

Neighbourhood Planning

Guidance Note 2

# Producing a Neighbourhood Plan

July 2016



[www.breckland.gov.uk](http://www.breckland.gov.uk)



**This guidance note outlines the process for developing a Neighbourhood Plan as set out in the Neighbourhood Plan Regulations 2012.**

If you need this document in an alternative format, such as large print or a different language, contact Breckland Council on 01362 656870.



**Once the decision has been made by the community that a Neighbourhood Plan is the right choice, the following stages need to be undertaken.**

## Stage 1: Defining the Neighbourhood Area

A 'Neighbourhood Area' essentially defines the total area to be covered by the proposed Neighbourhood Plan. Mostly, this will be the parish boundary, however, designating part of a parish or partnering with adjoining parishes may be considered if this can be justified.

Neighbourhood Areas cannot overlap and there can only be one plan per Neighbourhood Area.

Current designated Neighbourhood Plan Areas are available on Breckland Council's website.

Proposals for a Neighbourhood Area will need to be accepted by Breckland Council before the plan can move to the next stage.

A prospective qualifying body will also need to be designated. In Breckland, qualifying bodies for the purposes of Neighbourhood Planning will most likely be a town or parish council.

The procedure is as follows:

- Parishes make an application to designate a 'Neighbourhood Area' using the application form.
- Breckland Council will publicise the application on the Breckland website, in the local press and the local library for a 4-8 week period (in most cases) where it will be open to representation.

- Breckland Council will then decide whether to designate the area. The decision will be publicised on the website.

## Stage 2: Preparing the Neighbourhood Development Plan

Neighbourhood Plans can range from simple and concise documents to detailed planning documents. Below outlines some simple steps for the Neighbourhood Plan to meet the required standards:

- Publicise in the local community the intention to prepare a Neighbourhood Plan.
- Understand who the key local organisations, groups and individuals are within the community who can help prepare the plan.
- Consult upon initial draft policies and proposals with the local community/interest groups/stakeholders and demonstrate views have been taken into account. A consultation statement detailing this will form part of the final submission.
- Ensure alternative options have been considered when drafting policies.
- Involve the Breckland Council Ward Member(s). Your local member(s) will be able to provide an understanding of Breckland Council policy and have knowledge of existing issues within the community.

- Liaise with Breckland Council's Planning Policy team. This will help ensure your plan is in line with the regulations and legislative requirements and in conformity with planning policies.
- Use evidence and information to prepare plans. This could be data obtained from Breckland Council, information gained from publicly available documents such as the Census or new evidence prepared for the plan.
- Consultation should take place with Statutory bodies (e.g. Environment Agency etc). The list can be found on the guidance note on Consultation. More up to date information can be provided by Breckland Council on request.
- Consultation should also take place with any bordering councils, local businesses, local landowners and local interest groups.
- A copy must be sent to Breckland Council at this point. The team will check the plan is compliant with legislative requirements and provide general comments with regards to local and national planning policy.

### Stage 3: Pre-submission consultation and publicity of draft plan

Once a Neighbourhood Plan has been drafted, there are formal stages it must go through before final submission.

The Regulations require a six week public consultation to be undertaken prior to the plan being formally submitted to Breckland Council. The requirements for this are outlined below:

- The draft plan should be available locally for representations for six weeks. It will need to be brought to the attention of people who live, work or run a business in the neighbourhood area. A checklist for this can be found on Breckland Council's website. Any Strategic Environmental Assessment (SEA) or Sustainability Appraisal (SA) draft should be consulted on at the same time (see guidance notes on Strategic Environmental Assessment and Habitat Regulations Assessment, and Sustainability Appraisal).

All comments received during this six week period should be considered and where necessary amendments should be made.

The Consultation Statement should detail the consultation undertaken and a summary of the comments.

