

General information about the planning system and neighbourhood plans

The planning system

Most new buildings, major changes to existing buildings or major changes to the local environment (including building work, engineering work and mining work) need consent - known as planning permission. Without a planning system everyone could construct buildings or use land in any way they wanted, no matter what effect this would have on other people who live and work in their area.

Leeds City Council is responsible for deciding whether a development - anything from an extension on a house to a new shopping centre - should go ahead within the city.

Planning involves making decisions about the future of our cities, towns and countryside and considering the sustainable needs of future communities. Decisions on planning applications are based on national planning policy guidance, the Local Plan and any relevant neighbourhood plan.

Local Plans

Leeds City Council must prepare a local plan which sets planning policies within the local authority area. Local plans must be prepared with the objective of contributing to the achievement of sustainable development. They must be positively prepared, justified, effective and consistent with national policy in accordance with the Planning and Compulsory Purchase Act 2004 (as amended) and the National Planning Policy Framework.

The Local Plan for Leeds consists of the following documents:

- The **Core Strategy** was adopted in November 2014 and sets out the strategic policies for where development is to be located across the city;
- Saved policies from the **Revised Leeds Unitary Development Plan (2006)**;
- The **Natural Resources and Waste Development Plan Document** was adopted in January 2013. Following a High Court challenge to minerals policies 13 and 14, an examination was held in May 2015 and modifications have been made to the policies. These revised policies were adopted by the City Council on 16th September 2015.
- The **Aire Valley Area Action Plan (AVAAP)** allocates land for development in the Aire Valley and was adopted in November 2017.
- The **Site Allocations Plan (SAP)** allocates specific sites for development and protects areas of greenspace across the city, except for the area covered by the AVAAP and was adopted in July 2019.
- The **Core Strategy Selective Review (CSSR)** revises select policies in the Core Strategy and introduces new policy on housing standards and electric vehicle charging infrastructure. The CSSR was adopted by the Council in September 2019.

National Planning Policy Framework

The National Planning Policy Framework was published in 2012 and most recently updated in July 2021. The Framework gives guidance to local councils in drawing up local plans and on making decisions on planning applications. It includes a presumption in favour of sustainable development.

Neighbourhood Planning

Neighbourhood planning was introduced under the Localism Act 2011 to give members of the community a more hands on role in the planning of their neighbourhoods. It introduced new rights and powers to allow local communities to shape new development in their local area by coming together to prepare neighbourhood development plans (usually referred to as neighbourhood plans). It enables communities to develop a shared vision for their neighbourhood and deliver the sustainable development they need through planning policies relating to the development and use of land.

Neighbourhood plans can be prepared by Parish Councils or neighbourhood forums (in areas not covered by a Parish or Town Council).

The local community can decide to include in a neighbourhood plan, but it must meet the following 'Basic Conditions':

- Must have regard to national planning policy and advice contained in guidance issued by the Secretary of State
- Must contribute to the achievement of sustainable development
- Must be in general conformity with strategic policies in the development plan for the local area (i.e. the Local Plan)
- Must be compatible with EU obligations and the European Convention on Human Rights.
- Must not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017

Neighbourhood plans should not promote less development than set out in the Local Plan or undermine its strategic policies.

There is a statutory process that must be followed for the making of a neighbourhood plan. The neighbourhood area (area to which the plan relates) must be designated and there can only be one neighbourhood plan for 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 businesses 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 reviews these comments and checks whether the neighbourhood plan meets the basic conditions and other requirements set out in the regulations. The examiner then reports whether any modifications should be made to the plan and whether it should proceed to referendum stage.

The Council then decide, having regard to the statutory criteria, whether to accept the recommendations and proceed through referendum. If the neighbourhood plan proceeds to referendum, the Council are responsible for organising the referendum. The referendum will consider whether the local planning authority should use the neighbourhood plan for the area concerned to help it decide planning applications. All those registered to vote within the neighbourhood area (or the area recommended by the examiner) are entitled to vote in the referendum.

The local planning authority must make a neighbourhood plan which is the subject of a Referendum if more than half of those voting have voted in favour of the plan. If the plan receives a 'yes' vote, it is automatically

considered made and part of the development plan. The local planning authority must still make (adopt) the plan within 8 weeks of the Referendum if the vote is in favour of the plan.

Once made and adopted the neighbourhood plan will be part of the statutory development plan and will be used in determining decisions on planning applications.

Additional information in relation to neighbourhood planning is available on the following website:

<https://www.gov.uk/government/publications/neighbourhood-planning>