

Statement of Community Involvement November 2018

Aylesbury Vale District Council

Planning Policy

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Section 1. Introduction

What is a Statement of Community Involvement?

- 1.1 A Statement of Community Involvement (SCI) contains information on how we, Aylesbury Vale District Council (AVDC), will consult for the different aspects of planning in Planning Policy and Development Management. This is in accordance with the Planning Act¹ and Regulations².
- 1.2 This 2018 version supersedes the 2013 SCI and takes into account changes to regulations and consultation methods. This SCI covers only the parts of the planning system which we are responsible for. There are other organisations which also have planning functions, such as Buckinghamshire County Council, which this SCI does not apply to.
- 1.3 Planning affects everyone, so we are keen to ensure people are able to take an active part in the planning and development process. The purpose of this SCI is to show how and when community engagement will take place for planning and development.

How to use the document

- 1.4 The SCI sets out how and when people can get involved in the planning process, from the earliest stages for plan-making and planning applications. The following list sets out the planning documents and types of planning applications that this SCI applies to:
 - Local Plans
 - Supplementary Planning Documents
 - Neighbourhood Planning Documents³
 - Conservation Area Reviews
 - Pre-application, Planning applications and Appeals
- 1.5 For each of the above documents, this SCI identifies:
 - who will be involved;
 - when community involvement will take place; and
 - how this involvement will take place.

¹ Those referred to are the Planning and Compulsory Purchase Act (PCPA) 2004; Town and Country Planning Act 1990; Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended); and The Town and Country Planning (Development Management Procedure) (England) Order 2015;

² Neighbourhood Planning (General) Regulations 2012 (as amended)

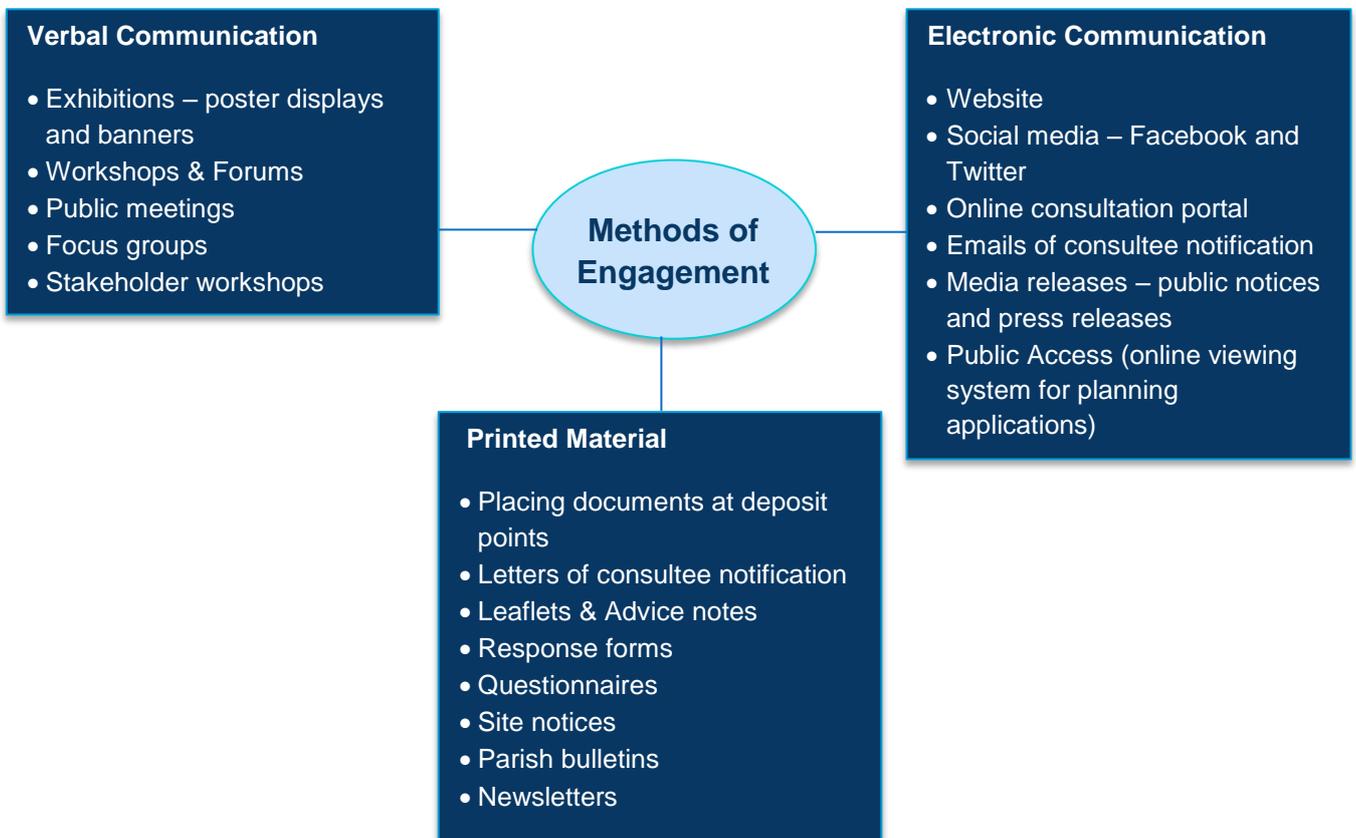
³ For those stages which are the responsibility of AVDC, with suggested methods for those stages which are led by town and parish councils or neighbourhood forums.

Section 2. What is Community Engagement

What is Community Involvement?

2.1 Community involvement covers all the different types of communication and engagement that takes place between different groups of people. It refers to the process of getting a community involved via interactions between the council and residents, workers and visitors. Through the consultation methods outlined in this document, we will seek to facilitate community participation in the planning process.

Figure 1: Examples of Community Involvement in the planning processes in Aylesbury Vale



Principles for Community Involvement

2.2 The council's main principles for community involvement in the planning process are:

- **The opportunity to contribute ideas** – people will have the opportunity to put their ideas forward, and the council will consider and respond to these comments as appropriate;
- **The opportunity to take an active part in developing proposals and options** – the council will provide opportunities for people to actively engage in the planning process in different ways and from an early stage. The council will also encourage others who are promoting proposals to do the same;
- **The opportunity to make comments on formal proposals** – for more detailed proposals, the council will actively seek views to meet the regulatory requirements for community involvement;
- **The opportunity to receive feedback and be informed about progress and outcomes** – the council will consider all comments, make appropriate changes accordingly, and provide an update of progress for those who commented in a consultation on a planning policy document and those who have requested be notified of a consultation. This may be by providing material on the council website (e.g. reports or updates); and
- **To achieve value for money** – ensuring consultation is worthwhile and value for money, by balancing cost and time constraints and council resources

Equality

2.3 The Equality Act⁴ (2010) aims to: eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Act; advance equality of opportunity; and foster good relations between different groups.

2.4 An Equality Impacts Assessment for a plan, policy or programme will be carried out where there are likely to be equality impacts. This is to ensure AVDC fully complies with the Act and to ensure delivery of fair services to all to minimise unintended negative impacts on vulnerable or disadvantaged groups.

2.5 The council will also endeavour to provide equal access to information about planning applications or consultations. Documents may be made available in alternative formats on request (such as large print and other languages) to enable people to access and comment on the documents.

