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Localism in practice – lessons from a pioneer neighbourhood plan in England

Abstract

The UK Government claimed that its 2011 *Localism Act* would shift power (back) to local communities and neighbourhoods so that they can manage their affairs in their own interests. One of the principal ways this was intended to happen was through the production of Neighbourhood Development Plans (NDPs). In this paper we use a longitudinal case study of the first NDP to be adopted to analyse the extent to which it meets the expectations placed upon this new element of the English planning system, and consequently the implications for the success or otherwise of 'localism' more broadly. We explore issues including the legitimacy of localist planning processes, the capacity of communities to take the opportunities open to them, and the extent to which higher tiers of governance can frame and constrain the activities of lower tiers.

Introduction

According to the UK's then Decentralisation Minister Greg Clark, April 6th 2012 marked a major milestone in the new coalition government's attempts 'to reverse more than 100 years of centralisation, returning power back to citizens, communities and local groups' (DCLG, 2012a). In relation to planning, the 2011 Localism Act, which came into force in April 2012, gave community groups a range of new powers, including the ability to produce

Neighbourhood Development Plans (NDPs), which, if adopted, would form part of the statutory development plan against which all proposals for new development would be assessed. This innovation is one of the few concrete examples of the government's stated aim to 'disperse power more widely in Britain' (HM Government, 2010, p. 7) and is claimed as a 'reform to make the planning system more democratic and more effective' (DCLG, 2011, p. 4).

This is not a new agenda for the UK, as for at least the last 20 years various new governments have proclaimed their aspirations to put power closer to the people (Allmendinger & Haughton, 2012). Greater public participation, but sitting firmly in the institutional setting of representative democracy, has been increasingly emphasised as central to the English planning system. Indeed this idea was core to a previous tranche of reforms in 2004, introduced by the previous Labour government (DCLG, 2001; Shaw & Lord, 2007), claiming to place 'active participation... at the heart of the [planning] process' (ODPM, 2004, p. 8).

Evidently the 2010-onwards coalition government did not feel that the 2004 reforms were effective enough, choosing to legislate further and illustrating the claim of Gunn and Vigar (2012, p. 534) that the English planning system finds itself in a constant 'state of flux'. It is, however, also true that doubt has been cast over both the commitment of the previous 1997-2010 Labour administration to effectively decentralise power (Allmendinger & Haughton, 2012), and the extent to which planners in England were prepared to embrace 'culture change' (Inch, 2010; Shaw & Lord, 2009) and involve the community in planning. Likewise, various aspects of the new NDP system have attracted criticism in the popular

and professional press: firstly, the concern that Neighbourhood Planning can be seen as a 'NIMBY's charter', with local people unlikely to support new (housing) development if given the choice (Healey, 2010; O'Connor, 2010); secondly, the linked pair of issues of the capacity of communities to produce NDPs, and the likely representativeness of the groups within those communities tasked with carrying out the work (Sutcliffe & Holt, 2011); thirdly, the scope for national and local government to frame and constrain NDPs (Parker & Murray, 2012; Parker et al, 2015 - this issue). These three criticisms tie in to broader issues around localism and decentralisation in planning, in both theory and practice.

This paper therefore takes those three themes as its starting point, and explores the extent to which they may be valid criticisms of localism in general, and specifically the new English powers. It does so through an in-depth case study of the development of one NDP, acknowledging the increasingly well recognised point that exploring how a given planning system works requires going beyond a study of legislation and policy, to explore in detail how planning is actually done in practice (Hillier & Healey, 2008). As the system of NDPs is so new, there are as yet few studies into how they are being produced (Davoudi & Cowie, 2013; Parker et al., 2014). In this paper we attempt to add to this limited field, by examining the planning processes which have operated in a remote rural part of the north west of England, the Upper Eden Community Plan (UECP) area, culminating in the adoption of the first NDP in the country. A longitudinal analysis of the preparation of that plan is supported by evidence from emerging practice in other parts of England. That data is used to illustrate that, whilst some of the concerns of commentators about the theory and practice of localism are borne out, others are not, suggesting both that further research is necessary

and that assumptions and prejudgements about the nature of community-level planning must be constantly re-interrogated.

Neighbourhood Planning

As outlined above, the 2011 Localism Act (henceforth, *the 2011 Act*) contained a range of measures which the Government claims devolve more power to local authorities, and in this case more particularly to communities. The element of the Act we focus on in this paper is the introduction of Neighbourhood Development Plans (NDPs). These new plans will form part of the statutory plan of the local planning authority, but will be produced by 'communities, both residents, employees and business' (DCLG, 2011, p. 15). There are some particularly novel elements of both the production process and intended content of NDPs.

In terms of the process, NDPs will be produced by a self-selecting group, known as the *neighbourhood forum*, which must first nominate itself to the local authority – in rural areas, this is normally by default the town or parish council. The local authority must approve the group, and approve the spatial area it wishes to produce a plan for. Assuming the group and spatial area are approved, the neighbourhood forum will then produce a plan, consult its local community and revise the proposed plan as necessary. In order to become part of the development plan the NDP must then pass through both an independent examination and, uniquely, a referendum of those residents who live within the jurisdiction of the approved plan area. In terms of intended outcomes, NDPs are predicated on delivering additional growth and development: 'Neighbourhood plans and orders should not promote less

development than set out in the Local Plan or undermine its strategic objectives' (DCLG, 2012b, p. 44).

