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1 Purpose of this guidance

1.1 This guidance is written for anyone in Calderdale who is thinking of producing a neighbourhood development plan. Neighbourhood development plans could be produced anywhere in Calderdale by relevant groups including; town or parish councils, community groups or business groups. There are rules and regulations for becoming the group which is entitled to produce a neighbourhood development plan which are explained in this guidance. This guidance also provides you with information on preparing a plan as well as indicating what help and advice is available from Calderdale Council and other organisation. This guidance may be subject to change as examples of best practice emerge and all of the required regulations are put in place.

1.2 It should be noted that this document is issued for guidance only and is not a definitive guide to neighbourhood development plans. It is therefore important that you read this guidance in conjunction with The Localism Act 2011 and The Neighbourhood Planning (General) Regulations 2012.
2 Neighbourhood development plans

Introduction

2.1 The Localism Act 2011 introduces three new rights and powers for communities and individuals to get more involved in planning for their areas. These are very different to community led plans such as Village Design Statements and Parish Plans which have been successfully undertaken by communities across Calderdale. The three new rights and powers are:

- **Neighbourhood Development Plans** – A new plan-making power for local communities to help them shape development within their area.
- **Neighbourhood Development Orders (NDOs)** – A Neighbourhood Development Order can form part of a Neighbourhood Development Plan or it can be standalone. The NDO can be used to grant planning permission to certain types of development in a particular location for example a disused mill site or small group of buildings.
- **Community Right to Build Order** – This is a particular type of NDO which enables a community to deliver small-scale, site-specific development without the need for a separate planning application. This allows communities to get together and take forward developments for new homes, shops and facilities in their area, providing there is overwhelming community support for the development.

2.2 This guidance principally covers neighbourhood development plans, although there are references to neighbourhood development orders and community right to build orders.

**Important!** These new powers are about the community promoting and managing growth **NOT** stopping growth.

What are neighbourhood development plans

2.3 Neighbourhood development plans provide opportunities for communities to plan the future of their area by providing policies and allocations for the use of land. They could be very simple, or go into considerable detail where people want. A neighbourhood development plan could:

- provide a single planning policy on one particular issue, for example the design of new shop fronts or house extensions; or
- provide a wide range of policies and allocations for the development and use of land in an area. For example it may consider housing, employment, shops and schools.

2.4 Once a plan is in place it will become a formal part of the planning policy for an area alongside the new district wide plan for Calderdale - 'The Calderdale Local Plan'. This means it will form the basis for determining planning applications and help shape development proposals which come forward.

Is a neighbourhood development plan the right tool?

2.5 Before the main activity of developing the plan can commence, it is important to do some initial preparation. This needs to include a consideration of whether a neighbourhood development plan is right for the community and the area. There are a lot of other tools available to communities
to influence how planning is undertaken within your neighbourhood. The following table indicates some of the other tools available and how the community can influence them.

<table>
<thead>
<tr>
<th>Type</th>
<th>Purpose</th>
<th>How to influence</th>
<th>Lead organisation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Calderdale Local Plan</td>
<td>The statutory development plan for Calderdale. The plan is being produced in two parts;</td>
<td>Both parts of the plan are still being developed. You can influence the plan by being involved in the consultations on each part of the plan.</td>
<td>Calderdale Council</td>
</tr>
<tr>
<td></td>
<td>1. <strong>Core Strategy</strong> - this will provide strategic policies for the amount, type and location of development in Calderdale</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. <strong>Land Allocations and Designations</strong> - this will identify the sites for different types of development and designations such as Green Belt boundaries</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supplementary Planning Documents (SPDs)</td>
<td>These provide further details on policies contained within the Calderdale Local Plan and could be thematic or site specific e.g. On affordable housing or a large development site.</td>
<td>At this stage Calderdale Council are not anticipating producing any further SPDs. But if any are proposed in the future you can influence their content during the periods of consultation.</td>
<td>Calderdale Council</td>
</tr>
<tr>
<td>Parish/ Community Led Plan/ Village Design Statement</td>
<td>These are led by the community and often reflect what a community wishes to protect or improve. An action plan prioritising activities is often produced. These plans do not have the same weight as a neighbourhood development plan but could cover a broader range of issues.</td>
<td>The community initiate such plans and they are subject to consultation.</td>
<td>Town/ Parish Councils and community groups</td>
</tr>
<tr>
<td>Planning Application</td>
<td>To determine whether an application for development should be approved. Most approvals are subject to conditions.</td>
<td>Through the formal consultation process.</td>
<td>Developers, planning agents, members of the public</td>
</tr>
<tr>
<td>Section 106 Agreements</td>
<td>These are legal agreements made under section 106 of the Town &amp; Country Planning Act made between Calderdale Council and a developer. These are attached to planning applications and</td>
<td>By making comment during the planning application consultation.</td>
<td>Developers, Calderdale Council</td>
</tr>
</tbody>
</table>
2. Neighbourhood development plans

<table>
<thead>
<tr>
<th>Type</th>
<th>Purpose</th>
<th>How to influence</th>
<th>Lead organisation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning Enforcement Action</td>
<td>Action taken by Calderdale Council to ensure planning conditions are complied with or that development undertaken without planning permission is brought under control.</td>
<td>Inform Calderdale Council of possible breaches of planning regulations.</td>
<td>Calderdale Council</td>
</tr>
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<td></td>
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</tbody>
</table>

It is important to weigh up the cost, both in terms of time and money of producing a neighbourhood development plan, with the benefits it would bring to the community. You should also consider:

- what resources you have available.
- Is there anyone with technical expertise in your community who could help with developing the Plan?
- Do you have funding available for expert advice?
- How many people are available to help and how much time can they dedicate?

