

NEIGHBOURHOOD PLANNING

A summary of the key stages in neighbourhood planning

<http://planningguidance.communities.gov.uk/blog/guidance/neighbourhood-planning/key-stages-in-neighbourhood-planning/>

Step 1: Designating neighbourhood area and if appropriate neighbourhood forum

- Relevant body (parish / town council, prospective neighbourhood forum or community organisation) submits an application to the local planning authority (LPA) to designate a neighbourhood area
- local planning authority publicises and consults on the area application for minimum 6 weeks (or minimum of 4 weeks where the area to which the application relates is the whole of the area of a parish council and is wholly within the area of one local planning authority)
- local planning authority designates a neighbourhood area within the statutory timescales
- In an area without a town or parish council a prospective neighbourhood forum submits an application to be the designated neighbourhood forum for a neighbourhood area
- local planning authority publicises and consults on the forum application for minimum 6 weeks
- local planning authority takes decision on whether to designate the neighbourhood forum

Step 2: Preparing a draft neighbourhood plan or Order

Qualifying body develops proposals (advised or assisted by the local planning authority)

- gather baseline information and evidence
- engage and consult those living and working in the neighbourhood area and those with an interest in or affected by the proposals (e.g. service providers)
- talk to land owners and the development industry
- identify and assess options
- determine whether a plan or an Order is likely to have significant environmental effect
- start to prepare proposals documents e.g. basic conditions statement

Step 3: Pre-submission publicity & consultation

The qualifying body:

- publicises the draft plan or Order and invites representations
- consults the consultation bodies as appropriate
- sends a copy of the draft plan or Order to the local planning authority
- where European Obligations apply, complies with relevant publicity and consultation requirements
- considers consultation responses and amends plan / Order if appropriate
- prepares consultation statement and other proposal documents

Step 4: Submission of a neighbourhood plan or Order proposal to the local planning authority

- Qualifying body submits the plan or Order proposal to the local planning authority
- Local planning authority checks that submitted proposal complies with all relevant legislation
- If the local planning authority finds that the plan or order meets the legal requirements it:
 - publicises the proposal for minimum 6 weeks and invites representations
 - notifies consultation bodies referred to in the consultation statement
 - appoints an independent examiner (with the agreement of the qualifying body)

Step 5: Independent Examination

- local planning authority sends plan / Order proposal and representation to the independent examiner
- independent examiner undertakes examination
- independent examiner issues a report to the local planning authority and qualifying body
- local planning authority publishes report
- local planning authority considers report and reaches own view (save in respect of community right to build orders where the report is binding)
- local planning authority takes the decision on whether to send the plan / Order to referendum

Steps 6 and 7: Referendum and Making the neighbourhood plan or Order (bringing it into force)

- relevant council publishes information statement
- relevant council publishes notice of referendum/s
- polling takes place (in a business area an additional referendum is held)
- results declared
- subject to results local planning authority considers plan / order in relation to EU obligations and Convention rights
- If the plan / Order is compatible with EU obligations and does not breach Convention rights – local planning authority makes the plan or Order.