

GENERAL INFORMATION
DOCUMENT ON TOWN AND
COUNTRY PLANNING,
NEIGHBOURHOOD PLANNING AND
THE REFERENDUM

BRAUGHING PARISH
NEIGHBOURHOOD PLAN
REFERENDUM



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1 The Planning System

- 1.1 The planning system manages the use and development of land and the built environment, with the aim of creating sustainable places. Without a planning system in place, development would not be controlled and could take place anywhere, with considerable impact on people and the environment. Potential development activity is managed through planning applications, using the statutory development plan as a basis to make decisions.
- 1.2 The planning system has two parts which are usually the responsibility of the Local Planning Authority:
- Plan making – setting out proposals for development and policies to guide development over a set period of time; and
 - Development management – where planning decisions are made through the assessment of planning applications.
- 1.3 Not all forms of development require planning permission as some proposed development, depending on the scale and type, is covered by permitted development rights. For development that requires planning permission, East Herts District Council is responsible for deciding whether the development should go ahead. Currently, any planning application submitted to the Council will be assessed against the National Planning Policy Framework, the saved policies of the East Herts Local Plan Second Review April 2007, the Minerals and Waste Local Plans for Hertfordshire and any relevant Neighbourhood Plans.

2 The National Planning Policy Framework (NPPF)

- 2.1 The NPPF was published in March 2012. The NPPF sets out the Government's planning policies for England and provides guidance on all planning matters

from plan making to making decisions on planning applications. The NPPF includes a presumption in favour of sustainable development and sets out core planning principles to be followed which include environmental, social and economic aspects. National Planning Practice Guidance (NPPG) supports the NPPF and provides further guidance on planning issues such as neighbourhood planning.

3 The Local Plan

- 3.1 Local Plans are prepared by Local Planning Authorities and set out the strategic priorities and planning policies for the local authority area over a set period of time. Local plans 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 NPPF.
- 3.2 The current Local Plan for the District is the East Herts Local Plan Second Review April 2007 which set out the planning framework for the district until 2011. The Secretary of State gave direction in April 2010 to save a number of policies in the Local Plan and these continue to be used in the determination of planning applications.
- 3.3 East Herts are in the process of preparing a new Local Plan to cover the period 2011-2033. The updated plan, known as the District Plan, was submitted to the Secretary of State at the end of March 2017, with adoption anticipated in late-summer 2018. Any Neighbourhood Plans examined prior to the adoption of the District Plan must be in general conformity with the strategic policies of the current Local Plan and the emerging District Plan.
- 3.4 Further information on the current adopted Local Plan can be found at <http://www.eastherts.gov.uk/localplan> whilst further information on the emerging District Plan can be found at <http://www.eastherts.gov.uk/districtplan>.

4 Neighbourhood Planning

- 4.1 Neighbourhood planning was introduced in 2011 under the Localism Act. Neighbourhood planning provides an opportunity for local communities to produce a planning document that shapes and influences future development within their local area.
- 4.2 Neighbourhood plans are initiated by Town or Parish Councils and their formulation is a community led exercise in which a steering group, in consultation with the local community and other stakeholders, can set out planning policies which cover issues such as housing development, community infrastructure, protection and provision of open spaces, etc. The local community can decide what to include in a Neighbourhood Plan but it must meet the 'basic conditions' listed below:
- Have appropriate regard to national policy;
 - Contribute to the achievement of sustainable development;
 - Be in general conformity with the strategic policies in the development plan for the local area;
 - Be compatible with EU obligations; and
 - Meet human rights requirements.
- 4.3 A Neighbourhood Plan follows a statutory process that ensures that members of the local community, as well as relevant organisations, have the opportunity to influence the development of the plan. These include designation of the neighbourhood area and two 6-week periods of public consultation on the draft plan. The plan is then subject to an examination whereby an independent examiner reviews the Neighbourhood Plan and associated material against the statutory requirements, and then writes a report setting out whether any modifications should be made to the Plan and whether the Plan should proceed to a referendum.
- 4.4 The Local Planning Authority then decides, in conjunction with the Town or Parish Council, whether to accept the examiner's recommendations and proceed to put the Neighbourhood Plan to a referendum.

