

# Cheshire West & Chester Council

# Neighbourhood *Planning*



## Protocol for Neighbourhood Planning Support (updated January 2022)

### Introduction

Councils have a legal requirement to support communities in preparing neighbourhood development plans (NDPs) and to take plans through a process of examination and referendum. The Localism Act 2011 (as amended) sets out the Council's responsibilities as:

- Designating the area for the neighbourhood plan
- Designating a forum (if necessary)
- Advising or assisting communities in the preparation of a neighbourhood plan
- Checking a submitted plan meets the legal requirements
- Arranging for the independent examination of the plan
- Determining whether the neighbourhood plan meets the basic conditions and other legal requirements
- Subject to the results of the referendum/s, bringing the plan into force

The 2017 Neighbourhood Planning Act (as amended) extends this requirement to include giving advice or assistance to local communities involved in reviewing or modifying a neighbourhood development plan.

This protocol explains the stages involved in neighbourhood planning and the support which will be provided by Cheshire West and Chester Council (CWaC) at each stage of the process. It also highlights areas where we will expect neighbourhood planning groups to provide appropriate information or assistance to enable their plan to progress through the required stages in a timely manner.

### Support provided by Cheshire West and Chester Council

A dedicated officer from the Council's Planning Policy team will be allocated to each neighbourhood plan to provide support and advice throughout the preparation process. In addition to this tailored assistance, the Council also provides general tools and advice including:

- Neighbourhood planning webpages with details of progress on all plans in the area – [www.cheshirewestandchester.gov.uk/neighbourhoodplanning](http://www.cheshirewestandchester.gov.uk/neighbourhoodplanning)
- Neighbourhood planning toolkit, hosted on the website, with information and advice.
- Email updates informing groups about changes in government funding, legislation etc.
- A dedicated email address for queries – [neighbourhoodplanning@cheshirewestandchester.gov.uk](mailto:neighbourhoodplanning@cheshirewestandchester.gov.uk)

Please note that there may be times when neighbourhood planning support is temporarily reduced or suspended, for example in the period leading up to and during Local Plan examinations. We will ensure that neighbourhood planning groups have plenty of notice of such periods.

## **Neighbourhood planning support - initial stages**

### **Decision to prepare a neighbourhood plan**

At the early stages, when community groups are considering whether to embark on a neighbourhood plan, we can provide advice by telephone or at a meeting. To inform this discussion, it is useful for groups to consider in advance what they would seek to achieve through a neighbourhood plan.

The Council will allocate a dedicated officer from the planning policy team to support you through the neighbourhood planning process. If for any reason we need to change officers we will inform you of this.

The Council may use the services of Cheshire Community Action (CCA) to support groups in the early stages of neighbourhood planning. CCA can come to group meetings and advise on options (parish plans, neighbourhood plans, village design statements etc).

### **Establish the 'Qualifying Body'**

Neighbourhood plans can only be prepared by a 'qualifying body'. This can be a town or parish council, or, in unparished areas, a neighbourhood forum.

Where two or more parishes have decided to come together to prepare a plan, one parish will need to take the lead as the qualifying body.

In unparished areas a neighbourhood forum must be established to coordinate preparation of the neighbourhood plan. A forum must include at least 21 members from different areas and sections of the community. A forum must have a written constitution.

It will be useful to establish a steering group at an early stage in the process to lead preparation of the plan. The Council can provide advice on appropriate governance arrangements.

### **Agree on the neighbourhood area**

An early stage of the neighbourhood plan process is to define a neighbourhood area. This may be the parish/town council area, or it could be a smaller or larger area if that makes more sense. Two or more parishes may wish to pool resources and prepare a joint neighbourhood plan.

In non-parished areas, the boundary will need to be defined. Please speak to your CWaC contact officer at an early stage regarding any proposed neighbourhood plans in non-parished areas.

Please note that neighbourhood plan areas cannot overlap, so please be aware of what is going on in the surrounding area and discuss your proposals with neighbouring parishes/communities. The Council can provide information on the neighbourhood areas which have already been formally designated.

A neighbourhood area can include parts of more than one parish/town council. One local council will need to take the lead for neighbourhood planning purposes, and the other council(s) involved must give their consent.

