

Create Streets

Is Neighbourhood Planning flourishing or withering? And how can communities do it better?

By Nicholas Boys Smith

It is now six years since the Conservative Party published its policy green paper, [Open Source Planning](#) (which first proposed the concept of 'collaborative planning') and five years since the Localism Act 2011 created the concept and procedural reality of Neighbourhood Plans. A political century ago, back in May of this year, the Government proposed a new Neighbourhood Planning and Infrastructure Bill, among other things, to "strengthen" neighbourhood planning.

So it's not a bad moment to ask: is Neighbourhood Planning working? And what could make it better? Is it delivering what the then Decentralisation Minister, Greg Clark, was [aiming for](#) – "a substantial and lasting shift in power away from central government and towards local people.... reform to make the planning system more democratic and more effective"? Is it allowing communities, as was intended, to "say where they think new houses, businesses and shops should go – and what they should look like"?

Based on research to date, and Create Streets' experience working with communities, admittedly mainly in London, the answer so far is 'yes but there's more work to do.'

One thing is certain. Neighbourhood planning is finally 'taking off'. The Government does not appear to have published any figures since the end of last year (why?) but by the end of 2015, over 1,700 communities, representing over 8 million people across the country were neighbourhood planning. 126 neighbourhood planning referendums had taken place with another four happening in January. Whatever way you 'cut it' that's a success for community engagement and participation (what is the Big Society called now?) which, most research tells us, is correlated with wellbeing and community cohesion.

So far, so good. However, look a little more closely and a few wrinkles emerge.

Neighbourhood Planning first started to get somewhere in smaller communities where parish and town councils are formally able to initiate the process. About 80 per cent of neighbourhood plans have been started by parish or town councils according to one study. For example, people living and working in the Upper Eden valley area in Cumbria were the first in the country to take to the polls and vote on a neighbourhood plan produced by local people for local people. This was approved in [March 2013](#). This was a pattern that was very much repeated in the early years with other early neighbourhood plans including Thames in Oxfordshire.

However, it has proved harder to get neighbourhood planning going in larger towns and cities. That may be because urban communities can be more transient and less integrated with fewer ties to a specific place. It's certainly because towns and cities have fewer civil parishes.

Of the first 130 plans approved only 12 came from non-parished areas. It's only since the Local Government and Rating Act 1997 outside London and the Local Government Act 2007 within London that residents in unparished areas have had the right to demand a new parish. The first civic parish in London since 1965 only came into being, in Queen's Park, in May 2012. Although there are others in the offing, such as at Bankside or the Isle of Dogs, there is no sign that urban Parish councils will become widespread any time soon.

The problem is that absent parish boundaries and parish councils, even getting to the start line is very complex and time-consuming. You need to define and create both a Neighbourhood Area and a Neighbourhood Forum. Not needing to adhere to traditional ward boundaries these can be difficult to set. And Local Authorities need to approve them.

To put it kindly, many local authorities have struggled to prioritise this. To put it less kindly, some have seemed to delight in using slow turnarounds and procedural minutiae to stall and discourage the entire process. As neighbourhood plans are such a nascent tool, it is not difficult to see why increasingly understaffed and overworked planning officials may choose to devote less rather than more time to something whose purpose and value has not always been obvious to them. However, several neighbourhood planners we know feel that they have been the victim of protracted passive aggression.

As one very impressive and self-confident neighbourhood planner said to us the other day:

"We are taking away their power aren't we? Of course they'd like us to go away."

To further complicate things Neighbourhood Areas can span across two or even more boroughs, and the process requires fitting in with two (or more) different sets of processes.

The mooted [Crystal Palace and Upper Norwood Neighbourhood Forum](#) is located across five boroughs and six wards. Some forums (for example the [St Quintin and Woodlands Neighbourhood Forum](#)) have even been rejected by one borough and approved by another.

However the outlook for urban neighbourhood planners is slowly improving. From early on the government placed a particular focus on helping communities in less prosperous, usually urban, areas develop neighbourhood plans. That seems to have worked. By the end of 2015 about 18 per cent of completed plans were in poorer areas. More widely, urban community groups are starting to learn from each other how create neighbourhood forums and areas and an eco-system of smaller consultants who can support them are learning how to do so. (A declaration of interest: that lists includes Create Streets which I run).

More and more neighbourhood plans in urban areas are starting and, with a lag, completing. In London for example there are now five completed Neighbourhood Plans: Norland, Fortune Green & West Hampstead, Sudbury Town, St Quintin & Woodlands and Kentish Town. There are many more underway. In total [96 Neighbourhood Areas](#) have either been set or applied for designation in London. A similar pattern is building up, perhaps more slowly, in some other cities.

So neighbourhood planning is now happening. But that brings us to real question: is it working? Are neighbourhood plans allowing communities, to go back to the original intent, to “say where they think new houses, businesses and shops should go – and what they should look like”?

The critics of neighbourhood planning come from two directions. Some housebuilders contend that neighbourhood plans are merely NIMBYist fronts fighting a rear-guard action against desperately needed new houses. By contrast some, more often on the left, have seen neighbourhood planning as a spray on fig leaf of meaningless community ‘influence’ while real powers were stripped from local planners and strategic planning was deconstructed. Self-evidently both these positions cannot be entirely true. And a look at the data is reassuring.

A DCLG study into early neighbourhood plans found a [ten per cent increase](#) in the number of houses being planned compared to the council’s local plan. The number of plans studied was quite modest but certainly many plans are focusing on new housing. The Winsford Neighbourhood Plan identifies room for 3,362 new homes, 200 more than in the emerging Cheshire West and Chester Local Plan.

