

East Hampshire District Council

A guide to Neighbourhood Planning



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1. Introduction - What is neighbourhood planning?

- 1.1 Neighbourhood planning is a right for communities introduced through the [Localism Act 2011](#). It is a tier of Planning Policy that empowers communities to shape the development and growth of a local area, through a shared vision and a series of planning policies to influence how the area develops and grows. Neighbourhood planning is a tool to promote sustainable growth and will not be able to prevent development in an area.
- 1.2 A neighbourhood plan is produced by a parish council or a neighbourhood forum for a designated neighbourhood area.
- 1.3 Once adopted, neighbourhood plans form part of the statutory development plan, meaning they carry legal weight in the planning decision making process. The level of weight depends on how up to date the plan is.
- 1.4 Communities can choose to prepare a neighbourhood plan, a neighbourhood development order (including community right-to-build orders), or both.

Neighbourhood Plan	Neighbourhood Development Order	Community right-to-build order
communities can establish general planning policies for the development of land in a neighbourhood which can also include site allocations.	communities can grant planning permission for new buildings they want to see go ahead. This order will allow new homes and offices to be built without the developers having to apply for separate planning permission. Further details of NDO's see Planning Practice Guidance (paras 010, 011, 013)	allows community organisations to bring forward smaller-scale development on a specific site, without the need for planning permission. Any benefit from development stays within the community to be used for the community's benefit. Further details of CDO's see Planning Practice Guidance (paras 012 and 013)

- 1.5 This note focusses on the preparation of Neighbourhood Plans, a glossary is set out at the end of this note given the various technical terms referred to.
- 1.6 Preparation of a Neighbourhood Plan must follow procedures set out in the [Neighbourhood Planning Regulations](#) and comply with the requirements of the [National Planning Policy Framework](#) (NPPF). Further details are provided in [Planning Practice Guidance](#) on Neighbourhood Planning.
- 1.7 It is also recognised that those considering undertaking preparation of a neighbourhood plan, may have various questions, FAQ's are set out throughout this note to aid interpretation and application of the guidance presented.

2. What to include in a neighbourhood plan

- 2.1 A neighbourhood plan includes development and land use policies (which can include site allocations) that guide development in the neighbourhood area. Any actions dealing with non-land use matters should be clearly identifiable and set out in a companion guide or annex.
- 2.2 By allocating sites and producing housing policies in neighbourhood plans it demonstrates that the plan is planning positively for new homes, and provides greater certainty for developers, infrastructure providers and the community. It also contributes to the local authorities' housing land supply, ensuring that the right homes are delivered in the right places.
- 2.3 However, a neighbourhood plan does not need to allocate sites but can cover a range of topics that have been identified by the local community as important to them and for which planning policy guidance through a neighbourhood plan is desired.
- 2.4 Examples of topics that could be included:
- identification of local green space
 - local approach to design
 - local heritage assets
 - sites allocated for specific uses
 - town/village centre policies
- 2.5 Whichever topics are included need to be supported by up-to-date evidence and community engagement.
- 2.6 Recent changes through national legislation¹ now require Neighbourhood Plans to express how they contribute to the mitigation of and adaptation to climate change and to also take account of any Local Nature Recovery Strategy's approved locally.
- 2.7 A neighbourhood plan must follow national planning policy and the local council's Local Plan, and cannot reduce the amount of housing that would otherwise be built in the area.
- 2.8 Neighbourhood plans can be simple and short; they do not need to be overly complex or technical, making them easier to review and keep up to date. The government published guidance '[Keeping it Simple – a guide to keeping your neighbourhood plan simple](#)', 2026.

Prior to Commencing a Neighbourhood Plan

- 2.9 There are many things to consider before starting to prepare a neighbourhood plan;
- understanding the process – what happens when and who is responsible,

¹ Sections 98 and 99 of the Levelling Up and Regeneration Act 2023 came into force on 25 March 2026.

- resourcing the plan – there is no longer any financial assistance available from the government so a qualifying body will have to fund/resource all elements of a plan's preparation including evidence gathering and community engagement,
- what are the agreed key outputs/aims that's desired from the neighbourhood plan – are these achievable?
- is there sufficient local interest to attract volunteers to support the qualifying body?
- need for transparency - Planning Practice Guidance advises that the terms of reference for the steering group/other body to assist with the preparation of the plan should be published and minutes of meetings made available to the public.

Frequently Asked Questions

Who can we contact for further information?

The East Hampshire District Council (EHDC) Planning Policy team on 01730 234339

or by email localplan@easthants.gov.uk

The South Downs National Park Authority (SDNPA) on 01730 814810 or by email neighbourhood@southdowns.gov.uk

Can our parish/town produce a neighbourhood plan?