Important! Before embarking upon a neighbourhood development plan you need to carefully consider the cost and benefit of producing the plan and other options open to the community.
3 Steps to developing a neighbourhood development plan

3.1 If after considering all of the options open to you and your community you conclude a neighbourhood development plan is appropriate there are 5 main steps you need to complete.

Step 1: Defining the neighbourhood

3.2 The first step is for you to consider how you and your community will work together and what area you are going to plan for.

Taking the lead

3.3 To take the lead on a neighbourhood development plan you must be a ‘qualifying body’. In Calderdale, like many places, there is a mixture of parish and non-parish areas. There are different rules apply for being designated as a ‘qualifying body’ between areas covered by parish and town councils and those outside such areas.

- **In areas with a parish or town council**, the parish or town council are the ‘qualifying body’ and will take the lead on neighbourhood planning.

- **In areas without a parish or town council**, local people will need to decide which organisation should lead on co-ordinating the local debate. In some places, existing community groups may want to put themselves forward, in others local people might want to form a new group, and in **predominantly business areas** the business community can apply to be the qualifying body. In all cases, the group must meet some basic standards.
3. Steps to developing a neighbourhood development plan

**Becoming a 'qualifying body'**

To be considered as a 'qualifying body' outside a parish or town council area your group must ensure :-

- It is established for the express purpose of promoting or improving the social, economic and environmental wellbeing of an area that consists of or includes the neighbourhood area concerned (whether or not it is also established for the express purpose of promoting the carrying on of trades, professions or other businesses in such an area);
- membership of the group must be open to :-
  - individuals who live in the neighbourhood area concerned,
  - individuals who work there (whether for businesses carried on there or otherwise), and
  - individuals who are elected members of Calderdale MBC whose Ward falls within the neighbourhood area concerned,
- membership must include a minimum of 21 individuals each of whom :
  - lives in the neighbourhood area concerned,
  - works there (whether for a business carried on there or otherwise), or
  - is an elected member of Calderdale MBC whose Ward falls within the neighbourhood area concerned, and
- The group is required to have a written constitution.

It is possible the Government may introduce other conditions at a later date.

**Important!**

Membership of the group should be taken from a wide cross section of people who are representative of your area as this will be assessed by Calderdale Council and that the purpose of the group reflects the general character of the area.

**The neighbourhood**

3.4 Once you are satisfied that your group fulfils the above conditions, your next task is to define the neighbourhood you want to plan for.

3.5 In the case of town and parish councils, this could be the whole or part of your area or indeed it could include areas outside of the Town or Parish. If this is within another Town or Parish Council area then the relevant Councils must consider who is going to be the lead Council in putting the plan together. If the area overlaps with a non-parish area the Town or Parish Council will still take the lead.
3.6 In areas without a town or parish council, the area could be; large or small, predominantly business or residential, urban or rural. It is up to you. The key thing to remember is that it needs to be a logical area in terms of geography, community or the issues to be addressed.

Getting the forum and area validated

3.7 Before you can commence making the Neighbourhood Development Plan you will need to get agreement from Calderdale Council by making an application. Your application must include the following:

- a plan and statement identifying the area of the proposed neighbourhood development plan;
- a statement of why this land should be designated;
- a statement of why your group is capable of being a ‘qualifying body’ for the purposes of neighbourhood development plans, including contact details;

3.8 The application should be submitted to the Planning Service at Calderdale Council. These can be submitted at any time.

3.9 Once Calderdale Council have received your application it will be advertised to enable people who live, work or carry on business in the area to comment.

Applications to designate a neighbourhood development plan area

Calderdale Council will:

- publicise the name of the proposed neighbourhood plan area on the Calderdale Council website and other locations which may include local libraries and other public buildings and notices in the local press;
- invite comments for a minimum period of six weeks; and
- make a decision at the most appropriate meeting of Full Council.

3.10 In the case of neighbourhood forums Calderdale Council will publicise the forum hoping to be designated to undertake a neighbourhood development plan and invite comments and rival bids from people who live, work or carry on business in the area.