This latter requirement is both an example of the third criticism of the system referred to above (the framing of NDPs by "higher" tiers of government), and illustrates the power of the first (the fear that NDPs will facilitate NIMBYism) – it appears to have been introduced in part because of fears from the development industry that the original Localism Bill, published in 2010, and the Conservative Party Green Paper that preceded it (The Conservative Party, 2010) 'will make it easier for a handful of Nimbys to block new homes' (Orme, 2010). In the following section we explore these themes in more depth.

Neighbourhood Planning in Theory

Attitudes of Communities to Development

As briefly noted above, much of the writing in the practice and academic press in relation to localism in the UK has expressed the view that the 2011 Localism Act is a 'NIMBY's charter' (Healey, 2010; O'Connor, 2010; Orme, 2010), with a degree of scepticism amongst commentators about the likelihood of communities coming forward with NDPs which are supportive of more development than local plans (Curry, 2012; Gallent & Robinson, 2012). The following quote, from an article in *The Independent* newspaper, perhaps sums up the reason for this pessimism: 'Local planning is a cauldron of self-interest. The whole culture of planning at local level is largely negative – building new houses is never popular' (Orme,

2010). It is worth reflecting at this point about whether this somewhat sweeping statement is in fact accurate.

Opposition to development is nothing new (Clifford & Warren, 2005) and almost as well established is the tendency to categorise such opposition as reflecting self-interest, with the pejorative term NIMBY (Not In My Back Yard) now in common use. There is of course no shortage of evidence over many years to support the assertion that local communities frequently oppose new housing development (cf. Newby, 1985; Shucksmith, 2000), but equally there is an increasing body of research which seeks a more nuanced understanding of opposition to development.

Maarten Wolsink (2000; 2006) has critiqued the whole notion of NIMBYism, noting that it is often used as a pejorative catch-all to describe any and all opposition to development commonly perceived as being in the public interest. He, and others, advocate a more critical understanding of what motivates people to oppose new development, including the view that opposition can be seen as communities mobilising against the power of big business (Lake, 1993); and the critical role that trust (or lack of it) plays in determining responses to development proposals (Margolis, 1996; Smith & Marquez, 2000). Bell et al. (2005), Ellis (2004) and Sturzaker (2011a) are just three studies looking in detail at the variety of motivations for opposition to development. All three conclude that whilst self-interest undeniably plays a part, other factors can be equally important, including a perceived duty to challenge inappropriate development and the so-called 'democratic deficit' in planning decisions. In the context of the latter issue, some have found evidence to

suggest that more bottom-up or community-led planning can reduce opposition to (specifically housing) development (Parker et al., 2010; Sturzaker, 2011a).

The context in which development proposals occur is also important. Much of the negative commentary on the 2011 Act, referred to above, focuses on the implications for planning in rural areas, in large part because the English countryside is where the conflict between those advocating and those resisting development is thrown into sharpest relief (see Sturzaker & Shucksmith, 2011 for one analysis of this conflict). It is important to remember, however, that rural England is not uniform, as illustrated by the landmark work of Murdoch et al. (2003). Their conception of 'The Differentiated Countryside' suggested that distance from urban centres was a critical variable, and it was possible to place areas of the countryside within four categories of *preserved*, *contested*, *paternalistic* and *clientelist* as, broadly speaking, the distance from urban centres increased and the pressure for housing development correspondingly decreased. As we will go on to suggest, the Upper Eden area appears to fall into the fourth category, the *clientelist countryside*, where we might expect to see a quite different attitude to development.

Capacity and Legitimacy

A second topic which has worried some in relation to localism in general and Neighbourhood Planning specifically are the twin and related issues of capacity and legitimacy.

In relation to the former, Sutcliffe and Holt (2011) used existing levels of volunteering within communities in England as a proxy for the likelihood that they were equipped to participate in opportunities such as Neighbourhood Planning. They found that in wealthier areas the proportion of people engaged in voluntary activity was as high as 36%, whilst in poorer areas it was as low as 14%; so those participating in localism-type activities may largely be 'well-meaning, well-educated people living in nice places – mostly rural – with time on their hands' (Hall, 2011, p. 60). So there may be an in-built bias as to the types of areas likely to engage in neighbourhood planning. This, of course, could be said to apply to all levels or tiers of planning, and it may well do – but it is of particular importance for NDPs, because these plans are to be produced *by* communities, not by professional planners *on their behalf* as is typically the case. So communities with lower levels of active participation will not merely struggle to make their voices heard in relation to local-level planning debates, they may be further disenfranchised by simply not having an NDP.

Further, there are questions about how legitimate the process will be *within* those communities which do seek to prepare an NDP.

In urban areas new groups will be required – so-called 'neighbourhood forums', which will self-select themselves, subject to approval by the local authority. In rural areas, in contrast, the existing tier of governance which is in place across rural England will act in that capacity – parish and town councils. As the latter are ostensibly part of the system of representative democracy in England, at first glance they may carry a greater degree of legitimacy than the unelected neighbourhood forums, but several commentators have noted the low turnout in and, sometimes complete absence of, parish councils elections, with the result

that members are often co-opted rather than being elected (Gallent & Robinson, 2012; Tewdwr-Jones, 1998) – though Parker (2008) found that the process of community planning could in itself encourage wider involvement in parish councils. However, in both urban and rural areas there is scope for, and concern about, the process being dominated by particularly active, vocal or articulate individuals or groups (Curry, 2012; Gallent & Robinson, 2012). This is one of the criticisms which is made about localism more broadly, that it can be dominated by unrepresentative local elites (Clifford & Warren, 2005), or ‘illiberal and benign majorities’ Parvin (2009, p. 357) – producing the so-called ‘double-exclusion’ noted by Parker (2008).

