

The Neighbourhood Planning Regulations 2012 process and requirements:

Step 1: Designation of the Neighbourhood Plan Area

Step 2: Preparing a draft Neighbourhood Plan

Step 3: Pre-submission publicity and consultation

Step 4: Submission of Neighbourhood Plan to LPA (Local Planning Authority)

Step 5: Independent Examination

Step 6: Referendum

Step 7: Making the Neighbourhood Plan (bringing it into force)

Step 1 of this process has already been completed and the PC/NDP Steering Group are now embarking upon the most critical [step 2].

Step 2 This will be where the majority of the time/effort will be taken. It is difficult to put a timescale on this step, since each NDP (Neighbourhood Development Plan) is unique and will be different Plan to Plan, depending upon complexity etc. However, experience to date says this can be measured in years rather than months...

At the end of this step, it will be necessary to determine whether European Directives may apply (i.e. whether the Plan will require a Strategic Environmental Assessment). This assessment is carried out by a consultant on behalf of the LPA. This process includes consultation with the three statutory consultees (Historic England, Natural England and The Environment Agency). Allow approximately 3 months for the screening process.

Step 3 – The Qualifying Body (Parish Council) must carry out a minimum 6 week public consultation, inviting comments from the local community and other interested parties (as set out in Regulation 14 of the NDP Regulations). The draft Plan is also submitted to the LPA for comment. Following completion of the consultation, the PC/NDP Group will need to evaluate all responses and amend the Plan if appropriate. Can take 2 to 3 months, or more if the Plan requires amendment. SDC officers need to have their comments endorsed by SDC Members via Cabinet at this point and this can take a couple of months.

Step 4 – Once the Plan has been completed to the satisfaction of the PC, the NDP is submitted to the District Council. The LPA checks that the plan complies with all relevant legislation. The LPA publicise the proposal for a minimum of 6 weeks and invite representations in accordance with Regulation 16 of the NDP Regulations. Following completion of the consultation, the LPA compiles all the evidence base documents, consultation responses, NDP documents and forwards them to the Independent Examiner. Allow approximately 3 months for this.

Step 5 The Examination itself can take between 2 to 4 months depending upon the Examiner's workload and the complexity of the the Plan. It could take longer if the Examiner concludes the Plan needs to be examined via public hearing(s).

Once the Examiner's report has been received, the PC and LPA consider the recommendations and proposed modifications. Subject to a positive recommendation, the PC need to edit the Plan to create a 'Referendum' version. Say 1 month for this. The LPA then need to report the Plan to Cabinet again to receive Member endorsement to proceed to referendum. Allow 2 months for this.

Step 6 Following the Cabinet meeting , the LPA advertise the referendum (minimum 28 working days). With preparation of documentation, allow up to 2 months for this.

Step 7 Following referendum (subject to a successful 'yes' vote') the NDP needs to be reported to Cabinet and Full Council to have the Plan 'made' (adopted) by the Council. Allow up to 2 months to report to Cabinet. Full Council only sits 4 or 5 times a year, so depending on 'bad timing' it could take another 2 months or so to have the document 'made' at Full Council.