Applications to designate a neighbourhood forum

Calderdale Council will:

- publicise details of the forum application on the Calderdale Council website and other locations which may include local libraries and other public buildings and notices in the local press;
- invite comments and rival applications for a minimum of 6 weeks;
- make a decision at the most appropriate meeting of Full Council.
3. Steps to developing a neighbourhood development plan

**Important!**

The designation of a Neighbourhood Forum ceases to have effect after 5 years from the day which it was made but any neighbourhood development plan made before the end of this period is not affected. Calderdale Council also reserves the right to withdraw an organisation or body’s designation as a neighbourhood forum if they consider that the organisation or body is no longer meeting:

- the conditions by reference to which it was designated, or
- any other criteria to which the authority were required to have regard in making the designation;

If a forum or area designation is withdrawn or refused Calderdale Council will tell you why.

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**Step 2: Preparing the plan**

3.11 The production of the plan is the responsibility of the lead organisation who successfully applied to be the ‘qualifying body’. You may wish to set up a small steering group who report back to the Town/Parish Council or neighbourhood forum to oversee the majority of the work on the plan.

3.12 The preparation of the plan will require a lot of time and resources. It is really important that you identify what you want the plan to achieve at an early stage and identify the time, skills and resources required to undertake these tasks. If you are likely to require help and assistance from other organisations such as Calderdale Council it is important you agree a timetable with them at an early stage so that they can try and ensure they have the time and resources available when required.

**Content of the plan**

3.13 The content of the plan can include as much or as little as the community want, providing it relates to the development and use of land within the neighbourhood. You could say, for example, where new homes and offices should be built, and what they should look like or you could simply have a policy on new shop fronts. It is really up to you.

**Important!**

The plan cannot be used to provide less development than the Calderdale Local Plan. But you can protect sites of community importance providing you identify other sites which can accommodate the growth required.

3.14 An important early stage in developing your plan will be to consider what is your ‘vision’ is for the future of your area. To do this you should ask yourself and the group a series of questions such as:

- How do you think the area should look in 15 to 20 years from now?
- What types of development do we want to see?
- Do we need more services, better roads, better public transport, improved schools?
3.15 Some work on these types of questions will have already been carried out during the production of community led plans, village design statements, Calderdale Council’s Sustainable Community Strategy and Local Plan, West Yorkshire Metro’s Local Transport Plan, etc. These may provide you with a good starting point for your own ideas. It is also important that your ‘vision’ of the future conforms with that of the Calderdale Local Plan.

**Example**: The Calderdale Sustainable Community Strategy calls for “Calderdale to be an attractive place where people are prosperous, healthy, and safe, supported by excellent services and a place where we value everyone being different and through our actions demonstrate that everyone matters”

You could try and reflect this aspiration locally in your neighbourhood development plan by identifying what this means for you and your community.

3.16 Once you have considered your vision of the area for the next 15 to 20 years you then need to think what objectives does the plan need to help the community realise its vision. Setting the objectives will help you write detailed plan policies and actions ensuring that your vision can become a reality.

**Example**: Your vision could include a statement saying in 20 years time your neighbourhood will ‘have an economy which has grown to meet the needs of the area’s residents and businesses, and recognises our role within Calderdale’. An objective coming from this may be; ‘to retain the best current employment sites and identify a supply of viable land for employment opportunities’. The neighbourhood development plan could then have policies concerning :- the allocation of new employment sites and protection of existing employment land.

3.17 Once you have set your plan vision, objectives and policies you also need to consider how you are going to implement the plan. This may include having targets and indicators which are monitored to ensure the plan policies are working. You may wish to include an action plan containing ‘actions needed on the ground’. Whilst your plan should ideally include targets and indicators any actions do not necessarily need to be part of the main plan. It could be an appendix to the main document, which evolves as actions progress and new ones emerge.

**Example** - Actions to development a new employment site could include :-

- Discussions with the land owner and a developer about the site;
- Consulting the community on site layout and design;
- Securing funding to undertake preliminary ground works on the site.

3.18 Your neighbourhood development plan could also include a **neighbourhood development order**, where the community can grant planning permission for new buildings you want to see go ahead. This would aid in the implementation of the plan.
Example: To make it easier to implement a policy for new employment premises you could implement a Neighbourhood Development Order which allows offices to be built on a site without the developer having to apply for planning permission.

Note: A neighbourhood development order can be a stand-alone planning tool or can be part of a neighbourhood development plan - it's your choice.

3.19 Whilst you do have a lot of freedom and flexibility in producing your neighbourhood development plan or neighbourhood development order you do need to make sure you follow a few basic ground rules. To make sure you don’t fall foul of any of these rules it is important you discuss your ideas with officers from Calderdale Council’s Planning Service as early as possible.

Important! Ground rules

Your neighbourhood development plan or neighbourhood development order:

- must generally be in line with local and national planning policies;
- must be in line with other laws (including European Law);
- if the Calderdale Council Local Plan says that an area needs to grow, then communities cannot use neighbourhood planning to block the building of new homes and businesses. They can, however, use neighbourhood planning to influence the type, design, location and mix of new development.

Evidence

3.20 The amount and type of evidence you need to develop your vision, objectives and policies will depend upon the types of issues you want your neighbourhood development plan to tackle. Whatever issues you want the plan to cover you will need a clear understanding of what the issue is, how it is likely to change in the future and what the community would like to see happen.