These potential problems notwithstanding, there is a substantial body of work on the topic of decentralisation, and how it relates to encouraging greater participation in planning

Participation and Decentralisation in Planning

There is a rich vein of writing arguing for the desirability of greater public participation in state decision making, with Sherry Arnstein’s 1969 *A Ladder of Citizen Participation* an iconic paper which still has considerable relevance today. She argued that ‘participation of the governed in government is a cornerstone of democracy... [but] participation without redistribution of power is an empty and frustrating process’ (Arnstein, 1969, p. 216). For many (for example Wainwright, 2009), encouraging meaningful participation in planning goes hand-in-hand with decentralising decision-making, because ‘small-scale governance is associated with participation and responsiveness’ (Lowndes & Sullivan, 2008, p. 54).

Rodriguez-Pose and Sandall (2008, pp. 56-58) identified that responsiveness (the 'democratic discourse') as one of three discourses used to promote decentralisation, the other two being 'Identity: the discourse of minorities' and 'Efficiency: the economic discourse'. There is a remarkable overlap between these three discourses and the three arguments put forward in favour of localism¹ by the UK Prime Minister (Cameron, 2010).

But does the reality match the rhetoric? A common problem with participation and decentralisation in various fields, including planning, can be that of decision makers in 'higher' tiers of governance limiting the scope of participation practices, perhaps in part because planners wish to protect their status as experts (Sturzaker, 2011b). Hence 'participation becomes moulded to suit the decision makers... planners and other bureaucrats tend to structure and organise some options and 'disorganise' others, thus acting to build-in biases' (Parker & Murray, 2012, p. 8). Gallent and Robinson (2012) argued that the previous 'government's failure to deliver on its rhetoric of community leadership' (p. 193) was in part due to a reluctance to release control over housebuilding, and hypothesise that the new system might also be open to something similar, due to the requirement for 'legal compliance between neighbourhood plans and local plans, with the latter taking precedence' (p. 195). This inherent framing of NDPs by the Localism Act, and the scope for local authorities to frame the scope for neighbourhood planning through their ability to refuse to approve the neighbourhood forum and/or the neighbourhood plan area, have been criticised by some as disincentivising communities from producing NDPs (Lynn & Parker, 2012).

¹ We recognise that the words *localism* and *decentralisation* do not mean the same thing – from a semantic point of view, decentralisation is a process whereas localism is perhaps more of an outcome. However, the UK Government tends to use the two terms interchangeably, hence the overlap here.

In this section we have discussed the theoretical issues with Neighbourhood Planning and localism. We now move on to examine whether and how these issues are playing out in practice. In the next section we discuss our methods, before introducing our principal case study.

Methods

Our main source of data is an in-depth and longitudinal study of the process behind the production of the Upper Eden Neighbourhood Development Plan (UENDP). This was the first NDP to be formally 'made' by its local authority (Eden District Council, EDC). To explore how the plan was produced and the history of community planning in the area we carried out interviews with three key individuals, supported by a review of relevant documents.

Interviewee A is the key figure in the Upper Eden Community Plan (UECP) group, the body that produced the UENDP, having been involved with it from its foundations in 2002, and is also a local planning consultant. Interviewee A was initially interviewed, using a semi-structured format, in October 2011. A short follow-up open-ended interview was carried out with the same person in September 2012, in order to understand a dramatic change in the relationship between UECP and EDC that occurred at this time (discussed below).

Interviewee B is a senior politician within EDC, who was interviewed using a semi-structured format in January 2012. Finally, Interviewee C, a planning officer with EDC, was interviewed using a semi-structured format in November 2012, (following the second

interview with Interviewee A). This interviewee provided a very different perspective from Interviewee B, reflecting the change in relationship referred to above.

These interviews were supported by a review of four relevant documents: EDC's responses to drafts of the UENDP (EDC, 2011a, 2012a), minutes from council meetings discussing it (EDC, 2011b) and the summary of consultation responses to the draft UENDP (UECP, 2012d). The latter document has been analysed to assess the extent to which the policies in the UENDP appear to have support (i.e. in terms of the detail of the policies, not just overall support expressed through passing a referendum); whilst the first three contain revealing instantiations of the level of support (or otherwise) shown by EDC to the production of the UENDP.