⁴ Equalities Act (2010) <http://www.legislation.gov.uk/ukpga/2010/15/contents>

Section 3. Community Engagement Methods

- 3.1 This section identifies the consultation methods for each of the different aspects of planning documents set out in paragraph 1.4.

Local Plans

- 3.2 Local Plans form part of the statutory Development Plan for the use of land in a local planning authority (LPA). As of the publication of this SCI in November 2018, the current adopted local plan is the Aylesbury Vale District Local Plan (AVDLP) 2004 and the emerging local plan is the Vale of Aylesbury Local Plan (VALP). The preparation of the VALP has included community involvement using the consultation methods set out in this document. Further details for the production of the plan, beyond community involvement, and an accompanying timetable are set out in the Local Development Scheme⁵ (LDS). The council is required to make an LDS available publicly and keep it up to date.

Who will be engaged

- 3.3 The Duty to Co-operate (DtC) was introduced by the Localism Act (2011)⁶, which amends the Planning and Compulsory Purchase Act 2004. It places a legal duty on local planning authorities, county councils in England and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters. The bodies falling under the DtC are set out in Appendix A.
- 3.4 The council also maintains a database of stakeholders, including organisations and individuals. The term 'stakeholder' means any person or any organisation that has an interest in the planning document. For Local Plans, the following groups⁷ will be notified at relevant stages of the document preparation:

Specific Consultees

- National and local government
- Parish and town councils
- Statutory bodies and groups e.g. the Highways Agency, the Environment Agency and Historic England
- Emergency services
- Adjoining planning authorities
- Utility companies e.g. water and electric companies
- National Health Service bodies
- Internal council groups including members and officers

⁵ LDS available at <https://www.aylesburyvaledc.gov.uk/section/vale-aylesbury-local-plan-valp-2013-2033>

⁶ <http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted>

⁷ These groups are specified in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

General Consultees

- National organisations e.g. the National Trust
- Local organisations and societies e.g. residents associations
- Businesses and economic groups e.g. Bucks Thames Valley Local Enterprise Partnership
- Environmental groups e.g. Berks, Bucks & Oxon Wildlife Trust
- 'Hard to reach' groups i.e. groups or individuals who are likely to be excluded from a consultation unless special efforts are made to include them in the process

Other Consultees

- Individuals
- Housebuilders/ agents/ landowners/ housing associations
- Schools/ youth groups e.g. Aylesbury Youth Action

If you belong to a group or are an individual that would like to be consulted on new policies being prepared please contact Planning Policy on 01296 595308 or at planningpolicy@aylesburyvaledc.gov.uk. If you would like to amend your details or be removed from our database, please also use these contact details. AVDC's privacy notice can be found here <https://www.aylesburyvaledc.gov.uk/privacy-notice>

- 3.5 Table 1 below identifies the consultation methods for each stage of the Local Plan preparation. We may also carry out additional engagement to reflect the nature of the policy topic and complexity. The table below sets out the minimum AVDC will do as well as any additional measures we may carry out. Please note, in the table below the regulations refer to the Town and Country Planning Regulations (2012).

Table 1: How Consultation will be carried out for Local Plans

Local Plan Stage	Consultation Methods
<p>Preparation (Regulation 18) Invite comments about what the plan should contain.</p>	<p>AVDC will:</p> <ul style="list-style-type: none"> • Notify specific, general and other consultation bodies on the intention to produce a Local Plan via email or letter and invite comments on what the plan should contain • Publish notification that a plan is being prepared on the council website <p>Other possible additional methods:</p> <ul style="list-style-type: none"> • Produce a newsletter to brief parish and town councils • Produce a consultation leaflet and response form where appropriate • Hold exhibitions with consultation material where appropriate e.g. where site allocations are being proposed • Engage with county, district, town and parish councillors through workshops and forums where appropriate • Publish notification that a plan is being prepared through social media (e.g. Facebook, Twitter) • Give notice by a press release

Local Plan Stage	Consultation Methods
<p>Publication (Regulation 19) The draft plan is publicised to invite a response for whether the plan meets the tests of soundness and legal compliance.</p>	<p>AVDC will:</p> <ul style="list-style-type: none"> • Make all publication documents available at deposit points, either electronically and/or in paper form, for inspection at the council offices, area offices and main libraries (known as the ‘deposit points’⁸) • Notify specific, general and other consultation bodies of the proposed submission plan and invite any person to make representations during the six weeks from the date of notice • Publish notification that a plan is being prepared on the council website <p>Other possible additional methods:</p> <ul style="list-style-type: none"> • Give notice by a press release • Produce further publicity material such as posters and video content • Produce a newsletter to brief parish and town councils • Engage with county, district, town and parish councillors through workshops and forums where appropriate • Publish notification through social media (e.g. Facebook, Twitter)
<p>Submission (Regulation 22) The plan is submitted to the Secretary of State.</p>	<p>AVDC will:</p> <ul style="list-style-type: none"> • Notify all of those who commented at the Publication stage or who have been asked to be kept informed that the plan has been submitted to Government, and all specific, general and other consultees that were consulted at the Publication stage, via email or letter • Make all submission documents available at deposit points, either electronically and/or in paper form • Publish notification on the council’s website <p>Other possible additional methods:</p> <ul style="list-style-type: none"> • Give notice by a press release • Publish notification of submission through social media (e.g. Facebook, Twitter)
<p>Examination in Public (Regulation 24) An independent inspector is appointed by the Secretary of State to consider the representations and the soundness, Duty to Cooperate and legal compliance.</p>	<p>AVDC will:</p> <ul style="list-style-type: none"> • Notify people who made representations at Publication stage, of the date, time and place of the hearings, and the name of the person appointed to hold Examination via email or letter • At least six weeks before the examination start date, give details on the council’s website and deposit points for the date, time and place of the hearing and the name of the person appointed to hold the examination <p>Other possible additional methods:</p> <ul style="list-style-type: none"> • Give notification through social media (e.g. Facebook, Twitter) • Make examination documents available on the council website
<p>Publication of Recommendations (Regulation 25) The council will publish the recommendations of the examiner for whether the document is sound and whether any amendments need to be made.</p>	<p>AVDC will:</p> <ul style="list-style-type: none"> • Notify people via letter or email who requested to be notified of the publication of the recommendations that they are available. • Publish details of the recommendations on the council’s website <p>Other possible additional methods:</p> <ul style="list-style-type: none"> • Issue a press release for notification of recommendations • Produce a newsletter to brief parish and town councils • Give notification through social media (e.g. Facebook, Twitter)

⁸ Please see Appendix B for list of deposit points and their addresses.