3.21 If you are clear on what you want the plan to achieve the collection of evidence will be a lot simpler as you can ensure you only collect the evidence you need. Collecting evidence can be time consuming and sometimes costly so you will need to strike a balance between collecting enough to support the plan but not providing so much that it overwhelms you in terms of time and resources.

3.22 In most cases you won’t need to start from scratch as there is a lot of evidence already out there which can be used or adapted for your purposes. Calderdale Council has lots of evidence on a wide range of subjects. A good starting point is to discuss with officers what evidence they have been collecting as part of the local plan. You may find they already have all the information you need, however, in many cases you will need to do extra work to get to the detail required for your area.
Example - Calderdale Council has produced an Employment Land Review for the whole of the district which provides details of the likely need for employment land as well as some potential sites. However, the data concerning the requirement for employment is not available at the neighbourhood level. Therefore, you may want to undertake a survey of local businesses and residents as well as identifying new sites in your area to supplement this work.

Important! Evidence is not just hard facts and figures; it also needs to consider people’s views and opinions. Therefore, you may need to talk to people and collect views throughout the evidence gathering process.

Sustainability Appraisal and Appropriate Assessment

3.23 Sustainability Appraisal (SA) is the process of considering the possible economic, environmental and social impacts of an emerging plan to ensure it would be the most sustainable when considered against other reasonable alternatives. Whether your neighbourhood plan will require SA or not is dependent upon a number of factors including:

- How much it might affect the environment, society, or the economy;
- Whether it will lead to any major projects in the future;
- Whether it will affect special nature conservation sites; and
- How closely your plan conforms to policies contained within the Calderdale Local Plan.

3.24 It is a good idea to discuss these issues early with an officer from Calderdale Council's Planning Service, who will be able to guide you through the relevant legislation. It is important to note that your plan can be legally challenged if SA should, but has not been carried out.

Important!

If in doubt carry out a Sustainability Appraisal.

3.25 The SA should be started when work starts on the plan (i.e. developing draft policies and content), so that emerging ideas, content, and policies can be assessed, in order to inform the final plan. If the SA is done too late, it will not be able to inform the final plan, increasing the risk of a legal challenge at a later stage. In the majority of cases it is not expected that your SA will need to be as comprehensive as the ones Calderdale Council have produced for the Calderdale Local Plan.

3.26 Appropriate Assessment is often incorporated within the SA. This specifically considers the wider impacts of particular emerging policies and plans on European sites of ecological importance. Within Calderdale the South Pennine Moors around parts of Todmorden, Hebden Bridge, North Halifax and Ripponden fall within this category. To discuss if your plans are likely to affect such sites contact Planning Services at Calderdale Council.
Who to involve

3.27 A Neighbourhood Development Plan should be community led therefore you need to involve a broad range of people, groups and organisations who have an interest in the area or may be effected by your proposals.

3.28 Dependent upon the issues you are considering you may wish to involve the following;

- Residents
- Community organisations
- Elected representatives
- Businesses
- Landowners
- Developers
- Active players in the voluntary sector
- Government Organisations e.g. Environment Agency, Natural England

Example - If you are wanting to provide new employment sites it would be useful to involve Calderdale Council officers, businesses, chambers of commerce, local business organisations, land owners and developers as well as residents, community organisations and elected members.

Consulting on the plan

3.29 In any community led planning exercise, communication and engagement with the community is vital throughout the process. People are more likely to participate if their views are sought at an early stage and they are kept informed. This is especially important in the case of developing a neighbourhood development plan where the support of the community at the referendum stage (see 'Step 4: The referendum') is crucial to its adoption.

3.30 You may find it useful to create an informal and brief ‘communication strategy’, setting out how and when you will communicate with the community and other groups or organisations. This will be useful to refer to as the process progresses.

3.31 There are a large number of ways you can involve the community and other organisations in the development of your plan. Your choice of method should be dependent upon who you want to engage with, the type and quantity of information you require as well as the money and time available to you. A number of different techniques are discussed in 'Consultation and engagement methods'. Calderdale Council officers will also be able to provide advice on appropriate methods of consultation.

3.32 The neighbourhood development plan regulations require you to undertake at least one consultation, but you can do as many consultations as you like. In many cases it may be beneficial to consult at least twice. The first consultation could focus upon the needs and aspirations of the community. This will help you set your vision and objectives. Whilst the second consultation could be upon the draft plan so that the community can see how you have interpreted the needs and aspirations identified through the earlier consultation have been interpreted into actions and policies. Good constructive consultation, whilst not providing any certainty, will help to achieve a positive result at the referendum stage (see 'Step 4: The referendum').
Important!