### Stage 4: Submission of final plan

The final plan should be submitted to Breckland Council. It is important to ensure that the 'basic conditions' (external guidance on basic conditions is available on the Neighbourhood Planning Guidance page on Breckland Council's website) have been met.

The submission should consist of:

- A map showing the area which the Neighbourhood Plan covers
- The proposed Neighbourhood Plan
- A consultation statement

- A written statement explaining how the Neighbourhood Plan has met the 'basic conditions'
- The accompanying SEA/SA and HRA, where appropriate.

Once everything has been submitted it will then be published for six weeks for representations and the consultation bodies will be informed that the Plan has been submitted. This will be undertaken by Breckland Council.

Following the consultation period, a decision will be made on whether the plan progresses to the examination stage.

## Stage 5: Independent Examination

Breckland Council will arrange and pay for an independent examination of the Neighbourhood Plan. All documentation will be supplied by Breckland Council. Some additional information may be requested by the examiner directly from the Neighbourhood Plan applicant (e.g. the town/parish council).

The examiner will only consider whether the plan meets the 'basic conditions'.

The examiner will produce a report along with a recommendation of whether;

- The plan should move to referendum, or
- The plan should proceed to referendum following some minor amendments, or
- The plan should be refused.

Breckland Council will be sent the report and publicise it. The report will be

considered and any modifications discussed with the town/parish council.

A decision document will be produced by Breckland Council, stating whether the plan will move to referendum, and will be published on its website and within the Neighbourhood Area.

## Stage 6: Referendum

Once the Plan is finalised, Breckland Council will arrange and pay for a referendum of all those on the electoral roll within the area covered by the Neighbourhood Plan. This may also include those within neighbouring parishes if this is deemed appropriate.

If more than 50% of those who vote in the referendum are in favour of the proposals, the Plan can move forward to the next stage.

## Stage 7: Adoption of the Neighbourhood Plan

Breckland Council publish a Decision Statement on their website stating the reasons for adopting the final agreed Neighbourhood Plan. Following adoption of the Plan, it will form part of the adopted planning framework for the area and be used to determine planning applications.

Adopted plans will be published on the Breckland Council website and be available to view at Breckland Council Offices on request.

## Summary of Stages

<p><b>Getting started</b></p>	<ul style="list-style-type: none"> <li>• Consult with your community on whether a Neighbourhood Development Plan is right for you.</li> <li>• Establish a team which could include members not on the town/parish council, ensuring proper governance is in place</li> <li>• Define your Neighbourhood Area and submit to Breckland Council</li> <li>• Develop a project programme for developing your plan</li> <li>• Develop a communication plan</li> </ul>
<p><b>Developing visions and objectives</b></p>	<ul style="list-style-type: none"> <li>• Review available evidence</li> <li>• Gather information</li> <li>• Identify your area strengths and weaknesses</li> <li>• Review Breckland's emerging Local Plan for your area</li> <li>• Draft your vision and objectives</li> <li>• Consult the wider community on your proposed vision and objectives</li> </ul>
<p><b>Develop the plan</b></p>	<ul style="list-style-type: none"> <li>• Develop policies</li> <li>• Develop an implementation and monitoring plan</li> <li>• Finalise your draft Neighbourhood Plan</li> <li>• Check conformity of your plan with the Breckland's emerging Local Plan and national policy</li> <li>• Consult the wider community on your draft plan</li> <li>• SEA/HRA assessments in line with your plan</li> </ul>
<p><b>Independent examination</b></p>	<ul style="list-style-type: none"> <li>• Submit your final plan and supporting documents to Breckland Council</li> <li>• Breckland Council will arrange and pay for the independent examination</li> </ul>
<p><b>Referendum</b></p>	<ul style="list-style-type: none"> <li>• Breckland Council will make arrangements for a referendum</li> </ul>
<p><b>Adoption</b></p>	<ul style="list-style-type: none"> <li>• If the referendum shows community support then your Neighbourhood Plan will be adopted by Breckland Council</li> </ul>