Local Plan Stage	Consultation Methods
<p>Adoption (Regulation 26) The council adopts the plan.</p>	<p>AVDC will:</p> <ul style="list-style-type: none"> • Make available the Local Plan, Adoption Statement and Sustainability Appraisal report at the council's principal Gateway Offices and on the council website • Send a copy of the adoption statement via letter or email to those who have asked to be notified <p>Other possible additional methods:</p> <ul style="list-style-type: none"> • Give notification of adoption through social media (e.g. Facebook, Twitter) • Give notification by a press release
<p>Withdrawal (if required) (Regulation 27) The council withdraws the plan so it no longer forms part of planning policy.</p>	<p>AVDC will:</p> <ul style="list-style-type: none"> • Make available the Withdrawal Statement for public inspection at the council's principal Gateway Offices and on the website • Send the Withdrawal Statement to general and specific consultation bodies and others who have been previously notified via letter or email <p>Other possible additional methods:</p> <ul style="list-style-type: none"> • Give notification of withdrawal through social media (e.g. Facebook, Twitter) • Give notification by a press release

Sustainability Appraisal / Strategic Environmental Assessment

- 3.6 In producing a Local Plan, there is a requirement to also produce a Sustainability Appraisal (SA) that meets the requirements of the EU Strategic Environmental Assessment (SEA) Directive⁹ and UK legislation¹⁰. This is to identify sustainability impacts that may occur as a result of the plan and also to help shape the plan to be sustainable. The SA seeks the most sustainable form of development by assessing the emerging plan against reasonable alternatives to achieve important environmental, economic and social objectives. Where proposals in a Neighbourhood Development Plan or Order are likely to have significant environmental effects that have not already been assessed when preparing a Local Plan, an SA may be required.
- 3.7 There are three statutory consultees that the regulations state must be consulted on for the SA Scoping Report (the first in a series of documents): Natural England, Historic England and the Environment Agency who will be contacted accordingly. Consultees set out in paragraph 3.4 will be contacted at each stage of developing a Local Plan as set out in the table above, and will also be notified if there is an accompanying SA/SEA assessment to consider at that stage of the consultation.
- 3.8 All consultees will be contacted via either email or letter and will be asked to respond electronically or in writing.

⁹ Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment. (SEA stands for "Strategic Environmental Assessment" in the UK)

¹⁰ SI 2004 No 1633: Environmental Protection – The Environmental Assessment of Plans and Programmes Regulations 2004 (came into force 20th July 2004).

Habitats Regulation Assessment

- 3.9 A screening for a Habitats Regulations Assessment is also a requirement for Local Plan. This assesses the impact of the plan on European designated biodiversity sites and air quality. The first step is a screening study to identify if there are likely to be any significant effects on designated sites (principally Special Areas of Conservation) and if so, then a fuller HRA (Appropriate Assessment stage) is required in order to identify what mitigation methods are required for the policies or proposals within the Local Plan.
- 3.10 Natural England is the statutory consultee and will be written to with the relevant documents provided for comments (electronic and/or in writing).

Supplementary Planning Documents

- 3.11 This section explains the consultation process for Supplementary Planning Documents (SPDs), which are classified as Local Development Documents (LDDs). Supplementary planning documents provide guidance to support the implementation of policies set out in a Local Plan and are capable of being a material consideration in planning decisions but they are not part of the development plan. As they are not classified as adopted local policy, they have fewer stages in production than Local Plans (including the VALP). SPDs cover a range of issues, thematic or site-specific, providing further detail to policies and proposals set out in the Local Plan. Table 2 below sets out the stages of consultation on SPDs and the regulations stated refer to the Town and Country Planning Regulations (2012). The council envisages new Supplementary Planning Documents will be produced in 2019 to accompany the VALP.

Table 2: How consultation will be carried out for SPDs

Supplementary Planning Documents	Consultation Methods
Public Participation (Regulations 12 and 13)	<p>AVDC will:</p> <ul style="list-style-type: none"> Notify specific, general and other consultation bodies of the SPD by letter or email, and invite any person to make representations during a minimum of a four week consultation period Make consultation material available on the website and at deposit points (area offices and main libraries within the district) <p>Other possible additional methods:</p> <ul style="list-style-type: none"> Hold exhibitions, workshops and forums Produce a newsletter setting out the intention to produce an SPD and what it will contain Issue a press release for notification of consultation on the SPD Give notification of the consultation through social media (e.g. Facebook, Twitter)
Adoption (Regulation 14)	<p>AVDC will:</p> <ul style="list-style-type: none"> Publish the adopted document and adoption statement by making it available for public inspection at the council's principal Gateway offices and on the council website Send a copy of the adoption statement to anyone who requested to be notified of the adoption by email or letter <p>Other possible additional methods:</p> <ul style="list-style-type: none"> Issue a press release for notification of the adoption of the SPD Produce a newsletter to brief parish and town councils on the adopted SPD
Withdrawal (if required) (Regulation 15)	<p>AVDC will:</p> <ul style="list-style-type: none"> Make available the Withdrawal Statement for public inspection at the council's principal Gateway Offices and on the council's website

- Send the Withdrawal Statement to general and specific consultation bodies and others who have been previously notified via letter or email
- Other possible additional methods:**
- Give notification of withdrawal through social media (e.g. Facebook, Twitter)
 - Give notification by a press release and/or issue a public notice

Neighbourhood Planning Documents

- 3.12 The Localism Act (2011) introduced three new kinds of planning policy documents. These are Neighbourhood Development Plans, Neighbourhood Development Orders and Community Right to Build Orders.
- 3.13 This section of the Statement of Community Involvement should be read in conjunction with the document 'AVDC Neighbourhood plan support and assistance'¹¹, which is set out in full in Appendix C of this document. In doing so this fulfils regulation 4(a) of the Neighbourhood Planning Act 2017 (Commencement No. 3)¹², which as of 31st July 2018 brings into effect the requirement under section 6(3) of the Neighbourhood Planning Act 2017¹³.

A Neighbourhood Development Plan (NDP)

enables town or parish councils or neighbourhood forums to set out local policies on land use. Once in force, the plan becomes a formal part of the development plan.

A Neighbourhood Development Order

(NDO) allows planning permission to be granted for certain types of development within a specified area if there is community support for it.

A Community Right to Build Order (CRtB) is a

special kind of Neighbourhood Development Order. This allows for a particular piece of land to be developed in a specific way without the need for planning permission. A CRtB order can be produced by a town or parish council or, unlike a NDO, a community organisation e.g. a town or village society.

¹¹ Also found here

https://www.aylesburyvaldec.gov.uk/sites/default/files/page_downloads/Neighbourhood%20plan%20support%20and%20assistance_31july%20regs.pdf

¹² <http://www.legislation.gov.uk/uksi/2018/38/regulation/4/made>

¹³ <http://www.legislation.gov.uk/ukpga/2017/20/section/6>

How consultation will be carried out for neighbourhood planning documents

- 3.14 The preparation for neighbourhood planning document is led by local communities. As such, the majority of the community engagement will be led by either a town or parish council or a neighbourhood forum (where town or parish councils do not exist). There are then certain stages where AVDC is required to carry out formal consultation. Table 3 below identifies what consultation AVDC is required to do and makes recommendations to neighbourhood planning groups for their stages of the consultation process.
- 3.15 The council will continue to proactively engage with communities who wish to prepare a neighbourhood plan. We will support communities in planning effectively for their towns and villages.
- 3.16 A Neighbourhood Development Order (NDO) can be used to permit different types of development (in full or outline) without the need for planning permission. When preparing an NDO, it must still be in line with national and local policy and other legal requirements.
- 3.17 The town, parish or neighbourhood forum is the only body that can prepare a Neighbourhood Development Order in their area.