There are also many examples of community-planning which even the most cynical would be hard-pressed to dismiss as superficial. One theme that comes through strongly is a popular emphasis on a strong sense of place, on co-housing, self-build, brownfield, local builders and building on smaller sites rather than housing estate style developments from volume housebuilders. For example neighbourhood plans in Slaughtam, Petersfield, Frome, Arundel and Allendale all emphasised this in different ways – often throwing in rigorous criticism of what was built by volume housebuilders along the way.

This seems pretty hopeful. However, a review of what neighbourhood planners themselves think leads to less sanguine conclusions. A study of 120 neighbourhood forums and plans completed in 2014 by Locality and the University of Reading was not reassuring. Amongst its key findings were that many participants feel oversold on the plenipotentiary powers of neighbourhood planning and that participants do not see neighbourhood plans as radically changing the culture of planning system.

Further emerging research into these communities by one of the study’s authors, Matthew Wargent at the University of Sheffield, backs this up. It finds that;

- “participants do not see neighbourhood plans as radically changing the culture of planning system; and that
- participants at the heart of planning forums reported ‘episodic empowerment’ and increased community capacity, but this was often curtailed by contact with ‘experts.’”

More positively however, “participation has increased communication between communities and planning authorities.” I fear that these rather negative findings match our own experience that individuals who have helped lead neighbourhood planning exercises are often worn down by the complexity, bureaucratic enmity and frustration of it all. They often do not feel that they have had the impact they expected or wished. Perhaps this reflects the key constraints that have been put around the process. Neighbourhood Plans have to be in general conformity with the strategic policies of the Local Plan, they cannot promote less development than it and they have to have

regard to national policies. This is particularly problematic in areas without a clear five year supply leading to several developers attempting to judicially review neighbourhood plans.

The frustration however also reflects neighbourhood plans not using the right tools or being sufficiently smart or ambitious about what they can do. Some new research is revealing that local authorities' advice sometimes incorrectly constraints what residents feel they are able to do. We are aware of one example where a neighbourhood forum was told (almost certainly incorrectly) that it could not insist on building height limits.

One senior planning inspector very supportive of neighbourhood planning (yes they do exist) expressed his frustration to us in a meeting a few months ago:

"Half of them are barely worth writing. They just parrot the local authority's plans. I am giving up examining them it is so pointless."

How we can make for more effective plans? Some of the answer lies at the local level. The most powerful and effective neighbourhood plans have a very strong sense of place, of what will get built and where. The two most powerful, yet insufficiently used, tools in the Neighbourhood Planning armoury are allocating sites for development and setting out a clear and predictable Design Code for what that development should be and look like.

In a Neighbourhood Plan communities can allocate sites for development. But only about half do. This means identifying land in their Neighbourhood Area for future development and to what purpose (residential, commercial, business, leisure or, normally best of all, a mix), as well as safeguarding land the community wants protected (such as green open space). It means that communities are more likely to protect areas they want to see remain the same, by constructively suggesting alternative areas to be developed. When this is done it has real teeth as at least three housebuilders have discovered to their cost when they challenged neighbourhood plan allocation decisions in the courts – and lost.

One excellent example is the Thame Neighbourhood Plan which allocated 770 new homes to six sites dispersed around the town as opposed to the single site the local authority had been proposing. More plans should allocate specific land for development.

A Design Code is a set of illustrated design rules and requirements which instruct and may advise on the physical development of a site or area. The graphic and written components of the code can be detailed and precise, and build upon a design vision for a site or area. This is potentially a powerful tool for the community to have an input into what kinds of buildings and typologies they want to see built in their local area. Absent this, even Neighbourhood Plans which are very explicit about their desire for new development to 'fit in' with their neighbourhood are very frustrated by the inability to influence what actually gets built. We are aware of one proposed development (on council-owned land) in London where some local residents feel their neighbourhood plan's demands for harmonious developments are being all but ignored by both the local council and the not-for-profit developer.

Design Codes are not a panacea but they can help prevent this. They have been associated in the UK and the US with a greater sense of place, with more development, with more local support

for development and with greater value. We recently set out some detail on how communities can maximise their impact within the current framework – [Love thy Neighbourhood](#). To the best of our knowledge no completed Neighbourhood Plan has used a design code though several are now working on one. More should start.

But communities cannot do it all themselves. Some of the answer to making more effective plans lies at the statutory level. Neighbourhood Forums and Plans should be simpler to create and manage – above all in urban areas. Where necessary they should be better funded and the use of techniques, such as design codes, which can maximise local support for new housing and speed and certainty of what will receive planning permission, should be encouraged

Unfortunately influential individuals within the bodies meant to be supporting neighbourhood planning are actively opposed to their use. In private they admit to favouring ‘architectural innovation’ over maximising community support for new housing. This sort of nonsense needs to stop. We set out a range of ideas for how to give Neighbourhood Plans more teeth in the non-partisan [Direct Planning Bill](#) which we helped draft with Lord Lexden in 2015.

So Neighbourhood Plans are happening. And they can have real impact. But that does not mean that they are always worth the candle. By being ambitious, by allocating sites, by defining with certainty what development is, and is not, acceptable communities can maximise their chance of both supporting development but guarding their (very legitimate) sense of place.

The new Government, too, should continue to promote and encourage Neighbourhood Planning. The Direct Planning Revolution is a necessary step in meeting the British housing need and in shifting the question from the procedural ‘how do we build more homes’ to the fundamental ‘how do we make new homes more popular.’