- 4.5 If a Neighbourhood Plan proceeds to a referendum, a specific question will be asked regarding whether the Local Planning Authority should use the Neighbourhood Plan for the area concerned to help it decide planning applications. The proposed Neighbourhood Plan needs to gain the approval of the majority of voters (more than 50%) in the local community for the Local Planning Authority to 'make' the Neighbourhood Plan.
- 4.6 If a Neighbourhood Plan is 'made', it becomes part of the statutory development plan for the District and would be used by development management in the determination of any planning applications submitted in the neighbourhood area.
- 4.7 Braughing Parish Council has prepared a Neighbourhood Plan that has been through the relevant statutory processes detailed above and has been subject to an examination by an independent examiner. The examiner's report recommended that, subject to the proposed modifications being made, the Neighbourhood Plan should proceed to a referendum. East Herts Council confirmed, in June 2018, that the Neighbourhood Plan could proceed to referendum.

5.0 Information about the Neighbourhood Plan Referendum for the Braughing Parish Neighbourhood Plan

- 5.1 A referendum will be held on Thursday 26th July 2018 on the Neighbourhood Plan for Braughing Parish.
- 5.2 The referendum will be conducted based on procedures which are similar to those used at local government elections. The referendum will ask eligible voters to vote 'Yes' or 'No' to the following question:
- Do you want East Hertfordshire District Council to use the Neighbourhood Plan for Braughing Parish to help it decide planning applications in the neighbourhood area?*
- 5.3 Voters will be asked to mark a cross (X) in either the 'Yes' or 'No' box on a ballot paper to indicate their preference. Should more than half of those voting at the referendum vote in favour of the Neighbourhood Plan, then East Herts District

Council should 'make' the Neighbourhood Plan at the earliest opportunity and use it to start determining planning applications in Braughing Parish.

Voter Eligibility

- 5.4 Braughing Parish is both the neighbourhood area and the referendum area. You can vote in the referendum if you live in the referendum area and:
- you are registered to vote in local government elections; and
 - you are 18 years of age or over on Thursday 26th July 2018.
- 5.5 You have to be registered to vote by Tuesday 10th July 2018 to vote in the referendum. You can check if you are registered to vote by calling 01279 655261 and ask for electoral services.
- 5.6 If you are not registered to vote, you will need to complete an on-line form at <https://www.gov.uk/register-to-vote>. If you do not have access to the internet, please contact the Council using the contact details above.

Ways of Voting

- 5.7 There are three ways of voting:
- (A) in person on Thursday 26th July 2018 at your local polling station. It is easy and a member of staff will always help if you are not sure what to do. The polling station is;
- Old Boys School Braughing, Church End, Braughing, Herts, SG11 2QA
- The polling station will be open from 7am to 10pm.
- (B) by post – if you have a postal vote already, you will receive a poll card confirming this fact. To vote by post, you will need to complete an application form and send it to the Electoral Registration Officer to arrive by 5pm on Wednesday 11th July 2018 at this address:
- East Herts Council, Wallfields, Pegs Lane, Hertford, SG13 8EQ

Postal votes can be sent overseas but you need to think about whether you will have time to receive and return your completed postal vote by Thursday 26th July 2018. You should receive your postal vote about a week before polling day. If it doesn't arrive in time, you can ask for a replacement from Friday 20th July 2018 up until 5pm on Thursday 26th July 2018 by contacting the Council.

- (C) by proxy – if you have a proxy vote already, your proxy will receive a poll card confirming this fact. If you can't get to the polling station and don't wish to vote by post, you may be able to vote by proxy. This means appointing somebody that you trust to vote on your behalf at your polling station. To vote by proxy, you will need to complete an application form and send it to the Electoral Registration Officer to arrive by 5pm on Wednesday 18th July 2018 at the address detailed above. For more information on voting by proxy please call 01279 655261.

Postal and proxy vote application forms are available at www.aboutmyvote.co.uk