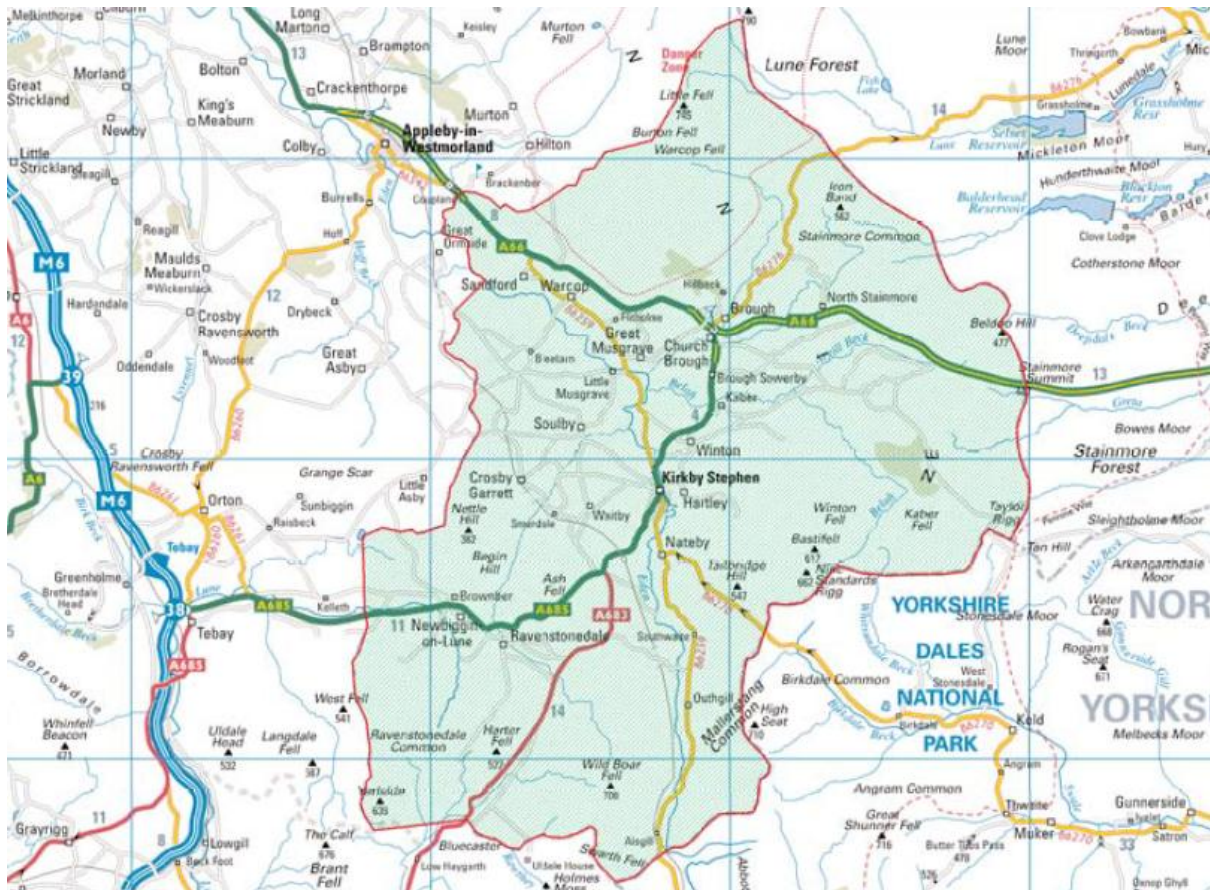
By using just one case to explore Neighbourhood Planning we could be accused of overreading findings from one case that might be what Karl Popper (1959, cited in Flyvbjerg, 2006) called the 'black swan', i.e. far from typical. Here we follow Popper, Flyvbjerg and others and argue that whilst it may be true that we cannot formally generalise from one (or indeed many) cases, single case studies can be very useful in contributing to 'the collective process of knowledge accumulation in a given field' (Flyvbjerg, 2006, p. 227).

There are also, despite the newness of NDPs, some studies emerging that do explore how they are being prepared (in some cases, e.g. Davoudi & Cowie, 2013 also drawing upon one case as we do) and what their focus might be. We draw upon these to support or challenge our findings.

Case study background

The Upper Eden valley and Eden District Council local authority area are in the far north west of England, part of the county of Cumbria (see figure 1), in what we argue can be considered as *clientelist* countryside (Murdoch et al., 2003). This distinction is important because the typology developed by Murdoch et al suggests that in relatively remote rural areas such as the Upper Eden, which are far enough away from major employment centres to make commuting back into those centres impractical/undesirable for most, a different set of relationship, power structures and local priorities are in place than is the case in areas closer to urban centres. The area is some distance from the nearest cities and is described as 'the most sparse part of the most sparse district in the country' (UECP, 2013, p. 11). This suggests, therefore, that the preservationist attitudes to the countryside visible in areas closer to urban centres may be less predominant. As we will go on to see, this is borne out in the policies adopted in the UENDP.

Figure 1 – Map of Upper Eden area (copyright UECP, permission for use granted)



Within England, below the formal administrative level of local government sit parish and town councils. These are elected bodies with limited powers and historically they have focused their attention on the administration of the daily affairs of towns and villages. Reinvigorating this system of rural governance has been an aim of Government policy for a number of years. Parish and town councils were thus encouraged (and financially supported) to produce their own community-led plans (CLPs) as part of attempts to reinvigorate governance at the community level, a form of localism as expressed in a rural White Paper in 1995 – 'local decision making is likely to be more responsive to local circumstances' (DoE & MAFF, 1995, p. 16). A further rural white paper in 2000 led to funding for the production of CLPs (DETR & MAFF, 2000). During the 1990s and 2000s a range of community-led and broader planning instruments emerged at the village scale,

including village design statements; village appraisals or 'healthchecks'; and, potentially developing from the latter, various forms of action plans described variously as village action plans, parish plans, etc. There is a substantial body of work assessing these varying forms of CLPs (Gallent et al., 2008; Moseley, 2002; Owen, 1998, 2002; Owen et al., 2011; Owen & Moseley, 2003; Owen et al., 2007; Parker, 2008; Parker et al., 2010; Parker & Murray, 2012) and we do not propose here to discuss this in any depth.