To fulfil the minimum requirements for your plan the consultation must:

- publicise, in a manner that is likely to bring it to the attention of people who live, work or carry on business in the neighbourhood area details of:
  - the proposals for a neighbourhood development plan;
  - details of where and when the proposals for a neighbourhood development plan may be inspected;
  - details of how to make representations; and
  - the date by which those representations must be received, being not less than 6 weeks from the date on which the draft proposal is first publicised;
- consult any consultation body referred to in paragraph 1 of Schedule 1 of the Neighbourhood Planning (General) Regulations 2012 whose interests you consider may be affected by the proposals for a neighbourhood development plan; and
- send a copy of the proposals for a neighbourhood development plan to Calderdale Council.

3.33 Once your final consultation has been carried out, the comments analysed and the plan changed, you will need to submit the plan to Calderdale Council, ready for the independent examination.

Submitting your plan

3.34 When you submit your plan to Calderdale Council you will also need to submit a consultation statement and a statement of how it has met the basic conditions.
Important!

When you submitting the plan to Calderdale Council you must include :-

- a map or statement which identifies the area to which the proposed neighbourhood development plan relates;
- a consultation statement setting out who was consulted, how they were consulted, a summary of the main issues and concerns and how these have been addressed in the plan;
- the proposed neighbourhood development plan; and
- a statement explaining how the proposed neighbourhood development plan meets the following requirements :-
  - It has regard to national policies and guidance issued by the Secretary of State;
  - It has special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest;
  - It has special regard to the desirability of preserving or enhancing the character or appearance of any conservation area;
  - It contributes to sustainable development;
  - It is in general conformity with the strategic policies within the Calderdale Local Plan (and saved strategic UDP policies);
  - The making of the order does not breach, and is otherwise compatible with, EU obligations; and
  - That all other requirements of making the plan have been complied with.

3.35 Soon after receiving your plan Calderdale Council will conduct a check of the plan, to ensure that the process has been followed in accordance with the requirements of the Localism Act. It will also consider the quality of the evidence base and make sure policies are consistent with district and national planning policy. If Calderdale Council is happy that the plan meets these requirements, it will arrange for an independent check of the document.

Following this initial check Calderdale Council will :-

- publicise for a minimum of 6 weeks on the council website and other locations which may include local libraries and other public buildings and notices in the local press :-
  - details of the plan proposal;
  - details of where and when the plan proposal may be inspected;
  - details of how to make representations;
  - a statement that any representations may include a request to be notified of the local planning authority’s decision;
  - the date by which any representations must be received;
  - notify any consultation body which is referred to in the submitted consultation statement that the plan proposal has been received.
Step 3: Independent check

3.36 The next step for your neighbourhood development plan will be to have it independently checked to ensure it can be formally ‘made’.

The examination

3.37 Calderdale Council will decide, in collaboration with you, who to appoint to undertake an independent check of the neighbourhood development plan. The independent check will be paid for by Calderdale Council.

3.38 The person appointed must be:
   - independent of both parties;
   - have no interest in the land or area; and
   - have suitable qualifications and experience.

3.39 The main function of the examination will be to check that the plan conforms with:
   - the strategic content of wider development plans;
   - the National Planning Policy Framework and/or other national guidance;
   - European Directives;
   - national and international designations (e.g. listed buildings, sites of special scientific interest (SSSIs), etc.); and
   - adjoining neighbourhood development plans.

3.40 In general, the examiner will consider written representations during the examination period, rather than oral representations. However he/she may decide that an oral representation is preferable in certain situations. In this case a public hearing must be held.

Publication of the examiner’s report

3.41 The result of the examination will be a written report, issued by the independent examiner, which will have one of the following recommendations:
   - that the draft neighbourhood development plan should proceed to a referendum;
   - that it should proceed to a referendum, subject to certain amendments;
   - that the proposed neighbourhood development plan is found unsound.

3.42 If the examiner recommends big changes you may need to return to ‘Step 2: Preparing the plan’ and re-consult before repeating ‘Step 3: Independent check’.

3.43 The examiner’s report will be issued to both you and Calderdale Council. The latter will arrange for the publication of the report. Calderdale Council will then consider the examiner’s report to decide whether or not the recommendations should be followed. The Council will publish its decision on this matter and will notify you of this decision.

Step 4: The referendum

3.44 Calderdale Council are responsible for organising, facilitating and funding the local referendum on the neighbourhood development plan. The referendum will take place as soon after the receipt
of the examiner’s report as possible. However where possible Calderdale Council may seek to combine the plan referendum with an up-coming local or national election.

3.45 The referendum will be open to any individual registered to vote in the area, but it could be extended to a wider area if the neighbourhood development plan has effects which are wider than the area it covers. The referendum is required to gauge community support for the neighbourhood development plan.

**Important!**

- The neighbourhood development plan needs the support of over 50% of those who vote in the referendum.

- If the referendum is successful Calderdale Council is compelled to bring it into force.

- If the referendum is unsuccessful the only way forward will be to start the plan again.

**Step 5: Legal force of the plan**

3.46 Once a neighbourhood development plan is in force, it carries real legal weight. It will become part of the Calderdale Local Plan. This means that decision-makers will be obliged, by law, to take what it says into account when they consider planning applications and make decisions in accordance with the local plan and neighbourhood development plan.