Table 3 . How Consultation will be carried out for neighbourhood planning documents

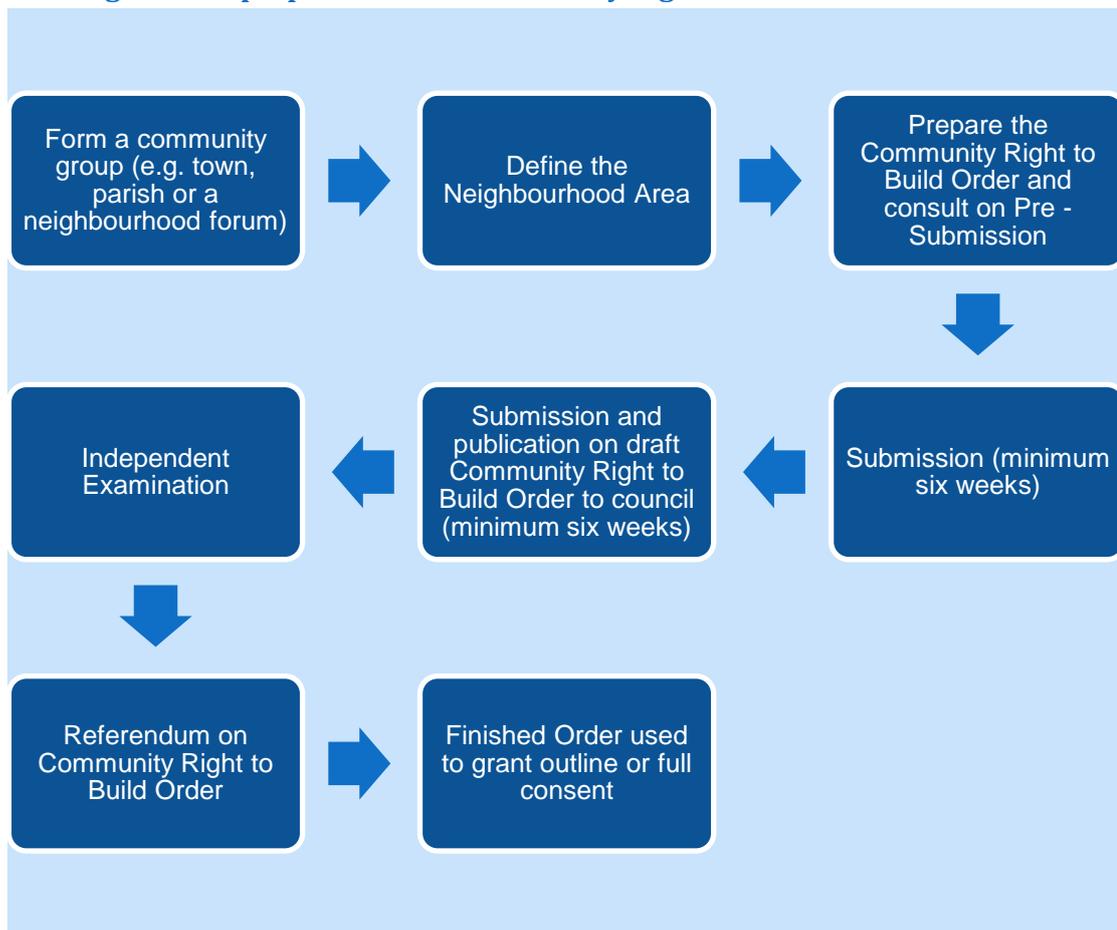
Neighbourhood Plan & Development Orders	Consultation Method
An application to designate a Neighbourhood Area	<ul style="list-style-type: none"> • AVDC will publish the name of the neighbourhood area, the map of the area and name of the relevant body who applied for the designation on the website • The neighbourhood planning group are encouraged to put notification of the neighbourhood area application on their website, local notice board and magazine where these exist • Consultees (anyone can comment) will be asked to comment on the extent of neighbourhood area designation
Or, in non-parish areas: Application to designate a Neighbourhood Forum and Neighbourhood Area	<ul style="list-style-type: none"> • AVDC will publish a copy of the application, a statement regarding the ownership of designation, details of how to make representations and the date by which they have to be received on the council's website, in the town and parish bulletin, and in a press release • The neighbourhood forum are encouraged to provide notification of the application for the forum on the local website, noticeboard and magazine where these exist • Consultees (anyone can comment) will be ask to comment on the forum with regard to whether the forum is representative of the community, and whether the forum should be designated to produce a neighbourhood plan or order • The area application, which can be done at the same time as forum application, is also required for forums and follows the same processes as above
Evidence gathering and informal consultation on	<p>Neighbourhood Planning groups are encouraged to use the following methods to consult the community when scoping out the issues to address in their neighbourhood plan or order and drafting the policies:</p> <ul style="list-style-type: none"> • Putting up posters/banners • Delivering flyers through letterboxes

Neighbourhood Plan & Development Orders	Consultation Method
drafting the Plan (carried out by the town or parish council or Neighbourhood Forum)	<ul style="list-style-type: none"> Talking with neighbours, community groups, businesses etc. Use of I.T. – parish websites, email groups and social media e.g. Facebook, Twitter Putting regular notices in parish newsletters or magazines Contacting local media (e.g. press, radio, television) for major announcements Interactive workshops and ‘drop-in’ sessions for specific groups Advertising at parish fetes Advertising at parish public meetings
Pre-submission Consultation on the draft plan (carried out by the town or parish council or Neighbourhood Forum)	<ul style="list-style-type: none"> The neighbourhood planning group are encouraged to notify the relevant consultees set out in schedule 1 of the neighbourhood planning regulations 11 for a 6 week minimum consultation period on the draft neighbourhood plan or order The neighbourhood planning group are encouraged to make the neighbourhood plan or order available online at on their website (where applicable) and paper copies available at the town or parish councils offices Consultees (anyone can comment) will be asked to comment on the draft neighbourhood plan or order
Submission Consultation (District council will publicise the plan for 6 weeks after it has been submitted by the town or parish council or neighbourhood forum)	<ul style="list-style-type: none"> AVDC will publish the plan or order proposals for a minimum of 6 weeks. AVDC will write (by email or letter) to those who we are advised to have previously commented on the neighbourhood plan or order and invite comments to be made The plan or order and supporting documents will be made available on AVDC’s website and a paper copy at the council’s principal Gateway offices Consultees will be asked to comment on the draft neighbourhood plan or order
Decision on a Neighbourhood plan or order proposal and Publication of the Examiner’s Report	<ul style="list-style-type: none"> AVDC will publish the Decision Statement and Examiners Report on the website and make it available for inspection at the council’s principal Gateway offices AVDC will send a copy of the decision statement to the qualifying body and any person who asked to be notified of the decision
Referendum	<ul style="list-style-type: none"> All residents in the neighbourhood area who are eligible to vote will be asked to vote on the plan to identify whether or not they are in support of the plan/order (the examiner may widen the area for referendum)
Adoption of the plan/ order	<ul style="list-style-type: none"> Providing the plan or order is successful in passing the referendum and the examination, AVDC will publish the plan or order on the council website and make it available for inspection at the council’s principal Gateway offices AVDC will notify (by email or letter) any person who has asked to be notified of the making of the plan/order and when and where it can be inspected
Withdrawing the plan/ order (if required)	<ul style="list-style-type: none"> As soon as possible a document setting out a statement of revocation will be made available on AVDC’s website
Modification / Review of a plan/ order	<ul style="list-style-type: none"> AVDC will support groups through the modification and review procedures and again support groups through the stages of the neighbourhood planning process and consultation on the revised plan

When can I get involved in the preparation of a Community Right to Build Order?