## Formal designation of the neighbourhood area and forum (where applicable)

The first formal requirement of the process is to designate the Neighbourhood Area and, where applicable, Neighbourhood Forum.

An [application form and guidance notes](#) are available on the Council's neighbourhood planning webpage. The planning policy team can provide guidance and assistance with mapping if necessary.

The Council will determine Neighbourhood Area applications in accordance with the government's regulations:

- For neighbourhood areas which are the same as parish boundaries and the qualifying body is a parish council, the area can be designated as soon as we receive the necessary paperwork. There is no requirement for any consultation.
- For areas covering more than one parish and/or areas which are unparished, 6 weeks consultation will be required. A decision must be made within 13 weeks of the date of first publication by the LPA.
- For areas covering more than one parish which also cross the borough boundary, 6 weeks consultation is required and a decision within 20 weeks.

Completing the application form accurately and providing clear and correct maps will help us determine the application as quickly as possible. **Where your proposed neighbourhood area includes part of a neighbouring parish, please include confirmation from that parish that they give consent to this.**

Parishes may be subject to boundary changes as part of the Community Governance Review process. Please speak to your contact planning officer for information about past reviews and the implications of boundary changes for neighbourhood planning work.

## 1. Preparing the Plan

At an early stage, your contact planning officer can explain the key planning policies for your area and highlight any policies which may be subject to change, e.g. through the preparation of the Local Plan. The neighbourhood plan needs to be in general conformity with strategic planning policies, so it is important to understand the policy context from the outset. A list of [strategic policies](#) for the purposes of neighbourhood planning can be found on the website.

### Preparing a project plan

At this stage it is helpful to draw up a project plan. This helps in understanding the plan preparation process, timescales and resource implications. Please ask your contact officer if you need any advice on this.

### Funding

The government have made funding available to support neighbourhood planning work. Eligible community groups can apply for grants of up to £10,000 via the [Locality website](#). Funds must be spent within 12 months or by the end of the financial year, whichever is sooner. An additional £8,000 is available for plans involving more complex issues and technical support may be available in certain situations (for example if the neighbourhood plan allocates sites for housing or includes a design code - see the Locality website for further information).

Communities may need to identify additional sources of funding to support their neighbourhood planning work, particularly if consultancy support is likely to be required. The Council will update neighbourhood planning groups when we become aware of funding opportunities via email bulletins or newsletters.

### **Community engagement**

The early stages of plan preparation should involve extensive community engagement, to help identify the key issues which are important for the area. This should involve as wide a cross section of the community as possible, including businesses, developers and landowners. Your contact planning officer can provide support and advice on a range of methods of publicity and awareness raising.

A record of all consultation undertaken needs to be kept. This will form part of the Consultation Statement that is one of the supporting documents to the plan at the formal submission stage.

### **Vision and Objectives**

The outcomes of the community engagement will enable you to identify key issues and prepare a vision and objectives. This will form the scope of the plan and will determine the type of evidence which will need to be collected. Your contact planning officer will be able to provide advice on this.

You may wish to consult on the draft vision and objectives to refine them, although this is not required by the regulations. Your contact planning officer can provide comments and suggestions on the vision and objectives.

### **Evidence gathering**

The proposals and policies within a neighbourhood plan need to be justified and supported by evidence. There is a large body of evidence already available from a range of sources. There may also be a need to carry out additional primary survey work, for example local housing needs surveys, character assessments or open space assessments.

The Council provides links to a wide range of demographic, economic, social and environmental information from the census and other sources, via the [neighbourhood planning toolkit](#). This will be kept under review and updated as necessary.

For specialist information, it may be helpful to buy in the services of a consultant. Consultants can help with undertaking technical surveys such as character assessments, housing needs surveys etc. The use of consultants may be particularly useful if you are considering identifying specific areas of land for development and need technical data to support the identification of potential sites. [Advice on procuring](#) consultants can be found in the CWaC neighbourhood planning toolkit or from your contact officer.

### **Policy drafting**

Once a vision and objectives have been drafted and evidence has been collated, work can start on policy drafting. Some communities have drafted policies themselves; others have brought in external consultants to help with this.