3.47 It will therefore provide more certainty to the types of development expected within the area.
4. Help and assistance available

4.1 Creating a neighbourhood development plan can be a daunting prospect and will not be right for every community. But there will be real benefits to some communities. Whilst it is only correct that most of the work and development of the plan is undertaken by the community help and assistance is available.

Calderdale Council

4.2 As indicated throughout the proceeding guidance officers from Calderdale Council will be able to provide guidance and assistance throughout the process. It is up to you to consider what assistance you require and seek this from the relevant bodies. The following table indicates how Calderdale Council can help you develop your plan. To ensure that Calderdale Council can provide you with timely help and assistance it is important that you discuss your timetable for producing your neighbourhood development plan with officers at the outset and keep them informed of progress.

<table>
<thead>
<tr>
<th>Steps and tasks</th>
<th>Help and support available</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Step 1: Defining the neighbourhood</strong></td>
<td></td>
</tr>
<tr>
<td>Taking the lead</td>
<td>• Advise on requirements to be a qualifying body</td>
</tr>
<tr>
<td></td>
<td>• Advise upon membership of group</td>
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<td></td>
<td>• Liaise between competing groups as necessary</td>
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<td></td>
<td>• Signpost to assistance in creating constitutions</td>
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<td></td>
<td></td>
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<tr>
<td>The neighbourhood</td>
<td>• Advise upon neighbourhood area</td>
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<td></td>
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<tr>
<td>Getting the forum and area validated</td>
<td>• Advise upon relevant information to be submitted</td>
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<td></td>
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<tr>
<td><strong>Step 2: Preparing the plan</strong></td>
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<tr>
<td>Content of the plan</td>
<td>• Guidance upon relevant issues</td>
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<td></td>
<td>• Advise upon national and local policy</td>
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<tr>
<td>Evidence</td>
<td>• Make existing evidence available to communities and signpost to other evidence sources</td>
</tr>
<tr>
<td></td>
<td>• Assist in interpretation of evidence where required</td>
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<tr>
<td></td>
<td>• Recommend new evidence requirements</td>
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<tr>
<td></td>
<td>• Assist with the development of actions</td>
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<tr>
<td>Sustainability appraisal &amp; appropriate assessment</td>
<td>• Discuss the need for SA</td>
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<td></td>
<td>• Provide a copy of the Council SA Framework, if required</td>
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<td></td>
<td>• Guidance through the SA process</td>
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<tr>
<td>Who to involve</td>
<td>• Advise on relevant groups and organisations</td>
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<tr>
<td></td>
<td>• Provide contacts where necessary</td>
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<td></td>
<td></td>
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<tr>
<td>Consulting on the plan</td>
<td>• Advise on consultation methods</td>
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<td></td>
<td>• Place documents on the Council website</td>
</tr>
</tbody>
</table>
Help and assistance available

Steps and tasks | Help and support available
--- | ---
Submit your plan | Attend events if required
Encourage attendance through advertisement on website and email relevant contacts

Step 3: Independent check
Appointment of the examiner | Provide a list of possible examiners
Discuss the appointment with qualifying body
Appoint the examiner

The examination | Pay for the examination
Provide room hire for the examination if required

Publication of the examiner’s report | Publish the report

Step 4: The referendum | Arrange and pay for the referendum
Inform the qualifying body and interested parties of the result

Step 5: Legal force of the plan | Publish the plan
Use in determining planning applications
Undertake enforcement action as necessary

Other organisations

4.3 At a national and regional level, the Government has awarded funding to four organisations with expertise in planning, to assist communities in developing neighbourhood development plans. Communities can choose to take up free advice and guidance (depending on their needs) through the following organisations:

- **The Prince’s Foundation** – assistance with community engagement and finding local solutions to issues. [www.princes-foundation.org](http://www.princes-foundation.org)

- **Locality** – provision of support and networking to community groups through online resources and other networking tools, practical workshops and seminars, and tailored advice through a telephone advice line. [www.locality.org.uk](http://www.locality.org.uk)

- **The Royal Town Planning Institute** – via the Planning Aid service, the provision of free, independent, impartial, professional planning advice to people who do not have the means to pay professional fees. Provision of support and training to local communities to influence and contribute to planning strategy, policy and decision-making at all levels. [www.rtpi.org.uk/planningaid](http://www.rtpi.org.uk/planningaid)

- **The National Association of Local Councils in partnership with the Campaign to Protect Rural England** – provision of basic information about the planning system via a
website, phone line and publications. Establishing a programme of local events to inform the public and parish councils about how to influence local plans. www.cpre.org.uk

- **Planning Advisory Service** - additional information on how to write a neighbourhood development Plan and other related topics. http://www.pas.gov.uk/pas/core/page.do?pageld=1089081

4.4 In addition, it is likely that a great deal of benefit can come from communities talking with similar groups elsewhere in the district that are also developing neighbourhood development plans. Calderdale Council will assist in terms of enabling these networking opportunities to occur, where communities are happy to do so.