3.18 A Community Right to Build Order is a particular type of Neighbourhood Development Order. It is a route to encourage development, allowing communities to decide for themselves what is built. This might include, for example, new community facilities and affordable housing. A proposal can be developed as part of the full neighbourhood planning process, or on its own. Figure 2 shows the minimum key stages when preparing a Community Right to Build Order. The process of consultation and support for a community right to build order is similar in nature to the stages of neighbourhood plans and orders. Table 3 should be referred to in relation to consultation expectations.

Figure 2. Stages in the preparation of a Community Right to Build Order³



What is the district council's role in neighbourhood planning?

3.19 The council has a 'duty to support' qualifying bodies preparing Neighbourhood Plans in accordance with the relevant regulations (Neighbourhood Planning (General) Regulations 2012). The support we will provide at the key stages of neighbourhood plan preparation include the following:

- confirming the geographical area of the neighbourhood plan;

- undertaking the formal consultation on the draft neighbourhood plan prior to the independent examination;
- arranging the independent examination;
- holding the referendum;
- ‘making’ the neighbourhood plan part of the development plan where all legal requirements have been met.

3.20 The council will also seek to provide informal guidance and support where this is practical. This could include, for example, providing policy guidance to support neighbourhood planning steering groups. More detailed information is available in our ‘AVDC Neighbourhood plan support and assistance’ document set out in Appendix C.

What other support is available to me for neighbourhood planning?

3.21 The neighbourhood planning guidance and funding webpage¹⁴ on our website helps groups to identify key information when getting started and information on funding. It contains support such as our Neighbourhood Development Plan Guidance December 2012¹⁵ and our Neighbourhood Plan Project Management Toolkit¹⁶ that groups can use to plan their project through the stages of neighbourhood planning and links to sources of background evidence such as area fact packs¹⁷.

3.22 You can also see which parishes are currently engaged in neighbourhood planning across the Vale on our summary and live consultations page:
<https://www.aylesburyvaledc.gov.uk/neighbourhood-planning-summary-and-live-consultations>.

3.23 You can also read case studies and find information about how support is being provided for Neighbourhood Planning through Locality, which is the national network of community-led organisations at: <https://neighbourhoodplanning.org/>.

3.24 Planning Aid England has produced guidance to help communities with Neighbourhood Planning that can be accessed at: <https://www.rtpi.org.uk/planning-aid/neighbourhood-planning/>.

Conservation Area Reviews

3.25 A Conservation Area (CA) is an area of special architectural or historic interest, the character or appearance of which is desirable to preserve or enhance. The principal purpose of CA designation is the official acknowledgement of the special character of an area. This will influence the way in which the council deals with planning applications which may affect the area.

¹⁴ <https://www.aylesburyvaledc.gov.uk/neighbourhood-planning-guidance-and-funding>

¹⁵ https://www.aylesburyvaledc.gov.uk/sites/default/files/page_downloads/Updated-AVDC-Neighbourhood-Planning-Guidance-DEC-2012.pdf

¹⁶ [https://www.aylesburyvaledc.gov.uk/sites/default/files/page_downloads/Neighbourhood Planning Project Management Toolkit.xlsx](https://www.aylesburyvaledc.gov.uk/sites/default/files/page_downloads/Neighbourhood%20Planning%20Project%20Management%20Toolkit.xlsx)

¹⁷ <http://www.aylesburyvaledc.gov.uk/withdrawn-vap-strategy-technical-documents>

- 3.26 Using adopted local criteria (as laid out in the Conservation Areas Supplementary Planning Document (2011)¹⁸ and any subsequent revisions) and involving the local community, the council decides which areas warrant designation as a CA. Community involvement will be an integral part of the CA appraisal process. The local community can be involved in evaluating what makes an area 'special', whether it should be designated and where the boundary should be drawn. Once a CA appraisal has been completed in draft, it will be issued for public comment. The Conservation Areas currently being reviewed are set out at <https://www.aylesburyvaledc.gov.uk/section/current-conservation-area-consultation>
- 3.27 Consultation with the local community can help bring valuable understanding and ownership of proposals for the area. The process of public consultation will vary depending upon the size of the CA and settlement and, in the case of CA review, will be proportionate depending upon the size and complexity of the proposed changes to the boundary.

Planning Applications and Appeals

- 3.28 The following section sets out how the community can be involved in decision making on individual planning applications.
- 3.29 The Town and Country Planning (General Development Procedure) Order 2015 as amended sets out minimum standards of publicity and notification relating to planning applications, depending on the nature of the application. Detailed processes are set out on the council's website¹⁹. However, wider community involvement at an early stage of the planning process is often beneficial to the public, organisations and developers.
- 3.30 Community involvement relating to planning applications, where appropriate, can include:
- Explaining the proposals to residents, workers and users of the area around the site of the proposed development;
 - Requesting the views of people in the community;
 - Considering those views; and
 - Where appropriate, the applicant amending the proposals to take the views of the community into account.
- 3.31 Applications are dealt with by Planning Officers in accordance with the council's approved scheme of delegation²⁰ as set out in the council's constitution²¹. Applications that are complex or particularly controversial may be reported to the Development Management Committee or in certain cases the Strategic Development Control Committee. Further details of these committees are available on our website²².

¹⁸ Conservation Areas SPD <https://www.aylesburyvaledc.gov.uk/aylesbury-vale-conservation-spd>

¹⁹ How to apply for planning applications <https://www.aylesburyvaledc.gov.uk/what-happens-planning-applications>

²⁰ https://www.aylesburyvaledc.gov.uk/sites/default/files/page_downloads/who-decides-DL-NEW.pdf

²¹ <https://democracy.aylesburyvaledc.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13137>

²² Committees <http://democracy.aylesburyvaledc.gov.uk/mgListCommittees.aspx>

Planning application consultation

- 3.32 The council has a well established process for publicising planning applications. The main way to find out information on planning applications is on the council website and a leaflet 'Planning Applications: Their Processing' (AVDC, November 2014)²³.

Pre-application

- 3.33 Early involvement enables issues and concerns to be discussed and addressed with key stakeholders before decisions are made. As well as the council, the key stakeholders can include infrastructure providers. Pre-application involvement by developers allows those issues to be raised at an early stage and may enable them to be addressed and to shape or influence the development proposals. A fee is charged for the pre-application advice service with the council and details can be found on the council website²⁴.
- 3.34 Section 122 of the Localism Act (2011) has amended the Town and Country Planning Act 1990 to require applicants to carry out pre-application consultation where a proposed development is of a description specified in a development order issued in December 2013²⁵.
- 3.35 Development requiring an Environmental Impact Assessment (EIA) should also be subject to pre-application consultation.
- 3.36 The council strongly encourages developers and agents to engage with the planning service, statutory consultees and the local community at the earliest opportunity, especially on major applications. This ensures the best information on which to base proposals and enable any subsequent planning application to have the best chance of success.

