presentation (slides 7-9) by Charles Bishop of Lichfields<sup>i</sup>

- Neighbourhood priorities statements are a policy response to uneven take up of neighbourhood plans across the country and intended to be a “simpler and more accessible way” for communities to set out their key priorities and preferences for their local areas (Ex. Notes para 58).
- This is particularly targeted at communities in “urban and more deprived areas” which “face additional barriers” making it “more difficult for them to progress a neighbourhood plan, including a lack of an established governance structure or finding volunteers to help prepare the plan” (Ex. Notes para 1282).
- LPAs must “have regard” to neighbourhood priorities statements when preparing local plans: new s15CA of the PCPA 2004 inserted by cl 87 and Sch 7 of the LURB.
- Cl 87 provides for Sch 7 of the LURB which makes significant amendments to the PCPA 2004. New section 15K PCPA 2004 introduces the neighbourhood priorities statements. A neighbourhood priorities statement “summarises what the body considers to be the principal needs and prevailing views, of the community in the neighbourhood area in relation to which the body is authorised, in respect of local matters”: s15K(1).
- The definition of “local matters” is to come by way of secondary legislation, but they will relate to (s15K(2)): (a) development, or the management or use of land, in or affecting the neighbourhood area, (b) housing in the neighbourhood area, (c) the natural environment in the neighbourhood area, (d) the economy in the neighbourhood area, (e) public spaces in the neighbourhood area, (f) the infrastructure, facilities or services available in the neighbourhood area, or (g) other features of the neighbourhood area.
- Requirements that statements must meet will also come by way of secondary legislation: s15K(6). These must include some form of consultation – although this appears to be substantially weaker than for neighbourhood plans (which seems to be the point): s15K(8)(a).
- Neighbourhood priorities statements are made by qualifying bodies – meaning a parish council or an organisation or body designated as a neighbourhood forum, which is authorised to act in relation to a neighbourhood area as a result of section 61F of the TCPA 1990.

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<sup>i</sup> (Available at:

[https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwicoKuU7Kj6AhXGIlwKHap1Cf4QFnoECAUQAQ&url=https%3A%2F%2Fwww.landmarkchambers.co.uk%2Fwp-content%2Fuploads%2F2022%2F05%2FNeighbourhood-planning-CIB.pdf&usg=AOvVaw0RVP4QpdkkUVOgy6h-xpFw\)](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwicoKuU7Kj6AhXGIlwKHap1Cf4QFnoECAUQAQ&url=https%3A%2F%2Fwww.landmarkchambers.co.uk%2Fwp-content%2Fuploads%2F2022%2F05%2FNeighbourhood-planning-CIB.pdf&usg=AOvVaw0RVP4QpdkkUVOgy6h-xpFw)

Brian Whiteley (any errors reporting on the various presentations being down to me)