**Funding sources**

4.5 Calderdale Council have the responsibility of funding the examination and referendum of your plan and will support its production wherever possible. However, you will need to identify your own funding to pay for the majority of the work required in the preparation of the plan.

4.6 At the time of writing the government are considering ways of making funding directly available to communities to undertake neighbourhood planning. More information is likely to become available in due course through the Central Government website www.gov.uk.

4.7 You may also want to consider alternative forms of funding. This could include getting your plan preparation sponsored by businesses.
5 Appendix

Frequently asked questions

Do we have to produce a neighbourhood development plan?
No it is not compulsory for anyone to produce a neighbourhood development plan they are just one of a number of planning tools you may wish to consider.

How detailed should a neighbourhood development plan be?
It is up to you. It could be a single policy or be cover a wide range of policies covering all the subjects contained within the Calderdale Local Plan.

Can we use a neighbourhood development plan to stop development?
No. The plan must conform with the strategic policies within Calderdale Council's Local Plan.

Can my community group create a neighbourhood development plan?
With Parish and Town Council areas they are designated as the lead group on neighbourhood development plans. Outside of these areas community groups can apply to Calderdale Council to become the ‘qualifying body’. In your application you will need to demonstrate you have at least 21 members and fulfil certain criteria.

How is the plan approved?
The plan will go through a number of process and content checks as it is prepared these will be undertaken by Calderdale Council. It the end of the plan making stage Calderdale Council will organise an independent examination of the plan and finally a referendum.

Who votes in the referendum?
Usually all those registered to vote within the plan area. However, if the plan would affect people outside of the plan area the referendum can be expanded to include these people as well.

What sort of majority do we require in a referendum?
You simply need over 50% of those voting to agree the plan.

Who will pay for the production of the plan?
Calderdale Council will pay for the independent examination and referendum. The cost of plan making will however be borne by the community. However, government may make funds available to communities at a later date and you could consider having the plan making stages sponsored by businesses.

If we produce a neighbourhood development plan will be responsible for determining planning applications in our area?
No this power will still be with Calderdale Council. If you produce a neighbourhood development plan any policies contained within it will have to be given consideration when determining planning applications.
## Consultation and engagement methods

