

Appendix 4: Key steps in neighbourhood planning before a neighbourhood plan/order can come into force.

Steps for preparing a neighbourhood plan (general guidance applies to both neighbourhood plans and neighbourhood development orders).

Step one: Define the neighbourhood

Before neighbourhood planning can take place, the area of interest must be submitted, approved and designated. To do this:

An application must be submitted to LPA to designate the neighbourhood area. In the absence of a parish or town council, submit an application to set up a neighbourhood planning forum. This forum must be made up of a minimum of 21 unrelated people who live or run businesses in the area.

A neighbourhood area application must:

- contain a map clearly showing the boundaries of the proposed neighbourhood area
- clearly explain why this area is suitable for neighbourhood planning
- Depending on whether the designated area is a full parish boundary or not, the LPA will publicise the application for at least six weeks and invite comments from the local community.

After considering the application and any comments received, the LPA then publish the decision on the application.

Step two: Prepare a draft neighbourhood plan

What's involved in preparing the draft plan:

This involves:

- Gathering information about the neighbourhood area, considering the local plan for your area.
- Establishing the community's aspirations and priorities.
- Setting out a clear purpose for the plan including its goals and objectives.
- Drafting planning policies to help deliver the objectives of the plan.
- Understanding whether the plan is likely to have a significant environmental impact.

The plan should:

- Generally be in line with local and national planning policies.
- It must be in line with any other relevant legislation (including SA/SEA).
- Neighbourhood plans must contribute to achieving sustainable development.

Step three: Publicity and consultation requirements before the plan is submitted to the council.

- Before formally submitting a Plan to the Council for Examination, it must be publicised for **6 weeks**, inviting comments from people who live, work and carry out business in the area as well as the LPA and a number of specific regional and national organisations and agencies.
- The Forum have to consider responses received and may need to adjust proposals accordingly. The representations received and the NF responses to these will need to be set out in a Consultation Statement.

Step four: Formally submitting a neighbourhood plan proposal to the LPA

LPA check :

- Plan complies with all relevant legislation including the need for an SA/SEA
- All necessary processes and procedures have been carried out including consultation and the preparation of a consultation statement.
- If the Plan meets the legal requirements, then LPA will: Publicise the plan for a minimum of **6 weeks** and invite representations
- Notify specific regional and national organisations and agencies

Step five: Independent examination

- LPA send the plan and any consultation responses received during (Step 4) to the selected examiner.
- The examiner makes the relevant checks. They may recommend that the plan proceeds to the next change with or without changes or they may propose rejecting the plan.
- The examiner issues a report to LPA and the neighbourhood planning group.
- LPA publish the report.
- LPA consider the report and make the final decision on whether to send the plan to referendum.
- LPA to checks to see if it meets set tests known as 'basic conditions'¹.

Step six: Referendum

Neighbourhood Plan must gain a majority in a local referendum before it can be brought into force.

- Everyone living in the area of coverage (unless the examiner has advised differently) of the neighbourhood plan, who is registered to vote in local elections, will be entitled to vote in the referendum.
- LA publish a notice of referendum and an information statement.
- Polling will take place and residents will vote on whether the plan should come into force.
- LA declare the referendum results (for the neighbourhood plan to proceed to 'Making' (adoption), more than 50% of the vote in the referendum must be in favour of the plan
- A neighbourhood plan attains the same legal status as a local plan once it has been approved at a referendum.

Step seven: Bring the neighbourhood plan into force

If more than 50% of people voting in the referendum support the neighbourhood plan, the Council must formally consider the plan for adoption as part of the planning policy framework.

See figure 1 below.

¹ The basic conditions are set out in [paragraph 8\(2\) of Schedule 4B to the Town and Country Planning Act 1990](#) as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004.