What is important to note, however is that the variable scope and quality of these 'plans' meant that higher tier local authorities responded in different ways to them. There was scope for community based plans to be formally "adopted" by local authorities, and hence play a part (statutory or otherwise) in decision making on development proposals and resource allocation being treated by local authorities as an expression of the desires of their local communities, which could be used as evidence in decision-making, or ignored as they saw fit. As we will discuss below, the UECP group felt that the latter option had been taken by EDC.

In the Upper Eden, community planning in the area goes back to 2002 when a 'health check' was carried out on the market town of Kirkby Stephen and its surrounding villages, which prompted more concerted and institutionalised community action and consequently the forming of the Upper Eden Community Plan group in 2005. This was initiated and led by Kirkby Stephen Town Council, whose Chairman at the time chaired the UECP, and who invited 16 surrounding parish councils to join the group (UECP, 2008, p. 9). The group of 17 parishes published the UECP in 2008, a representative from each being part of the Steering Group that wrote the plan and the subsequent NDP. Again, the production of a community

plan of this nature was not unusual, nor was the content of the plan – 89 actions, a relatively small proportion of which were related to land use planning (see table 1). What was perhaps unusual was the determination of the local group to try and influence planning policy in their area, as we shall discuss below.

Table 1 – Actions from the UECP with a planning focus (numbering taken from the UECP) (Source UECP 2008)

1.3	Support successful farm diversification projects to expand
1.4	Support working from Home
2.2	Seek flexible planning policy on business use in rural locations
8.1	Prepare planning policy to allow dispersed housing allocations
8.2	Prepare planning policy for self build affordable housing
10.10	Increase number of small scale renewable energy permissions
10.14	Reuse buildings for housing and employment uses
12.1	Settlement plans for Kirkby Stephen, Brough, Warcop, Ravenstonedale
12.2	LDF Core Strategy to promote dispersed allocations

The UECP area was chosen in 2011, by the Department of Communities and Local Government (DCLG), to be one of the Government’s 200+ pilot Neighbourhood Planning areas and given £20,000 funding to test the powers to be introduced in the 2011 Act (see below for more details). This is part of the reason why the UENDP was the first NDP to be adopted, but other factors played their part, as we explain below. The UECP published an ‘Issues and Consultation Paper’ in June 2011 (UECP, 2011) and a full draft plan in May 2012 (UECP, 2012b). The UENDP (UECP, 2013) was independently examined in December 2012 and taken to referendum in March 2013 before being made part of EDC’s development framework in April 2013.

In the following section we analyse the processes of Neighbourhood Planning in practice, drawing on our data from the UECP area and other emerging publications. This analysis is again based around the three themes we identified in the introduction and used to structure the literature review.

Neighbourhood Planning in practice

Attitudes of Communities to Development

As we discuss above, much of the rhetoric expressing concerns with the introduction of Neighbourhood Planning assumes that NDPs will be characterised by self-interested opposition to development. The UECP and UENDP provide an illustration that this is not necessarily the case, arguing as it does for *more* development, not *less*, within the UECP area. The planning-related actions in the UECP originated from a concern that too much of the development proposed in the EDC area (as set out in regional and local planning policy) was focussed on the largest town in the district, Penrith. Hence the smaller towns, villages and hamlets in the area were not going to be permitted to grow. Latterly, the group has used rhetoric around the 'sustainability trap' to argue for a more dispersed pattern of development within the UECP area. Whilst unquestionably contested, the 'sustainability trap' argument is not without support in both academic circles (Best & Shucksmith, 2006; Hoggart & Henderson, 2005; Sturzaker, 2010) and from some within the practice community, notably Matthew (now Lord) Taylor, who in a report to the UK Prime Minister in 2008 criticised 'the way regional and local planners are applying [the requirement to contribute to sustainable development] through prioritising certain narrow environmental

indicators' (Taylor, 2008, p. 42). Taylor argued that this approach resulted in settlements being 'written off as inherently "unsustainable", in which case no new housing or economic development may be allowed at all' (Taylor, 2008, p. 45), so falling into a 'sustainability trap'. This chimes with the findings of Allmendinger and Haughton (2010) who noted that concepts such as 'sustainable development... are far from neutral policy devices, instead providing the potential to privilege certain perspectives whilst variously diluting, diminishing, or marginalising others' (p. 804).

The UENDP uses the sustainability trap rhetoric to argue for policies 'aimed at making sure that the opportunities that exist for local people to build to solve their own housing problems are positively supported through the planning process' (UECP, 2012c, p. 6), proposing a level of housing development that goes beyond that proposed in EDC's local plan (EDC, 2010) by approximately 14 per cent.

Looking more broadly across England, a report published by planning consultancy Turley estimated that of the 75 draft Neighbourhood Plans that had been published by February 2014, 55 per cent of them were focused on 'the preservation and protection of that which currently exists' (Turley, 2014, p. 15). This is of course just one source of evidence, and we must pause to assess its neutrality. The introduction to the report explains that it set out to ask, *inter alia*, 'Will localism (in the form of neighbourhood planning) simply encourage "nimbyism" – the *natural tendency of local communities to preserve the status quo*; and will these "conservative" traits run counter to the thrust and direction of national policy?' (Turley, 2014, p. 4, emphasis added). It might be argued, therefore, that the report set out to find something and did indeed find it. Nonetheless, it is one of the few studies that have

yet emerged to study a breadth of Neighbourhood Plans, so despite any possible lack of objectivity it remains a useful source of evidence. If nothing else, it allows us to say that there appears to be a range of motivations for undertaking NDPs – some to do with promoting development, others perhaps more concerned with controlling it. Indeed, a second study of the *process* rather than the *content* of NDPs has found that ‘the two key motivations for starting a neighbourhood plan appeared to be: Reinvigorating the local area... and Protecting the desirable characteristics of the area’ (Parker et al., 2014, p. 18).

