

## SDNPA Neighbourhood Plan Submission Checklist Patching NDP

STAGE	DESCRIPTION	✓ / X	RELEVANT LEGISLATION & REGULATIONS	COMMENTS
I. Receipt of draft NDP by SDNPA	<p>The draft plan includes:</p> <p>a. a map or statement identifying the area to which the plan relates</p> <p>b. the consultation statement – which contains details of those consulted, how they were consulted, summarises the main issues and concerns raised and how these have been considered, and where relevant addressed in the proposed NDP</p> <p>c. the proposed NDP</p> <p>d. a statement explaining how the NDP meets the ‘basic conditions’</p> <p>e. Where appropriate, the information to enable appropriate environmental assessments if required or where it has been determined that a plan proposal is unlikely to have significant environmental effects, a statement of reasons for the determination.</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>	<p>Regulation 15</p> <p>Para 8 Schedule 4B to the 1990 Act</p> <p>The Conservation of Habitats and Species Regulations 2010 as amended by Schedule 2 of the Neighbourhood Planning (General Regulations) 2012. i.e. Regs 102 &amp; 102A</p>	<p>Map 1 – Plan Area (pg 44)</p> <p>Patching NDP Consultation Statement submitted alongside submission NDP.</p> <p>Basic Conditions Statement submitted alongside submission NDP.</p> <p>The SDNPA provided its formal response on 29 February 2016, stating that an SEA was not required. The response is shown in Appendix A of the Basic Conditions Statement.</p>
2. SDNPA assessment of the	a. Is it a repeat plan proposal?	X	1990 Act Schedule 4B para 5 &	Patching Parish Council – the ‘qualifying body’ resolved to submit

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proposed neighbourhood plan	<p>b. Is the parish / town council authorised to act?</p> <p>c. Do the proposal and accompanying documents;</p> <ul style="list-style-type: none"> <li>• comply with the rules for submission to the LPA (1a-e)</li> <li>• meet the 'definition of a NDP'</li> <li>• meet the 'scope of NDP provisions'</li> </ul> <p>Definition of a NDP = "is a plan which sets out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular neighbourhood area specified in the plan."</p> <p>Scope of NDP provisions =</p> <ul style="list-style-type: none"> <li>• The NDP must specify the period for which it is to have effect</li> <li>• It cannot include provision about development that is 'excluded development'<sup>1</sup></li> <li>• It cannot relate to more than one neighbourhood area or repeat an existing planning permission</li> </ul> <p>d. Has the parish / town council undertaken the correct procedure in relation to consultation and publication.</p>	<p>✓</p> <p>✓</p> <p>✓</p>	<p>Regulation 18</p> <p>38 A and B</p> <p>2004 Planning &amp; Compulsory Purchase Act as amended by the Localism act Section 38 A (2)</p> <p>2004 Act Section 38B (1&amp; 2) (4)</p>	<p>the Patching NDP at its ordinary meeting on 23/2/2017</p> <p>The Patching NDP meets the definition of a NDP – it contains policies on the use and development of land.</p> <p>The Patching NDP covers the period up to 2032.</p> <p>The Patching NDP does not include policies on 'excluded development'.</p> <p>The Patching NDP relates to only Patching neighbourhood area.</p> <p>The Consultation Statement sets out the consultation undertaken by Patching Parish Council. The Parish Council have sought to undertake appropriate and proportionate consultation for a small rural community. This has included residents'</p>

<sup>1</sup> 'Excluded development' = County matter i.e. relating to minerals, Any operation or class of operation relating to waste development, development that falls within Annex 1 to Council Directive 85/337/EEC i.e. Oil refineries, power stations, radioactive waste disposal, iron and steel smelting, asbestos operations, chemical installations, motorways, airports, ports and toxic and dangerous waste disposal. Development consisting wholly or partly of a national infrastructure project

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				surveys, workshops and discussions, web site, parish newsletter, public notice boards, and direct contact with key groups in the local community (such as businesses and major landowners, clubs and societies) and external consultees. The Parish Council undertook the formal Reg 14 pre-submission consultation in line with the regulations in August-September 2016. The statutory consultees consulted are listed in the consultation statement.
3. Notification of the NPA's decision	<p>The NPA must notify the parish / town council whether or not they are satisfied that the proposal complies with the criteria for a neighbourhood plan.</p> <p>Where it is not satisfied the NPA can refuse and must notify them of the reasons.</p> <p>It must also publicise its decision in a 'decision statement'</p>	✓		Receipt of submission documents confirmed and details of Reg 16 consultation sent to Neighbourhood Planning Group.
4. Publicising the NDP proposal	<p>SDNPA is required to publicise on its website:</p> <ul style="list-style-type: none"> <li>a. the details of the plan,</li> <li>b. where and when it can be inspected</li> <li>c. how to make representations on the plan proposals</li> <li>d. that a representation can include a request to be notified of the</li> </ul>	✓	Regulation 16	Details published on website at <a href="http://www.southdowns.gov.uk/patching-ndp">www.southdowns.gov.uk/patching-ndp</a>

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	<p>LPA decision on the plan proposal, and e. the deadline for receipt of representations</p> <p>The NPA is required to notify the bodies referred to in the consultation statement that the plan has been received as soon as possible.</p>			
5. Appointment of examiner	The NPA appoints an independent examiner with the consent of the parish / town council submitted the plan.		1990 Act Schedule 4B para 6	Examiner appointment to be made during the consultation period.