

Planning for Your Neighbourhood – Statutory Tools

Prior to the Localism Act coming into force in April 2012, there already exist a number of options for communities wanting to engage in some form of neighbourhood planning. Once the powers detailed in the Localism Act become available, the number of options will increase further with the introduction of Neighbourhood Plans and Neighbourhood Development Orders.

This note covers those statutory tools presently available to communities.

What Statutory Tools are Available?

Statutory tools that are available include:

- Area Action Plans
- Development Plan Documents
- Supplementary Planning Documents
- Local Development Order
- Article 4 Directives

There are two types of statutory tools (i.e. governed by planning law). Development Plan Documents (DPD) and Supplementary Planning Documents (SPD/SPG).

All planning decisions within a Borough must be made in accordance with a DPD. A DPD must go through a rigorous statutory process before coming into effect, but once it is adopted a DPD is a very powerful planning tool for shaping neighbourhoods.

An SPD is normally used to expand upon a strategic policy of a DPD. For example, a DPD policy that required good design on residential extensions could be fleshed out by an SPD that provides specific guidance on what types of extensions are acceptable. A key benefit of an SPD is that it does not have to go through the same rigorous assessment as a DPD.

Other statutory tools include Local Development Orders and Article 4 Directives. Local Development Orders are used to grant planning permission for certain types of development in designated areas. Article 4 Directives are used to

restrict the types of development that could otherwise be carried out without the need for a planning application under permitted development.

Why use Statutory Tools? >

Statutory planning tools have the weight of planning law behind them. They are therefore an extremely powerful tool and are used to determine planning applications, allocate land and grant/restrict development. They are, however, restricted as to which matters they can cover and must follow a statutory process which can take many months (if not years).

How Can I Get Involved? >

As there is a defined statutory process that must be followed your local Council is ultimately responsible for the production of these, done in consultation with the wider community. You should contact your Council to find out at what stage they are at and how you can get involved. You have the opportunity to put forward your views on what should and should not be included, although it isn't guaranteed that all comments will make it into the final document.

The Localism Act devolves power to communities to produce their own statutory tool in the form of Neighbourhood Plans and Neighbourhood Development Orders.

Planning Aid England provides free, confidential and independent advice on Neighbourhood Planning.

Call: 0330 123 9244 or

Email: advice@planningaid.rtpi.org.uk