There are many other neighbourhood plans which are now finalised or at an advanced stage of preparation across the country. These plans may be useful in providing examples of policy wording and content.

Policy drafting is likely to be an ongoing process, and may involve many drafts. The Council will support this process by reviewing drafts of policies and providing formal comments at Regulation 14 and 16 stages.

**Please do not send us every policy version; we will not be able to look at them all.** However, once you have a set of policies that you are relatively happy with, please send them to your contact planning officer who will provide initial comments. This should be **at least six weeks before you plan to do your pre-submission consultation.** Depending on the scope and content of the plan, other Council services may be consulted and their views fed back.

At this stage, it may well be useful to have a meeting with your contact planning officer to discuss the plan, any concerns with draft policies, and the timescales for moving forwards.

### **Site allocations**

If you are considering allocating specific sites for development, please discuss this with your contact planning officer at an early stage. Your planning officer will advise on the steps you need to go through, the evidence you need to support specific allocations, and also advise on conformity with the local plan. We would hope to be able to work with you on identifying potential sites to ensure conformity with the local plan, reduce duplication of work and ensure that your plan is supported by robust evidence.

Please note that site allocations need to be fully justified and supported by evidence to demonstrate that they are deliverable. You need to have assessed alternative options to ensure that the sites proposed in the plan are the most appropriate.

### **Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA)**

Once your policies are well advanced then a SEA, HRA and Marine Plan screening process will be undertaken by the Council. The screening will ascertain whether a formal SEA is required to support the neighbourhood plan, or an Appropriate Assessment to assess impacts on protected habitats or species. It will also assess the potential relationship with relevant Marine Plans. In most cases, SEA and Appropriate Assessment are not required but screening must still be done. The Council will consult with the statutory bodies (Natural England, Historic England and Environment Agency) for a five week period. This consultation should ideally be carried out before your pre-submission (regulation 14) consultation. Comments from the statutory bodies will be considered and a final screening determination published.

For more complex plans involving large site allocations, SEA and Appropriate Assessment is more likely to be required. Your contact planning officer can provide advice on this, but the SEA and Appropriate Assessment itself will need to be undertaken by the neighbourhood plan group or by consultants working on the group's behalf.

If it is confirmed that SEA is not required, you may still wish to consider whether it is useful to undertake some form of sustainability appraisal. This is seen as good practice but is not compulsory. Sustainability appraisal helps ensure that you have fully considered the environmental, social and economic impacts of the plan. It can be a useful way of demonstrating how your neighbourhood plan contributes to achieving sustainable development (a requirement of the Basic Conditions).

## **2. Pre-submission consultation ('Regulation 14' stage)**

Once you are happy with your draft plan you can proceed to the first formal six-week consultation stage. The neighbourhood planning group needs to arrange this consultation, ensuring that the relevant

regulations are complied with (The Neighbourhood Planning (General) Regulations 2012 and subsequent amendments). Please ensure that you consult with the relevant bodies as set out in [Schedule 1](#) of the Regulations. Further advice about consulting on your plan can be found in the government's [Planning Practice guidance](#), which says that 'public bodies, landowners and the development industry should be involved in preparing a draft neighbourhood plan'.

Your planning officer can help by providing contact details for statutory consultees and other organisations on the council's Local Plan database. We can also put details of your consultation on our neighbourhood planning webpages with a link to your website.

Your planning officer will provide a response to your consultation which includes comments from relevant council services. Depending on the particular issues raised in your plan, this might include:

- Planning policy
- Development management
- Transport strategy and highways
- Housing strategy
- Total Environment (biodiversity, archaeology, conservation)
- Children's and young people's services
- Locality teams
- Regeneration teams
- Property services
- Economic development

At the end of the consultation period, you will need to consider all the responses received and make changes to your plan as appropriate.

### **Consultation statement and basic conditions statement**

If you haven't already done this, you now need to prepare a Consultation Statement and Basic Conditions Statement.

The **Consultation Statement** must:

- (a) contain details of the persons and bodies who were consulted about the proposed neighbourhood development plan;
- (b) explain how they were consulted;
- (c) summarise the main issues and concerns raised by the persons consulted; and
- (d) describe how these issues and concerns have been considered and, where relevant, addressed in the proposed neighbourhood development plan.