Major Applications

- 3.37 Major planning applications, defined by Government²⁶ as the following categories, should all be subject to pre-application consultation:
- the provision of dwellings where—
 - the number of dwellings to be provided is 10 or more; or
 - the development is to be carried out on a site having an area of 0.5 hectares or more and it is unknown whether the development is 10 or more dwellings
 - the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more
 - development carried out on a site having an area of 1 hectare or more

²³ What happens to planning applications

https://www.aylesburyvaledc.gov.uk/sites/default/files/page_downloads/Planning-applications-their-processing-DL-NEW.pdf

²⁴ Pre-application advice service <https://www.aylesburyvaledc.gov.uk/section/pre-application-advice>
<https://www.aylesburyvaledc.gov.uk/section/you-apply>

²⁵ The Town and Country Planning (Development Management Procedure and Section 62A Applications) (England) (Amendment) Order 2013 (December 2013) <http://www.legislation.gov.uk/uksi/2013/2932/made>

²⁶ The Town and Country Planning (Development Management Procedure) (England) Order 2015 Part 1 Preliminary <http://www.legislation.gov.uk/uksi/2015/595/contents/made>

Validation

- 3.38 Pre-application discussions can be a useful way for an applicant and local planning authority to agree what information is required before an application is submitted. This can help avoid validation disputes over the information necessary to validate an application and reduce associated delays. There is a section in the Development Management Procedure Order to resolve such disputes²⁷.
- 3.39 The validation requirements²⁸, including the latest local list of requirements produced by the council²⁹, require the applicant to set out in a statement what community consultation has been undertaken related to the proposal.

Planning Performance Agreements

- 3.40 A Planning Performance Agreement (PPA) is a framework in which parties come together to agree how they are going to take a development proposal through the planning process³⁰. It is a voluntary but chargeable collaborative project management tool for dealing with major and complex applications in the planning process from pre-application advice through to the submission and determination of planning applications to help the process run efficiently.
- 3.41 The PPA can set out: the agreement between applicants and the council on the appropriate timetables and resources for the pre-application advice required; the intention to produce site specific development briefs/ masterplans/ parameter plans, the processing of planning applications and the inclusion of discharging conditions if permission is granted.
- 3.42 Applications for which PPAs would be recommended generally fall within the major category including:
- schemes above 10 residential units or above 10,000 sq. m of commercial development;
 - a large scale renewable energy operation;
 - individual developments and development programmes of major strategic importance to the area.

Appeals

- 3.43 People applying for planning permission have a right of appeal to the Planning Inspectorate in the event of a refusal of planning permission by the council, against any condition imposed on a planning permission, or the failure of the council to make a decision within the specified timescale. There are no third party appeal rights. Appeals are made by either written representations, a hearing or public inquiry which is determined by a Planning Inspector. An appeals procedural guide is available³¹ and further details on the consultation process for Planning Appeals can be found on the Planning Portal website³².

²⁷ <http://www.legislation.gov.uk/uksi/2015/595/article/12/made>

²⁸ <https://www.gov.uk/guidance/making-an-application#Validation-requirements-for-planning-permission>

²⁹ <https://www.aylesburyvaledc.gov.uk/supporting-information-your-planning-application>

³⁰ <https://www.aylesburyvaledc.gov.uk/planning-performance-agreement-ppa>

³¹ <https://www.gov.uk/government/publications/planning-appeals-procedural-guide>

³² Planning Appeals <https://www.planningportal.co.uk/info/200207/appeals>

Consultees on Planning Applications

- 3.44 Schedule 4, Consultations before the grant of permission³³, of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) sets out which bodies should be consulted under various circumstances for development. Further guidance on statutory and non-statutory consultees is set out in national guidance available online at <https://www.gov.uk/guidance/consultation-and-pre-decision-matters>.

³³ <http://www.legislation.gov.uk/uksi/2015/595/schedule/4/made>

Section 4. Review and Resources

Reviewing the Statement of Community Involvement

- 4.1 As per amendments to regulations³⁴, local authorities are required to assess Local Plans and the Statement of Community Involvement every five years to ensure they are up to date. This updated SCI has been produced following a statutory assessment and the next review should be expected by November 2023, provided there are no regulatory changes affecting this requirement nor any major changes to bodies or organisations referred to.

Resourcing of Community Involvement in planning decisions

- 4.2 The delivery of the SCI will be resourced primarily from within the Planning department so it needs to be balanced with other value for money considerations.
- 4.3 To facilitate quicker communication, better access to planning documents and make more efficient use of resources (in terms of officer time and printing materials), wherever possible the council will use electronic channels of communication rather than printed or posted material.
- 4.4 Planning Aid England (subject to Government funding) is also available to assist with engagement in the planning process and provides free, independent and professional advice and support on planning issues to people and communities who cannot afford to hire a planning consultant. Planning Aid complements the work of local authorities but is wholly independent of them. For more information on Planning Aid, visit their website at <http://www.rtpi.org.uk/planningaid/>, call 020 7929 8338 or tweet @PlanningAidEng. For advice enquiries, visit <http://www.rtpi.org.uk/planning-aid/online-advice-service/> or email advice@planningaid.rtpi.org.uk.

³⁴ The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017
<http://www.legislation.gov.uk/uksi/2017/1244/made>

Appendix A – List of Duty to Co-operate bodies for Aylesbury Vale

The planning authorities to which the Duty most directly applies in the case of Aylesbury Vale District Council are listed below:

- Buckinghamshire County Council
- Chiltern District Council
- South Bucks District Council
- Wycombe District Council
- South Oxfordshire District Council
- Cherwell District Council
- South Northamptonshire District Council
- Milton Keynes Council
- Central Bedfordshire District Council
- Dacorum Borough Council

Other authorities that the Council has engaged with under the Duty to Co-operate are:

- Oxfordshire County Council
- Hertfordshire County Council
- Northamptonshire County Council
- Slough Borough Council
- Windsor & Maidenhead District Council
- Wokingham District Council
- Reading District Council
- West Berkshire District Council
- Vale of White Horse District Council
- South Oxfordshire District Council
- West Oxfordshire District Council
- Oxford City Council
- Bedford Borough Council
- Luton Borough Council

The statutory bodies identified in Part 2 of the Town & County Planning (Local Planning) (England) regulations 2012 (as amended) include:

- The Environment Agency
- Historic England
- Natural England
- The Civil Aviation Authority
- The Homes and Communities Agency
- Aylesbury Clinical Commissioning Group
- Chiltern Clinical Commissioning Group
- Office for Rail Regulation
- The Mayor of London
- Transport for London
- Highways England
- Buckinghamshire Thames Valley Local Enterprise Partnership (BTVLEP)
- Buckinghamshire and Milton Keynes Natural Environment Partnership (BMKNEP)

Appendix B – Deposit Points for publication of documents

AVDC Customer Service Centre

The Gateway, Gatehouse Road, Aylesbury, HP19 8FF
T: 01296 585858

Aylesbury Library Walton Street, Aylesbury HP20 1UU

T: 01296 382415 E: lib-ayl@buckscc.gov.uk

Aylesbury Study Centre

New County Hall Walton Street, Aylesbury, HP20 1UU
T: 01296 382415 E: lib-crl@buckscc.gov.uk

Beacon Villages Community Library

Old Town Hall High Street, Ivinghoe, LU7 9EP
T: 01296 387890 E: info@bvcl.org.uk

Buckingham Library

Verney Close, Buckingham, MK18 1JP
T: 01296 382415 E: lib-buc@buckscc.gov.uk

Haddenham Community Library

Banks Park, Banks Road, Haddenham, HP17 8EE
T: 0845 2303232 T: 01296 382415 E: staff@haddenhamcommunitylibrary.org.uk

Long Crendon Community Library

High Street, Long Crendon, HP18 9AF
T: 0845 2303232 T: 01296 382415 E: longcrendonlibrary@hotmail.co.uk

Steeple Claydon Community Library

Queen Catherine Road, Steeple Claydon, MK18 2PY
T: 01296 730392 E: sclibrary@hotmail.co.uk

Wendover Community Library

High Street, Wendover, HP22 6DU
T: 0845 2303232 T: 01296 382415 E: lib-wen@buckscc.gov.uk

Wing Community Library

Village Hall, Leighton Road Wing, LU7 0NN
T: 0845 2303232 E: wingcommunitylibrary@gmail.com

Winslow Community Library

Park Road, Winslow, MK18 3DL
T: 01296 382415 E: lib-wis@buckscc.gov.uk

Appendix C – Neighbourhood Plan Support and Assistance

Regulation 4(a) of the *Neighbourhood Planning Act 2017 (Commencement No 3) Regulations* brings section 6 of the act into force on 31 July.