Capacity and Legitimacy

As discussed above, there were fears about the extent to which urban and/or poorer communities in England would have the capacity to carry out Neighbourhood Planning. Early evidence suggests that such communities are at least slower to take up the new powers. Turley (2014) found that of the draft plans published for consultation, 73 per cent were in Conservative-controlled local authorities, and 9 per cent in Labour-controlled authorities², a reasonable proxy for the rurality or urbanity of an area. Similarly, the study carried out by Parker et al. (2014) of groups who ‘had experienced latter stages of neighbourhood planning’ spoke to 120 NDP groups, of whom only 17 were from the comparatively less wealthy and more urban “North” of England (the North West, North East and Yorkshire & Humberside). Finally, Geoghegan (2013b) found a marked difference between the 20 per cent most deprived local authorities in England, where there had been 20 neighbourhood forums designated; and the 20 per cent least deprived, where 60 had

² At the time of writing, before the 2014 local elections, the Conservatives controlled 49% of local authorities and Labour 30% (LGiU, 2013).

been designated. So there is some evidence to suggest that urban and poorer areas are taking longer to develop NDPs, though in part this could be explained by the lack of Town and Parish Councils in urban areas, hence the necessity for the formation of new Neighbourhood Forums, which in itself takes time..

As discussed above, we also reflect upon the democratic legitimacy of localism, and the specific case of neighbourhood planning, even within those areas that have sufficient capacity to get involved. As noted above, the UECP group was one of the 200+ areas chosen to pilot Neighbourhood Planning powers. All the other pilots were part of the Government's Neighbourhood Planning "frontrunner" programme led by local authorities. In the UECP case, they were part of a different programme, the "Big Society Vanguard", four areas of England wherein money and support was available to community-led schemes to explore localism from the bottom-up. UECP's representation in this programme appears to have been largely due to the influence of the local (Conservative) MP, Rory Stewart, who describes himself as 'that strange creature: a believer in the Big Society' (Stewart, 2012). Interviewee A explained that Mr Stewart "was very keen on us becoming part of the Big Society thing", and introduced the UECP group to the Government's Big Society "Czar", Lord Nat Wei. Ultimately, the help received to prepare the UENDP – £20,000 funding and accompanying support from DCLG – were the same as for the Neighbourhood Planning frontrunner programme, but, perhaps critically, the funding went directly to the UECP and not to EDC. This appears to have paid a part in the decision of EDC to not participate in the pilot NDP – the minutes of the meeting of EDC's Executive explains that it 'resolved unanimously that the Council do not apply to participate in the Neighbourhood Plan pilot...

[because] participation in the pilot poses a financial risk due to uncertain costs and the risk of challenge... ' (EDC, 2011b).

Our interview with Interviewee B sought clarification on EDC's stance. Interviewee B did not emphasise the financial aspect, rather what was described as a lack of 'rapport':

I've looked at other areas where there are pilots, and it seemed to me at the time [of the application] that there wasn't the *rapport* between the council and the promoters of the plan that was a necessary ingredient of a partnership... after that, for their own reasons, DCLG decided to run with a pilot project in Upper Eden, and as a council we would not be involved. Now, well, I mean, we were... I mean, it wasn't... you know, [Interviewee A]'s line on all of this is that we were *miffed* about it, *but we weren't*.

(Interviewee B (emphasis added))

This perceived need for 'rapport' is interesting – we would not expect to find 'quality of rapport' in any kind of formal list of requirements to support a neighbourhood plan, though others identify the importance of relationships in plan-making at the community level (Parker & Murray, 2012). Further investigation suggests that the misgivings of EDC appeared to centre on the fact that Interviewee A is both the project officer for the UENDP and a planning consultant. This degree of expertise and understanding of the planning system appears to us to be no small part of the reason for UENDPs relatively rapid production, but documentary and interview evidence also suggest there may be questions about the legitimacy of the process. It is the view of Interview A that 'Part of the problem

[between EDC and the UECP] may have been that they see that policy response as being made through me as an agent, as an attempt to manipulate the system for the benefit of my clients'. The response from EDC to the consultation on the draft UENDP appears to bear this out:

As with any neighbourhood group seeking to formulate and establish a neighbourhood plan, it is vital to recognise that such plans must serve the interests of the different communities and needs within a neighbourhood and not any particular individual or commercial vested interests...

(EDC, 2011a, p. 1)

Interview A feels that this perception of bias is 'kind of nonsense on one hand, and kind of true on the other hand, because my clients are local people. The fact that they may benefit from the policy changes is entirely normal and to be expected'. This could be seen as evidence to support the view that the UECP area is an example of the clientelist countryside, and bear out the concerns identified above that localism could advantage some particular groups and individuals (see, amongst others, Curry, 2012). However, it is also important to note that there is no shortage of evidence to suggest that there is broad support for the UENDP.