The **Basic Conditions Statement** should set out how the plan is in conformity with the National Planning Policy Framework and guidance issued by the Secretary of State; how it complies with strategic policies in the Local Plan, how it promotes the achievement of sustainable development, and how it is compliant with EU and human rights obligations.

Your planning officer can direct you to good examples of other Consultation Statements and Basic Conditions Statements.

## **Prior to submission**

Before formally submitting your neighbourhood plan to the council, please send an electronic copy of the plan, the Consultation and Basic Conditions Statements and any other supporting documents to your contact in the planning policy team. This will enable us to check that the neighbourhood plan meets the requirements and is ready for submission.

## **3. Submission stage**

The neighbourhood planning regulations require that following documents are included in the formal submission:

- (a) Map or statement which identifies the area to which the proposed neighbourhood development plan relates;
- (b) Consultation Statement;
- (c) Draft neighbourhood development plan;
- (d) Basic Conditions Statement; and
- (e) SEA screening determination or SEA report (if required).

Any supporting or evidence base documents should also be provided at this stage.

The submission documents should be what you consider to be the final version of the plan as you won't be able to make any further changes or submit further supporting evidence unless the examiner asks for this.

Once we have received your submission documents, providing the documentation is all in order, the planning policy team will acknowledge receipt and arrange the six week 'publicity' stage.

The planning policy team will undertake the consultation as required by the regulations. If the six-week period would fall around Christmas or Easter or other bank holidays, then a slightly longer period may be appropriate. We will liaise with you regarding arrangements for the consultation. Please be aware that it is likely to take around two weeks to get everything ready. If you are able to assist with placing site notices and paper copies of documents in appropriate locations around the neighbourhood area, this would be most appreciated.

We will acknowledge all the comments that are received and make them available for public viewing on the CWaC website. At the end of the publicity period, all comments will be forwarded to the examiner.

## **Appointing an Examiner**

During or shortly after the publicity period, the planning policy team will initiate the arrangements for appointing an examiner. We will use a recognised provider to ensure that all examiners are suitably qualified and trained. We will discuss potential candidates with you to ensure that we appoint someone mutually acceptable.

On appointment, we will provide the examiner with all the relevant documentation, including the submitted plan, supporting documents and representations received during the publicity stage.

## **4. Examination**

The main purpose of the examination is to make sure that the neighbourhood plan:

- Contributes to achieving sustainable development.
- Takes account of national planning policies.
- Generally conforms with the strategic policies of the Local Plan.
- Is compatible with any adjoining neighbourhood plans.
- Meets European obligations.

The examiner will decide whether to conduct the examination by written representations or by holding a hearing session. In most cases it will be written representations. A public hearing will be held when the examiner needs to examine an issue in more detail or to make sure that a person has a fair chance to put a case. The overall length of the examination will depend on the complexity of the plan.

During the examination it is common for the examiner to ask for additional information or clarification from the qualifying body or the Council. We will work with you to make sure that responses can be provided within the required timescale.

The examiner will prepare a report with one of the following recommendations:

- a) the neighbourhood plan meets all legal requirements and should proceed to referendum;
- b) the neighbourhood plan needs to be modified to meet the basic conditions and can then proceed to referendum;
- c) that the neighbourhood plan does not meet the relevant legal requirements and should not proceed to referendum.

Before issuing the final report, the examiner will issue a 'fact check' report. This needs to be reviewed within a specific timescale set by the examiner and any comments provided. The purpose of the 'fact check' report is solely to enable any errors in the report to be identified. It is not an opportunity to comment on, or challenge, any of the examiner's conclusions or recommendations.

Once we receive the final report, we will review the examiner's recommendations with you and decide on how to proceed. In general, the examiner's modifications will be accepted - there must be very good reasons not to do so.

The regulations require that, unless otherwise agreed with the qualifying body, the council must make a decision on the examiner's report within five weeks of receiving it. We will take a report to the Council's Cabinet Member, who will make a formal decision on how to proceed. If the Cabinet Member is satisfied that the neighbourhood plan conforms with the basic conditions and other statutory requirements (subject to modifications if the examiner so recommends), then the decision can be made to proceed to referendum.