**Table 5.1 Potential Consultation Methods and their Effectiveness**

<table>
<thead>
<tr>
<th>METHOD</th>
<th>COMMENTARY</th>
<th>Potential Costs</th>
<th>Useful for:</th>
<th>Not Useful for:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Documents available in public buildings</strong></td>
<td>This is a useful way of making people aware and providing access to documents. Particularly for those without easy access to the internet.</td>
<td>Costs of document preparation, printing and distribution.</td>
<td>Ensuring interested persons have access to 'hard copy' of documents within their local community.</td>
<td>Reaching 'hard to reach' groups or persons who may never go to public libraries, Council Offices, etc.</td>
</tr>
<tr>
<td><strong>Letters to organisations listed in the regulations</strong></td>
<td>This is a minimum requirement of the regulations.</td>
<td>Costs associated with producing letters, postage and packing.</td>
<td>Making contact with organisations and raising awareness and ensuring compliance with regulations.</td>
<td>Reaching people who are not already within such an organisation.</td>
</tr>
<tr>
<td><strong>Local Press, Radio and TV</strong></td>
<td>You can place formal adverts or ask the press to carry articles and stories of relevance. Radio and TV articles or programmes can be made to attract interest.</td>
<td>Dependent upon newspaper but often £00s, although articles maybe free. Radio and/or TV is an expensive option, costing £000s.</td>
<td>Useful to reach groups and raise awareness where resources are limited. Adverts in papers achieve good coverage in a familiar format.</td>
<td>Reaching some groups who do not get local newspapers or listen to radio.</td>
</tr>
<tr>
<td><strong>Leaflets and Brochures</strong></td>
<td>Can publicise an outline of the proposed document and inform the public of further opportunities to get involved.</td>
<td>Fairly low cost depending upon quality, but can be in the order of £100-£150 per 100. Expensive option if wanting to have broad coverage.</td>
<td>Raising awareness in the community.</td>
<td>Reaching those whose first language may not be English, or disinterested persons.</td>
</tr>
<tr>
<td>METHOD</td>
<td>COMMENTARY</td>
<td>Potential Costs</td>
<td>Useful for:</td>
<td>Not Useful for:</td>
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<tr>
<td>Public exhibitions/displays/stalls and road shows</td>
<td>A useful medium for disseminating information, allowing communities to air their views. Fairly resource-intensive and attendees are self-selecting.</td>
<td>Materials and time in preparing documents for exhibition. Time for attendance and room/venue hire.</td>
<td>Raising awareness and obtaining views on specific issues or projects. They will normally only provide feedback from a small number of people and may have to be used in conjunction with other methodologies.</td>
<td>Obtaining a large sample of service users views. Feedback may be limited to what is on display.</td>
</tr>
<tr>
<td>Formal written consultation/community surveys/questionnaires/etc.</td>
<td>Good introduction to the main issues. Response can help identify key interests and groups.</td>
<td>Reasonable costs of publishing, printing and postage. Community surveys can be expensive particularly if undertaken by telephone.</td>
<td>Providing users with detailed, comprehensive information. Useful for targeted consultation or for random sampling to ensure unbiased responses.</td>
<td>Obtaining a large sample of views. Responses may be low and it may exclude people who have a poor command of English.</td>
</tr>
<tr>
<td>Hotline</td>
<td>Information for people without access to the internet. Needs to be staffed rather than a recorded message.</td>
<td>Time and telecom set up. Dedicated staff means that other work cannot be undertaken unless extra resources brought in to cover this work.</td>
<td>Giving information and allowing first point of contact.</td>
<td>Wide ranging contact</td>
</tr>
<tr>
<td>One-to-one meetings with selected stakeholders</td>
<td>A useful way of identifying key issues and getting key people involved and achieving alignment with other strategies and initiatives. Can lead to high expectations that commitments will be made and fulfilled.</td>
<td>Resource intensive.</td>
<td>Getting to grips with specific issues relevant to stakeholders.</td>
<td>Assessing broad views as limited involvement.</td>
</tr>
<tr>
<td>METHOD</td>
<td>COMMENTARY</td>
<td>Potential Costs</td>
<td>Useful for:</td>
<td>Not Useful for:</td>
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<tr>
<td><strong>Public meetings/area, town or village meeting</strong></td>
<td>An open and inclusive way for people to engage in robust debate on the issues, although attendees are self-selecting. Meetings must be carefully prepared and effectively chaired. These can be resource intensive.</td>
<td>Time and venue hire. Ongoing costs of preparing display materials.</td>
<td>Informing the public as well as for consultation. Reaching groups already interested in the future of their community. Controversial issues may encourage a high turnout, but may generate antagonism or bad feeling.</td>
<td>Not useful for achieving consensus or ensuring 'hard to reach' groups or less confident persons have their say.</td>
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<tr>
<td><strong>Focus groups or Citizens Panels</strong></td>
<td>Useful for area based discussions and presentation of options. These can help to gain more understanding of community concerns. Provides an opportunity to explore issues in depth but may need to be complemented by other methods.</td>
<td>Low costs if handled internally. Costs rise rapidly if external consultants undertake the work. Agency costs could be £1,000+ per group session.</td>
<td>Gaining views from a cross section of citizens, but these may be self-selecting and unrepresentative.</td>
<td>Ensuring representative views from across the community.</td>
</tr>
<tr>
<td><strong>Workshops/ Planning for Real Exercises</strong></td>
<td>Means of engaging local communities and developing “ownership” of the proposals. Need to involve the right people and require significant preparation to allow structured approach and reporting back. Useful for identifying and focusing discussion around difficult issues and key themes. Resource intensive in terms of staffing and may need to bring in outside professional assistance.</td>
<td>Need facilitators and venue hire. Can be expensive perhaps £000s per session if externally facilitated.</td>
<td>Environmental issues such as planning the environment, housing and development. Good for complex issues, for getting fresh ideas and getting people together in a non-confrontational way.</td>
<td>Not appropriate for non-physical issues, or for engaging with young people or children or those whose first language is not English. Will not provide a large sample of views if a statistically</td>
</tr>
<tr>
<td>METHOD</td>
<td>COMMENTARY</td>
<td>Potential Costs</td>
<td>Useful for:</td>
<td>Not Useful for:</td>
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<td>Use of internet and social media</td>
<td>Good low cost method of involving people which can be easily updated. Could be existing website or a new website dedicated to the neighbourhood development plan. Social media sites such as Facebook and Twitter are also useful methods of informing people.</td>
<td>Minimal additional costs. But will need expertise in setting up and controlling website and/or social media content.</td>
<td>Good access all day and can be easily updated for low cost.</td>
<td>Reaching people without access to the internet.</td>
</tr>
</tbody>
</table>
Legislation and other guidance

5.1 There is an increasing amount of legislation and guidance which will be relevant to you when putting together your neighbourhood development plan. The links below provide a short list of some of the legislation and other guidance which may be of interest.

Legislation and regulations

5.2 The Localism Act 2011:


Neighbourhood planning regulations 2012:

http://www.legislation.gov.uk/uksi/2012/637/made

National and Local Planning Policy

National Planning Policy Framework:

http://www.communities.gov.uk/planningandbuilding/planningsystem/planningpolicy/planningpolicyframework/

Calderdale Council Planning Policy:

Replacement Calderdale Unitary Development Plan 2006:

http://www.calderdale.gov.uk/environment/planning/developmentplan/index.html

Calderdale Local Plan

http://www.calderdale.gov.uk/environment/planning/local-plan/

Guidance:

Plain English guide to Localism:

http://www.communities.gov.uk/publications/localgovernment/localismplainenglishguide

An Introduction to Neighbourhood Planning:

http://www.communities.gov.uk/publications/planningandbuilding/introductionneighbourplanning

Design Council Guidance including DIY SA:

http://www.designcouncil.org.uk/our-work/CABE/Localism-and-planning/