

# Extract from the Statement of Community Involvement – July 2020 Guidance for Neighbourhood Planning Groups in North Hertfordshire

## Appendix 1 : Guidance for Neighbourhood Planning Groups

How NHDC will provide advice and support for neighbourhood planning groups

### Getting Started

Before starting work on a neighbourhood plan, the District Council can help a Parish Council or prospective neighbourhood planning forum with advice and general information about neighbourhood planning.

Planning officers will meet representatives from a Parish Council or prospective neighbourhood forum who may be interested in preparing a neighbourhood plan to discuss the practicalities and requirements of neighbourhood planning.

### Designating a Neighbourhood Area

Where a Parish Council applies to designate a whole parish area as a neighbourhood planning area, the District Council will designate the neighbourhood planning area through a delegated decision, within four weeks of receipt of the application.

The Parish Council or neighbourhood forum will need to provide a signed letter and a map of the proposed neighbourhood planning area.

Where a proposed neighbourhood planning area includes two or more electoral wards, any decision to designate a neighbourhood planning area must be considered by Cabinet as a “key decision”.

Where there is no Town or Parish Council, a neighbourhood forum must be established to guide neighbourhood planning for that area. Consultation on both a neighbourhood planning area and the composition of a neighbourhood forum must be undertaken before a decision can be made to designate a neighbourhood planning area and a neighbourhood forum. In this case the decision will be made by the Cabinet of NHDC.

Where Parish Councils decide to prepare a joint neighbourhood plan, the application to designate a neighbourhood planning area must be consulted on and a decision may be made by Cabinet as a “key decision”.

The District Council can help in preparing the application by providing a map of the proposed neighbourhood planning area.

Where the District Council needs to undertake consultation for the designation of a neighbourhood planning area, this will be undertaken in accordance with the SCI.

## Preparing the Plan and Evidence Base

During this stage of plan preparation, the District Council has a duty to support the preparation of neighbourhood plans. This could include advice on:

the saved Local Plan;

the emerging Local Plan, including policies and land allocations;

possible themes and topics for your neighbourhood plan.

This might include considering (but is not limited to) whether:

There is evidence to support certain types of housing being provided in your area – such as self-build, affordable housing or accommodation suitable for older people;

There are important facilities or areas for play and recreation that would benefit from policies to protect them;

There are particular local design characteristics which should influence any new development;

Important historic features (heritage assets) should be identified;

useful evidence for your neighbourhood planning policies;

the legal requirements that have to be met;

consulting the local community;

providing maps where appropriate;

consultation methods and contact details for statutory consultees; and

how to write the policies in your plan.

This list is not exhaustive, however assistance will be limited to resources available at any given time. If you have a detailed project plan in place, it will be easier to identify when you might need assistance from the District Council.

Whilst the District Council has a duty to support neighbourhood planning, this does not extend to financial assistance. There are other sources of funding available to neighbourhood planning groups which the District Council will be able to advise on.

### Strategic Environmental Assessment (SEA), Environmental Impact Assessment (EIA) and Habitat Regulation Assessment (HRA)

There is a requirement that neighbourhood plans carry out a SEA and HRA screening to ensure that:

The emerging neighbourhood plan provides a high level of protection of the environment (SEA); and

The emerging neighbourhood plan protects and improves Europe's most protected species and habitats (HRA).

The District Council has published a template for both the SEA and the HRA to be used by neighbourhood planning groups as they prepare their draft neighbourhood plans. These templates are available on the website.

Where a full SEA or Sustainability Appraisal might be required, the District Council can advise on further sources of assistance.

### Pre-Submission consultation and preparing the plan for submission

The pre-submission consultation for a neighbourhood plan is the responsibility of the Parish Council or qualifying body. There is help and advice available to groups preparing neighbourhood plans through Locality and it is possible to pay for a health check to be undertaken on the pre-submission neighbourhood plan.

The District Council can offer advice about the consultation and can assist by providing contact details for statutory consultees.

The District Council will provide formal detailed comments on the neighbourhood plan as part of this consultation.

### Preparing your neighbourhood plan for submission

In submitting a neighbourhood plan to the District Council, there are a number of documents which are required:

The neighbourhood plan;

A consultation statement;

A statement which sets out how the plan fulfils the “basic conditions”;

SEA Screening Determination or Strategic Environmental Assessment; and

A map (or statement) which identifies the area to which the plan relates.

To assist the District Council to undertake public consultation on the neighbourhood plan, neighbourhood planning groups are encouraged to submit PDF versions of the documents and a copy of the neighbourhood plan in Word where any photographs have been deleted, the policies are clearly marked and with as few tables as possible.

### Submission of the neighbourhood plan for public examination

Once the Parish Council or the qualifying body has submitted the neighbourhood plan, the District Council will check that all the documentation required is submitted with the neighbourhood plan and prepare a delegated decision report before consultation can take place. Where a neighbourhood planning area includes two or more electoral wards, this decision must be made by Cabinet.

The District Council will normally set up the consultation within four weeks of receiving the submission documents. Comments received will be processed by the District Council and will be made available on the Council’s website within 4 weeks of the end of the consultation period.

### Independent examination of the neighbourhood plan

The District Council will approach suitable and available examiners at the end of the consultation period, once all the representations have been confirmed to request the details of suitable and available examiners. These will be considered by both the District Council and the Parish Council and an appointment made by the District Council. The Council presently procures and pays for the independent examiner.

The District Council currently uses the Neighbourhood Planning Independent Examiner Referral Service (NPIERS) for neighbourhood planning examiners. NPIERS provides access to expert, impartial examiners at a fixed cost. The cost of using this service will be kept under review. The District Council will ensure that the independent examiner receives all the relevant documentation for the examination.

If the examiner decides that an exploratory meeting or a hearing session is necessary, the District Council will make the appropriate arrangements in consultation with the Qualifying Body and the examiner.

Following the examination, the examiner will send a report to the District Council and the qualifying body. The District Council will liaise with the qualifying body over any issues or proposed modifications raised by the examiner.

If the examiner has recommended that the neighbourhood plan can proceed to a referendum, the District Council will prepare a report for Cabinet to authorise the preparations for the referendum.

### Public referendum and adoption

Where the outcome of a neighbourhood plan examination is successful, NHDC will prepare a report for Cabinet to approve any proposed modifications that have been put forward and to authorise the Counting Officer to prepare and undertake a referendum.

The organisation and publicity for the referendum will be undertaken by the Electoral Services Team.

Subject to a successful referendum, the Neighbourhood Plan will normally be “made” by delegated decision and will become part of the statutory development plan.