The Cabinet Member's decision and the reasons for it will be published in a '**decision statement**'. This will be placed on the website, and a copy sent to the qualifying body and anyone else who had asked to be notified.

If the examiner recommends modifications to the plan which are agreed, these will need to be made by the neighbourhood plan group, with assistance from the planning policy team if required. Depending on the nature and complexity of the changes required, this may take a couple of weeks.



## Referendum

The regulations require that the referendum is held within 56 working days of the decision to proceed, unless otherwise agreed with the qualifying body. We will discuss an appropriate date with you, although the final decision will be made by the Counting Officer (the Council's Chief Executive).

The official referendum period starts 28 working days before the referendum. During this time, an 'information statement' about the referendum and other 'specified documents' which include the neighbourhood plan (with any modifications) and the examiner's report, must be published on the website.

There are rules on campaigning and expenses during the referendum period. Further information can be found in [Guidance for town and parish councils](#) which is available on the website.

The referendum will follow a similar format to an election. All those registered to vote within the neighbourhood area will be eligible to participate. The ballot paper asks the following question:

"Do you want Cheshire West and Chester Council to use the neighbourhood plan for xxxxx to help it decide planning applications in the neighbourhood area?"

There are two voting options, 'yes' or 'no'.

If more than 50% of those voting in the referendum vote 'yes', then the Council will 'make' the plan as soon as reasonably practical. The neighbourhood plan will then form part of the development plan for the area, alongside the Local Plan. If there is a majority 'no' vote or a tied vote, then the neighbourhood plan would not come into legal force.

## 5. Making of the Plan

Following a positive referendum, the plan will have full development plan status. The Council will 'make' the plan and publish the final version on the website.

## 6. Implementing the Neighbourhood Plan

As the plan progresses through the preparation stages, it can be given greater weight in making decisions on planning applications. Once through a successful referendum the plan will be granted full 'development plan' weight, alongside the Local Plan. Implementation of the neighbourhood plan will be primarily through the development management process.

The CWaC Development Planning – Parish and Town Council (Local Council) Relationship Protocol (2016) is included as an appendix to this protocol.

When commenting on planning applications, it is very helpful to planning officers if parish/town councils refer to specific neighbourhood plan policies where they are relevant.

## 7. Monitoring

The local council or neighbourhood plan group will be well placed to monitor how the policies within their plan are being used in decision making. It will be helpful to keep track of those policies which are most commonly used, which work well and any which are less successful or could be improved. This information will be useful if/when you come to review the plan.

We currently do not have a system in place which will enable us to monitor the performance of every neighbourhood plan policy. However, where we identify specific issues, problems or successes relating to particular NP policies we will note this information and feed it back to neighbourhood plan groups when they are reviewing plans.

## **8. Modifying a Plan**

Where a local community wishes to review or update a made neighbourhood plan, we will support you in this process in the same way as for the initial plan preparation. Again, we will allocate a planning officer to you to provide support through the process.

As a group, you will need to think about the scope of the work, what it is about the plan that needs to be changed and what elements can be retained. Any monitoring information which you have will be very useful at this scoping stage.

It will be helpful to discuss your ideas with us at an early stage. In general, unless the changes are very minor it will be necessary to go back through the same stages as for the initial plan preparation. Depending on the extent of the changes, it may not be necessary to hold another referendum.

Any changes to the neighbourhood area will require a new neighbourhood area application. The [application forms](#) can be found on the neighbourhood planning toolkit website.

In most cases it will be necessary to repeat the consultation stages that were done initially, although it may not need to be so extensive. If the whole plan is being revised then it will be necessary to do a thorough consultation exercise. However if the change is specific to a particular policy or policies, the consultation may be more targeted to those groups particularly affected. Please speak to your planning officer for advice on consultation.

If you intend to allocate specific sites for development, please speak to your planning officer at an early stage and we can advise on the steps that need to be taken.

A [guidance note](#) explaining the review process in more detail is available on the website.