This means that;

- a) This requires local planning authorities to set out their policy for discharging their duty to give advice or assistance to qualifying bodies to facilitate proposals for neighbourhood development plans (NDPs) or neighbourhood development orders (NDOs), including proposals for the modification of NDPs.
- b) Also from 31 July, regulation 4(b) brings into effect the requirement under section 13(2) of the act for local planning authorities to set out policies for involving interested parties in the preliminary stages of plan-making in their statements of community involvement.

Part a) of this new requirement is met through this document; AVDC Neighbourhood Plan support and assistance, this document outlines what is provided under the duty to support requirements for neighbourhood plan making.

Under Schedule 4B of the 1990 Act “local planning authorities have a statutory duty (sometimes also referred to as the ‘duty to support’) to “give such advice or assistance to parish councils and designated Neighbourhood Forums as in all the circumstances, they consider appropriate for the purpose of, or in connection with facilitating the preparation of Neighbourhood Development Plans”. Note however that there is no legal requirement to give financial assistance and this ‘duty to support’ is in addition to the other statutory duties the council has with respect to Neighbourhood Planning.

The ‘Duty to Support’ is not quantified by the government and therefore AVDC has determined what is an appropriate level of support based on experience working with Neighbourhood Planning Groups. AVDC has actively supported groups through the Neighbourhood Planning process and has been able to determine the extent of support which it feels is appropriate to meet the ‘Duty To Support’ requirements. Support offered by Aylesbury Vale District Council is outlined in the following sections,

This document should be read in conjunction with the statement of community involvement, which fulfils part b), of this requirement. The statement of community involvement can be found here <https://www.aylesburyvaledc.gov.uk/submission-documents> an updated version of this document will be published in November 2018.

Subject	Advice and assistance
Publish Advice	<p>AVDC will continue to maintain and update the Neighbourhood Planning webpage, wherever possible, to provide useful and accessible information available on its website at: https://www.aylesburyvaledc.gov.uk/section/neighbourhood-planning including, for example:</p> <ol style="list-style-type: none"> i. General information, including information on sources of funding and support available to Neighbourhood Plan groups; ii. Background evidence which is already available within the council, e.g. the parish fact packs – these are to be used by NP groups as a reference starting point to indicate the type of information they will need and sources for new up to date information. https://www.aylesburyvaledc.gov.uk/withdrawn-vap-strategy-technical-documents iii. a summary table outlining all neighbourhood planning activities across the district with updates on the progression of each plan iv. Links to other useful websites and the National Planning Policy Guidance relating to Neighbourhood Planning; and v. v) Any other guidance which might be useful to anyone thinking of preparing a Neighbourhood Plan.
Professional advice and assistance	<p>AVDC will work with the Neighbourhood Plan Steering Group to enable them to deliver a robust, fit for purpose and high quality Neighbourhood Plan, subject to the NP officer having the resources available to facilitate this.</p> <p>AVDC will provide advice and assistance on:</p> <ol style="list-style-type: none"> i. Methods of community engagement and consultation; ii. Matters relating to ‘conformity’ between the Neighbourhood Plan and the Local Plan or other relevant plans and strategies provided that they are not confidential; iii. Complete a Screening Assessment and or Scoping Opinion for SEA/HRA and confirm any requirement for environmental assessment or other evidence required; iv. Complete the HRA if one is required, through engagement with the relevant body;
Meetings	<p>AVDC will provide advice and assistance by:</p> <ol style="list-style-type: none"> a) Providing officer support for one meeting per parish in response to individual requests to discuss Neighbourhood Planning in principle and local issues prior to a Neighbourhood Plan being registered. b) Providing one meeting post registration of a Neighbourhood Plan to confirm the scope and timetable for the Neighbourhood Plan and supporting evidence base. We will provide on going advice through the plan production and development in relation to; <ol style="list-style-type: none"> i. The legal procedures ii. The preparation and content of a project plan – project management, iii. The scope of a Neighbourhood Plan iv. Conformity with other plans and policies v. Methods of consultation and engagement vi. Consultation with the ‘consultation bodies’ vii. The requirements of other legislation such as Human Rights Act, the Habitat Regulations and Environmental Assessments

Subject	Advice and assistance
	<ul style="list-style-type: none"> viii. Funding and grants c) Attend additional meetings and or ongoing support, as might be necessary and resources allow.
Background Data and Evidence	<p>AVDC will provide advice and assistance with:</p> <ul style="list-style-type: none"> i. annual Monitoring report data for Housing over the last 5 years https://www.aylesburyvaledc.gov.uk/monitoring-reports ii. background evidence which is already available within the council, e.g. the parish fact packs – these are to be used by NP groups as a reference starting point to indicate the type of information they will need and sources for new up to date information. iii. planning applications can be accessed: https://www.aylesburyvaledc.gov.uk/search-planning-licensing-applications iv. Local Plan Evidence Base and access to base data, where available https://www.aylesburyvaledc.gov.uk/section/supporting-evidence v. The council will, on request provide basic free OS base maps for the area, e.g. a parish boundary map; and basic free maps showing constraints data; vi. bespoke mapping requests and Other maps will be provided in accordance with the council’s charging schedule; provide links to research data, where available
Draft Plan Proposal	<p>AVDC will provide advice and assistance on:</p> <ul style="list-style-type: none"> i. Conformity of the plan and whether in our view (at this informal stage) it meets the basic conditions; ii. an informal review of the plan to provide a report outlining any potential concerns or areas for policy improvement iii. Suitability of any SEA required and work with the Neighbourhood Plan Steering Group with regards to any required HRA; Conformity with other legislative requirements; and
Regulation 14	<p>We will provide advice and assistance on:</p> <ul style="list-style-type: none"> i. a list of statutory consultees for the parish ii. guidance on the statutory consultation requirements iii. a template for consultation letters iv. Submit a formal consultation response to the regulation 14 consultation, to include comments from internal departments including; planning policy, development management, heritage and biodiversity. v. comments will relate to the suitability of the plan, the plan proposals and suitability of the supporting documents & evidence base;
Post-regulation 14	<p>AVDC will provide advice and assistance by:</p> <ul style="list-style-type: none"> i. organise a meeting to review and discuss in further detail the comments made by AVDC at reg.14 and seek to resolve any outstanding concerns that either party may have as a result of reg,14 consultation