Firstly, the formal process of producing an NDP begins with the local authority approving the application to designate a "Neighbourhood Area" that will be covered by the NDP. In the UECP case, each of the 17 parish councils were required to formally consent to being involved in the UENDP (UECP, 2012a). Secondly, whilst Interviewee A is indeed a local

planning consultant, he was awarded the contract to produce the UENDP through an open tender process. Thirdly, other (elected) members of the UECP group have expressed their satisfaction with the UENDP: 'Joan Johnstone, chair of Kirkby Stephen Town Council... said the plan would give parish councils "a lot more control over future development in the area" and allow Upper Eden to develop at a manageable rate' (Geoghegan, 2013a); 'Brough parish councillor Pat Jones said "For Brough to be part of the first area to reach this stage is something to be proud of. There has been a great deal of hard work and consultation with residents to get to this stage"' (Cumberland & Westmorland Herald, 2013). Fourthly, we can consider the extent to which the UENDP can claim direct democratic legitimacy. As noted above, NDPs are unique within the English planning system in that they require approval in a referendum before they can become "made" by the local authority. 90% of those voting in the referendum on the UENDP (N=1452, a 34% turnout) agreed that it should be made.

This suggests, therefore, that although it may be fair to cite a possible conflict of interest in the fact that the author of the UENDP may also benefit from its policies, there appear to be sufficient safeguards to preserve the legitimacy of this plan, and others, in purely representative terms at the least – and of course broader safeguards in the form of judicial review and other legal procedures are available *in extremis*. However, much of the rhetoric behind the introduction of the Localism Act and the Big Society was about moving beyond representative democracy, as it is seen by some as 'an incomplete form of procedural legitimacy' (Davoudi, 2013, p. 4). Instead, direct involvement in decision-making is seen to be desirable (Stewart, 2015). In the following final section of analysis we explore the extent to which the current, and previous, systems of planning in England allow(ed) this to happen.

Participation and Decentralisation in Planning

In addition to querying the legitimacy of the group writing the UENDP, EDC questioned the 'level of consultation that has/is taking place' (EDC, 2011a, p. 1). 31 responses were received to the consultation on the draft UENDP, from a population of the UECP area of approximately 5,000 people. It is important to remember that NDPs have not been introduced into a planning-less vacuum. When EDC carried out consultation on its local plan in 2005 and 2007, it received 56 and 72 responses respectively, from a population ten times larger than that of the UECP area (EDC, 2009, 2012b). In quantitative terms, then, the UENDP consultation holds up well. That tells us nothing, of course, about the breadth of that consultation. Again, though, the English planning system in place from 2004 onwards has been criticised for being 'intensely academic', with the consequence that 'most citizens are only dimly aware when "plans are afoot"' (Woodin, 2011, p. 78). Evidence from the UECP area suggests a degree of frustration with the 'old' system of local plan-making even from those who did get involved. The UECP group sought to be actively involved in the planning processes, commenting extensively on the draft regional and local plans with the aim of securing amendments to both that would reflect the planning related aspirations of the UECP. Interviewee A suggested that the group found this frustrating, and did not feel their concerns were reflected in the final version of either plan. When asked whether this was a failure of the 2004 system, or of those operating it, Interviewee A responded strongly:

... it is of course about the way the system was operated... I think that the process is a fairly closed shop. The Inspectors are previous chief planners, and those at the top of the profession have a lot invested in the extant system... It felt like a closing of ranks by the Regional Planning Body and Local Planning Authority when offered an alternative view of, say, 'sustainability'...

We must remember here that, as discussed above, Interviewee A is, in addition to the author of the UENDP, a local planning consultant so cannot be considered a neutral onlooker. The comments do, however, chime with the observations of Allmendinger and Haughton (2012) and others that that system did not open up as much as close down the plan-making process.

Returning to the implementation of the 2011 Act, as discussed above there are opportunities within the Neighbourhood Planning system for local authorities to frame or constrain the activities of communities. As we have explained, EDC did not originally support the preparation of the UENDP. In their response to the consultation on the UENDP Issues and Consultation Paper, EDC stated:

It is felt that the majority of policies/areas of concern that the plan highlights are already covered by [the local plan] and we would query the need to replace these policies (EDC, 2011a, p. 1).

EDC framed the possible issues which in its view should be included in an NDP. It is worth contrasting EDC's comments with the Government's advice on what neighbourhood plans

can include: '...the community's views on the development and use of land in their neighbourhood... Neighbourhoods will come to their own view on policies which should be decided at the neighbourhood level (i.e. non-strategic)' (DCLG, 2012c, p. 3).

As of August 2011, then, our interview and documentary evidence suggests a strong degree of antipathy from EDC towards the UENDP. But by May 2012, this attitude appears to have changed fundamentally – EDC's response to the full draft UENDP reveals a very different attitude towards it, stating that the Council 'generally supports production of the plan', in part because 'it is not the job of the local authority to instruct or impose its will on the neighbourhood as it develops the plan' (both quotes from EDC, 2012a, pp. 2-3). It was not apparent from the response why EDC changed its attitude, so a follow up interview was arranged with Interviewee A to ascertain why. Interviewee A explained the change by referring to a reorganisation in the planning department at EDC, with several key personnel leaving and/or changing roles. A new senior planner started work there 'without any of the baggage the others had', which led to an almost immediate change in attitude on the part of EDC. This new planner (Interviewee C), appeared to support this point of view:

There are conflicts with the Council's own policies, but in some ways that is the whole point of neighbourhood planning – it's the local community wanting a different approach... and the District Council ultimately works for the people of Upper Eden... My advice to officers and members here is that it's not really our job to have a position on it unless it's clearly flawed in a way that may prevent its adoption (Interviewee C, 2012)

It is striking that this radical and rapid change in position, a transformation in governance relationships, appears to be strongly correlated with a change in personnel at EDC – notwithstanding the issues discussed thus far, this would suggest that, as Interviewee B stated, ‘rapport’ between those involved in plan-making is important.