## Neighbourhood Planning summary of activities and roles

Stage/activity	NP Steering Group/ Qualifying Body	CWaC
<b>Deciding to prepare a neighbourhood plan</b>	Consider options – think about what you want to achieve and whether a neighbourhood plan is the best way to do that	Provide advice on options and pros and cons of neighbourhood plans, over the telephone or at a meeting at one of the Council offices
<b>Decide on area and qualifying body</b>	Agree neighbourhood area, in discussion with local community and neighbouring areas. Decide who will be the qualifying body. Establish forum in unparished areas.	Provide advice as necessary, including information about other designated areas in the borough. Provide advice on proposals for a neighbourhood forum.
<b>Designate area and, where necessary, neighbourhood forum</b>	Complete application form and submit to CWaC. Ensure all relevant information is provided with accurate maps.	Advice and assistance with mapping can be provided. Once an application is received it will be checked then consulted on for the required period. Providing all is in order, the area/forum will be formally designated and details of the decision publicised.
<b>Establish NP steering group, prepare project plan.</b>	Group to set up appropriate structures for taking forward the plan.	Advice and support.
<b>Identify funding opportunities</b>	Submit claim for funding from Locality if appropriate. Consider other funding sources.	Keep NP groups informed of funding opportunities as we become aware of them, by email and/or newsletter.
<b>Early community engagement and evidence gathering</b>	NP steering group to lead, consult widely as they see fit. Gather evidence as appropriate, linked to key issues emerging from the consultation.	Advice and support. Provide links to a range of sources of information on the neighbourhood planning toolkit.
<b>Draft vision and objectives, key issues</b>	Steering group to prepare in light of consultation responses and evidence.	Advice and support. Can provide feedback/comments on drafts.
<b>Policy drafting</b>	Draft policies which meet basic conditions and relate to community consultation. Consider using external planning consultants to assist if necessary.	Provide advice on local plan policies which apply to the neighbourhood area. Provide comments on draft policies <b>once they have reached a fairly advanced stage.</b>
<b>Site allocations</b>	If including site allocations, need to undertake thorough assessment of site options. Use external consultants as necessary.	Provide advice on process and links with local plan work.
<b>SEA and HRA screening</b>	Once policies are well advanced, send to CWaC for SEA and HRA screening.	Carry out draft SEA and HRA screening and consult with statutory bodies. Finalise screening determination in light of comments and publish.
<b>SEA and HRA report</b>	If it is determined that SEA or Appropriate Assessment is required,	Provide support and advice.

Stage/activity	NP Steering Group/ Qualifying Body	CWaC
	this is the responsibility of the NP group. Use external consultants if necessary.	
<b>Pre-submission consultation</b>	Arrange consultation on draft documents as required by regulations.	Provide contact details for statutory and other relevant consultees. Provide a council-wide response to consultation within prescribed deadline.
<b>Finalise plan and supporting documents</b>	Amend plan as appropriate following consultation responses. Finalise Consultation Statement, Basic Conditions Statement and evidence base.	Provide feedback on final draft policies and supporting documentation.
<b>Formal submission and publicity</b>	Submit documents to CWaC in line with regulations. Provide assistance with contact details for consultation, help with putting up site notices and placing copies of documents in public places. Include information about publicity stage on NP website.	Check documents meet requirements and acknowledge receipt. Print documents. Arrange six-week publicity period, in accordance with regulations.
<b>Appoint examiner</b>	Be available to discuss potential examiners and agree on final appointment.	Arrange for referral of potential examiners. Discuss potential candidates with NP steering group and agree on appointment. Finalise contract.
<b>Examination</b>	May need to be involved with arranging venue for hearing session. Attend hearing if necessary.	Provide examiner with necessary information, respond to queries in a timely manner. In the case of a hearing, arrange a venue and publicise arrangements. Keep steering group informed of progress.
<b>Examiner's report</b>	Review report and note contents.	Review fact check report. Send copy of final report to steering group and other interested parties. Publish final report on website.
<b>Cabinet Member decision</b>	Discuss referendum date with CWaC.	If the report is positive, take a report to Cabinet Member to agree to progress to referendum.
<b>Publish decision statement and finalise plan</b>	Make changes to the plan in line with the examiner's report (or as otherwise agreed).	Publish decision statement. Support steering group in making any modifications to plan.
<b>Referendum</b>	Appropriate local publicity, taking account of purdah regulations.	Make arrangements for the referendum. Publish information statement and other 'specified documents' 28 working days before referendum.
<b>Make plan</b>	Produce final version of plan for publication.	Following a positive referendum, the Plan has full development plan weight. The Council will 'make' the plan.
<b>Plan implementation</b>	Highlight specific neighbourhood plan policies when commenting on planning applications and in any discussions with prospective developers.	Planning officers will give full weight to neighbourhood plans in decision making.