Subject	Advice and assistance
Regulation 16	<p>We will provide advice in relation to:</p> <ul style="list-style-type: none"> ii. Guidance on the regulation 15 submission stage process and requirements iii. Guidance outlining the regulation 16 consultation process and requirements. AVDC will carry out the regulation 16 submission consultation in accordance with the legal requirements
Submission to the independent examiner	<p>We will provide advice and assistance by:</p> <ul style="list-style-type: none"> i. liaising with the qualifying Body to agree on the selection of an independent examiner for the NP ii. appoint and commission an examiner and pay for the examination iii. ensure that all NP documents are sent to the examiner both in hard copy and electronically. iv. Regulation 16.consultation responses will be compiled into a pdf document, redacted and then subsequently published online on the NP page once submitted to the examiner
Examination	<p>We will provide advice and assistance by:</p> <ul style="list-style-type: none"> i. acting as the liaison point between the independent examiner and the qualifying body as required by the examiner for the duration of the examination. ii. publish any correspondence or updates on the examination iii. liaise with the parish in response to the examiners draft report publish the examiners final report once issued
Post-examination	<p>We will provide advice and assistance by:</p> <ul style="list-style-type: none"> i. Publishing the examiners recommendations ii. Pass on these recommendations to council through the delegated powers procedures. iii. The council will then determine weather to accept the examiners recommendations iv. The council's decision will then be published and publicised accordingly v. Liaise with the parish in their preparation of the final version of the plan, ensuring any modifications made by the examiner are undertaken to ensure compliance with the basic conditions

Subject	Advice and assistance
Referendum	<p>We will provide advice and assistance:</p> <p>If the plan has been recommended by the independent examiner to proceed to referendum,</p> <ol style="list-style-type: none"> i. we will provide guidance on the referendum arrangements and procedures ii. the neighbourhood planning officer will then handover the QB in touch with the democratic and electoral services team, who will be arranging for the plans referendum. iii. Publish the referendum results and publicise this and notify all internal decision makers in relation to any planning applications for which the NP will have weight for.
Making of the plan	<p>We will provide support and assistance:</p> <p>If the plan is successful at referendum,</p> <ol style="list-style-type: none"> i. AVDC will then formally adopt the plan through the delegated powers procedures. ii. Publicise and contact consultees who wished to be notified will be individually informed.
Modification and Review	<p>We will support and advise groups by:</p> <ol style="list-style-type: none"> i. Providing guidance on the modification and review process ii. Provide information on grant funding iii. Attend one steering group review meeting at the preliminary stages to discuss the review procedures, the process, and proposals for review iv. We will again support the groups through the statutory stages of plan making as required.

Statutory process note

This stage outlines the statutory requirements of the LPA and its procedures in more detail.

Stage 1 Neighbourhood Area Designation

Internal processes for the statutory Neighbourhood Plan area and Neighbourhood Plan group designation stages, i.e. checking that the proposals meet regulatory requirements, advertising the proposals and council decision to designate the area or group.

Note that, since 2016 changes in Regulations, neighbourhood areas that follow the parish boundary do not require a consultation period and can be designated by the authority without consultation. Neighbourhood areas which do not follow the parish or town boundary would still require consultation and designation of neighbourhood areas.

Applications will then be approved through delegated powers, where the planning policy manager is responsible for decision making in agreement with the Cabinet Member for Planning and Enforcement and in consultation with other local members.

Stage 2 Environmental Assessment

The statutory role includes the assessment of environmental impact of a neighbourhood plan. It is proposed that the council will prepare a screening assessment for the Strategic Environmental Assessment (SEA) of a plan in accordance with the SEA Directive and will provide an initial assessment of risk or a Scoping Opinion with regards to whether a Habitat Regulations Assessment (HRA) is required, in line with the HRA Directive. The object being to ascertain if a plan will require full environmental assessment under these EU Directives.

If an SEA is required, this will be undertaken by the Neighbourhood Plan steering group, not the council. However, the HRA will be undertaken by the council, as legally, the council is the competent authority responsible for ensuring that European Sites are not subject to any adverse effects on site integrity. A Neighbourhood Plan cannot be adopted if it will have likely significant effects.

Stage 3 Commenting on the Pre-Submission Draft Plan Proposal – Regulation 14

Upon consultation from the relevant body, under Regulation 14, the council will respond to the relevant body setting out its comments on the pre-submission draft plan and making informal representation on whether the plan is likely to meet the basic conditions; will check issues around conformity with national policy; and confirm whether the plan is in general conformity with the existing development plan for Aylesbury Vale and where necessary refer to emerging development plans.

Stage 4 Publication of the Submission Plan Proposal – Regulation 16

Upon receipt of the submission plan from the relevant body the council will check and confirm that the plan proposal meets the requirements in the legislation. If requirements have been met, the council must publicise the Plan for a minimum of 6 weeks and invite representations, and notify any consultation body referred to in the consultation statement.

Stage 5 The Examination in Public (EiP) – Regulation 17 & 18

The council will organise and pay for the EiP, appointing an independent examiner (with the agreement of the qualifying body). The council will send the Submission Plan Proposal and

representations to the independent examiner, in accordance with Regulation 17.

The independent examiner will undertake the examination. When considering the content of the submission plan, the independent examiner's role is limited to testing whether or not the plan meets the basic conditions (<https://www.gov.uk/guidance/neighbourhoodplanning--2#basic-conditions-for-neighbourhood-plan-to-referendum>), and other matters set out in paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended) (<http://www.legislation.gov.uk/ukpga/2011/20/schedule/10/enacted>).

The independent examiner is not testing the soundness of the plan or examining other material considerations. (NPPG Para 055). Based on experience of other Local Planning Authorities, the examination of the plan is likely to be considered by written representations only and not by public hearing. As a consequence the basic conditions statement is likely to be the main way that the relevant body can seek to demonstrate to the independent examiner that their plan meets the basic conditions. However, the independent examiner might consider holding a hearing to listen to oral representations about a particular issue. (NPPG para 056).

The independent examiner will issue a report to the council and the relevant body. The council will publish the report to its website and consider the report. In accordance with the council's constitution, the Plan will be considered in order to take a decision on whether to send the plan to referendum.

Stage 6 The Referendum

The council is responsible for organising and paying for the referendum. The neighbourhood planning officer will liaise with the relevant body and the council's Electoral Services Team to establish the timings of the referendum at the point of plan submission (Reg 16). The council will publish an information statement and notice of the referendum, and will declare the results.

Stage 7 Adoption

If the majority of those who vote in a referendum are in favour of the neighbourhood plan, then the plan must be made/adopted (brought into legal force) by the council within 4 weeks of the referendum, unless a legal challenge has been brought in relation to the decision to hold a referendum or around the conduct of the referendum.

There are narrow circumstances where the council is not required to 'make' the plan. These are where it considers that the making of the plan would breach, or otherwise be incompatible with, any EU or human rights obligations (NPPG para 64). If the plan is compatible with EU obligations and does not breach Convention Rights, the council must make the plan (NPPG para 080). The decision to make a plan will be taken in accordance with the council's constitution.

Stage 8 Modification & Review

The council will support groups wishing to modify or review a neighbourhood plan, in accordance with the regulations Section 61M(4) of the Town and Country Planning Act 1990³⁵.

The council will again support the qualifying body through the statutory stages of neighbourhood plan making as required by the duty to support neighbourhood planning.

³⁵ <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>



Planning Policy

Aylesbury Vale District Council

The Gateway, Gatehouse Road, Aylesbury Bucks, HP19 8FF

Tel: 01296 585308

Email: planningpolicy@aylesburyvaledc.gov.uk

Website: <https://www.aylesburyvaledc.gov.uk/section/planning-policy>