Looking beyond these issues of personal opinions within the UENDP area, because local authorities must approve the boundary of a NDP area there are opportunities for them to frame the ‘rules of the game’ to exclude what they may consider to be particularly contentious sites from a neighbourhood plan area. Indeed, a recent judicial review has held that a local authority is entitled to do just that (Wycombe District Council, 2013). Further, in *Dawlish in Devon* and *Haybridge & Glencot in Somerset*, the local authorities have argued that bringing forward a neighbourhood plan before the local plan is completed would be premature (Parker, 2012).

This could be seen simply as the management of the NDP process, but for us, neighbourhood planning can only be seen, in the words of the ex-planning minister as ‘a quiet revolution’ (DCLG, 2013) if communities actually are ‘in the driving seat’ (ibid.) rather than remaining as passengers. There is clearly a balance to be struck here between devolving power to communities and retaining enough control within higher tiers of government to ensure strategic aims are met, but there does appear to be something of a gap between the rhetoric of ‘returning power back to citizens, communities and local groups to manage their own affairs’ (DCLG, 2012a) and the reality of powers retained at the local authority level to ‘modulate’ community action (Parker & Street, 2015; Parker et al, 2015).

Conclusions

In this paper we have used a case study of the first community in England to produce a Neighbourhood Development Plan (NDP) to do two things. Firstly, we analysed an example of the implementation of this new aspect of the English planning system, and add to the small but growing body of work on the topic. Secondly, we ask broader questions about localism and some of the assumptions that underpin it – this is important because localism, decentralisation and devolution remain widely popular in many parts of the world (Rodriguez-Pose & Gill, 2003), so more work exploring its practical implications is necessary. We have structured our analysis around three themes, all of which have important implications for the English case and beyond: Attitudes of communities to development; Capacity and Legitimacy; and Participation and Decentralisation in Planning.

We have found that the assumption that localism, delivered through NDPs, would be dominated by self-interest and consequently opposition to new (housing) development to be, at least partially, a simplification. Our case study is of a community that is actively seeking additional new housing, and evidence from other studies (Parker et al., 2014; 2015; Turley, 2014) suggests a diversity of motivations for pursuing NDPs. This supports previous findings which suggest that the UK Government's belief that local resistance to development can be ameliorated through greater community engagement in planning (DCLG, 2010) may have some basis in reality (Parker et al., 2010; Sturzaker, 2011a). There is no reason to assume this finding is only applicable in England.

In terms of capacity and legitimacy, we have made several findings. Firstly, the evidence thus far suggests that the communities which have been quickest to embrace localism and begin the process of Neighbourhood Planning are more likely to be in rural areas. The reasons for this are unclear. It may be, as some have argued, because they are wealthier than the average (Geoghegan, 2013b; Hall, 2011). It also appears to reflect, at least in part, the pre-existing “architecture” to support community activism in rural areas in England – the long-established system of parish and town councils, many of whom have been working for years on forms of community planning, and so have the capacity to swiftly adapt to the new opportunities available to them. It is therefore critical to ensure that any attempt to implement localism in other contexts should recognise any differences in institutional structure and attempt to compensate for these in the design of systems for devolving decision-making. Secondly, regarding the issue of legitimacy, emerging evidence supports the fear that planning at the community level can be subject to influence by local elites. As we have observed several times, however, we need to acknowledge that Neighbourhood Planning does not emerge onto a blank planning canvas in England – the system of local (and, until 2010, regional) plan preparation has been in place, in different forms, for many years, and has often been accused of being open to influence by elite groups (see for example Sturzaker, 2010; Vigar et al., 2000), as of course have planning systems in other contexts. So whilst there is no doubt that localism is far from a panacea, we should perhaps reflect upon whether community-level planning is more or less open to elite influence than the previous/existing systems of planning. Or, to put it another way, is community-level clientelism any worse than local-, regional- or national-level clientelism?

Finally, we have explored the extent to which the reality of the Neighbourhood Planning system in England reflects the rhetoric which accompanied its introduction – does it give ‘new rights and freedoms for communities to take back control’ (DCLG, 2012a), or do the constraints on the scope and content of NDPs effectively limit these opportunities? Our conclusion has to be that to some extent this depends on the attitude of the local authority. We have found (following Parker & Murray, 2012 and Parker et al, 2015 both in this journal) that the success or otherwise of Neighbourhood Planning rests to a not inconsiderable extent on commitment from the local authority. This leads to two further implications, and suggestions for areas of future research: Firstly, the 2011 Localism Act, perhaps in common with other pieces of legislation affecting planning in a discretionary system like that in the UK, depends on the relationships between key individuals within local authorities, and the individuals who lead community groups – ‘rapport’, as our councillor interviewee called it. So although the structures of/for localist governance provide an important frame for activity, individual agency is critical in determining outcomes. Secondly, and perhaps more profoundly, community planning activities appear to be contingent for their success on the attitudes of ‘higher tier’ government authorities, and whether they are perceived as complementing the overall aims of central and local planning policy. At this stage, then, the jury must remain out on whether localism in the English context has truly led to the redistribution of power from the centre downwards and outwards.

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