Stage/activity	NP Steering Group/ Qualifying Body	CWaC
<b>Plan monitoring</b>	Keep the performance of the plan in planning decisions under review.	Keep the performance of the plan in planning decisions under review.
<b>Plan review</b>	Scope work and carry out necessary stages as for the initial preparation stages.	Provide appropriate support throughout including a dedicated planning officer and arrangements for all formal stages – neighbourhood area designation, submission and publicity, examination and referendum.

## Appendix A



### Development Planning - Parish and Town Council (Local Council) Relationship Protocol

#### Overview

1. We recognise that Parish and Town Councils ("Local Councils") have a crucial role to play in local democracy.
2. There is a statutory requirement to notify Local Councils about applications for planning permission.
3. Local Councils have a critical role to play in terms of formulating local policy.
4. Local Councils provide a voice for local residents, act as a conduit for their aspirations and are the source of important information and local knowledge.
5. We therefore recognise the need to foster dialogue and a close working relationship with Local Councils.

#### What Local Councils can expect from the Development Planning Service ("the Service"):

1. We will work in a positive and proactive way with Local Councils to manage development within their area.
2. We will encourage applicants for major developments to contact their Local Council clerk to discuss development proposals with the Local Council before submitting a planning application.
3. We will notify Local Councils of planning applications by email and allow 21 days for a response.
4. We will allow time for a response over and above the 21-day limit on a case-by-case basis, subject to sound justification based on the planning issues, having regard to the length of any delay and statutory time limits for determining planning applications.
5. We will provide contact details on notification emails so that Local Council clerks can obtain more information about planning applications.
6. We will provide paper copies of documents/plans on case-by-case basis if requested.
7. If there are amendments to major planning applications, we will ask the applicant to provide a clear summary of the alterations for ease of reference.
8. We will give appropriate weight to emerging Neighbourhood Plans and full weight to made Neighbourhood Plans when assessing applications. We will also give due weight to Village Design Statements and other relevant local documents.
9. We will take the comments of Local Councils into account when assessing and determining planning applications. If we are likely to recommend a major application against the comments of the Local Council, or the Neighbourhood Plan, we will contact the Local Council to discuss this before the final decision is taken.

10. Local Councils will be notified when applications are to be determined at Planning Committee. Local Councils wishing to speak to Planning Committee will be given the opportunity if they submit a request using the form on the Council website, once the agenda has been published. They will be given 3 minutes to address the Committee.
11. For major development schemes, we will encourage direct dialogue between the developer and the Local Council throughout the planning process and development phase with the aim of minimising the impact on the community and providing a forum for finding solutions to any issues that may arise.
12. For appeal hearings and Public Inquiries, we will look to use local venues where possible, bearing in mind the specific circumstances and requirements.
13. We will look to hold forum events at reasonable intervals for all Local Councils to provide an opportunity for regular discussion and feedback.
14. We will work with CHALC to assist in maintaining a regular dialogue with Local Councils, whilst recognising that not all Local Councils are members of CHALC.
15. We will provide support and guidance to Local Councils through the Local Plan and Neighbourhood Planning process, in accordance with the Neighbourhood Planning Protocol.

What the Service can expect from Local Councils:

1. We will work positively and proactively with the Service to manage development in the locality.
2. We will look to contact the Service to discuss any planning matter as early in the process as possible.
3. If further time to comment on an application is necessary, we will contact the Service to discuss this as early in the process as possible.
4. If paper copies of plans and other documents are required to assist in the consideration of an application, we will contact the Service to discuss as early in the process as possible.
5. We will notify the Service of any enforcement matters that are brought to our attention.
6. We will update contact details for Local Council Clerks with the Service as soon after any change as possible.
7. We will look attend any events organised by the Service if possible.
8. We will respond to any requests for consultation or surveys that may be circulated amongst Local Councils from time to time.

Dated: 1<sup>st</sup> November 2016