Yes – any parish/town can produce a neighbourhood plan. If your parish/town council does not already have a 'made' neighbourhood plan, the process can be started from the beginning.

Is neighbourhood planning compulsory?

No, neighbourhood planning is optional, not compulsory. Any group considering preparing a neighbourhood plan should discuss the process, opportunities and risks with the Council and the community. The group is also advised to carry out their own research and discuss with other groups their experiences.

How long does Neighbourhood planning take?

Neighbourhood planning is a lengthy process and there is a lot of work 'outside of plan making' that needs to be done. Generally, the greater the scope of the neighbourhood plan the longer the process will take, due to the evidence that needs to be collected.

However typically a plan can take anywhere between 18 months to 2 or more years.

Can neighbourhood planning stop development in an area?

No. Neighbourhood plans cannot be used to stop development. Planning should be positive and promote sustainable development.

What happens in areas split with the SDNPA?

Areas/parishes split between EHDC and SDNPA will have input from both authorities. There will be a 'lead authority' that is usually decided by where the majority of the existing development lies; this is agreed by the two authorities. There will be input from the other authority throughout the process – however the main contact will be with the 'lead'. Once a neighbourhood area has been designated, there will be input from both EHDC and SDNPA and both will need to 'make' the neighbourhood plan at the end of the process, so it becomes part of the development plan for their area.

Do parish and town councils with a neighbourhood plan determine planning applications within their plan area?

No. EHDC and the SDNPA, where applicable, will continue to determine planning applications in their respective areas.

What is the role of EHDC at this stage?

Once a parish has engaged with EHDC, the Planning Policy team will nominate an officer(s) that is the point of contact for the neighbourhood plan. An initial meeting will be arranged to discuss aspirations and timescales, and the plan's relationship to the Local Plan. This meeting may comprise of members of the qualifying body (from the parish/town council) and members of the steering group (a group of volunteers that is formed to help and assist the qualifying body with day to day tasks).

Alternatives to preparing a Neighbourhood Plan

2.10 There are other 'community planning' tools available to provide local contextual advice on development matters:

	Key features
Village Design Statements	Identifies local features to be retained and reflected in development proposals. Since June 2026 these can no longer be adopted as Supplementary Planning Guidance. Depending on their age and level of detail they may still be a material consideration in planning decisions.
Community/village/parish plan	These can establish a long term vision for the locality by identifying local problems and opportunities. Can be broader than just planning matters. Are useful to support any bids for funding or grant assistance.

Neighbourhood Priorities Statements (NPS)	NPSs were introduced by the Levelling -Up and Generation Act 2023. (Schedule 7 Section 15k) These allow local communities (town/parish councils) as the qualifying body, to express their views on future development, housing, infrastructure, and green spaces without the burden of creating a full, statutory Neighbourhood Plan. Local matters are set out in the legislation to include: • Development/management/use of land • Housing in the area • Natural environment • Economy • Public spaces • Local infrastructure, facilities or service • Other features as relevant Once approved, LPAs are legally required to take an NPS into account when preparing their Local Plans. In effect, they ensure that community priorities are not only recorded but actively considered in the plan making process.
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3. The East Hampshire Development Plan

3.1 The East Hampshire [development plan](#) comprises:

[Joint Core Strategy](#) (adopted May 2014)

[Housing and Employment Allocations](#) Plan (adopted April 2016)

Extant policies from the [Local Plan second review](#) (adopted 2006)

Hampshire [Minerals and Waste Plan](#) (adopted July 2026)

3.2 Progress was made towards updating the above EHDC documents into a combined local plan to cover the period up to 2043. However, with national changes to how local plans are prepared introduced in March 2026, together with Local Government Reorganisation proposed for Hampshire with the new combined authorities coming into place in April 2028, the Council took a [decision](#) to not progress with the submission of the local plan by December 2026 under the legacy planning system. Instead, the Council is engaging with the new planning system for the preparation of the East Hampshire Local Plan, whilst preparing for future unitary authorities.

3.3 Legislation requires a Neighbourhood Plan to be in "*general conformity with the strategic policies of the development plan*". However, with regard to 'non-strategic' matters which could include - allocating sites, designation of Local Green Space, the provision of local infrastructure, establishing design principles, conserving and enhancing the natural and historic environment, and setting out other planning policies to manage development. Then the more recently adopted plan takes precedence. NPPF para 31 states "*Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently (in a local plan)*". Further details are set out below.

4. The relationship between national legislation and a neighbourhood plan

- 4.1 Whilst Neighbourhood planning was introduced through the 2011 Localism Act and accordingly regulated through the [Neighbourhood Planning Regulations 2012](#), there have been a number of changes to national policy and guidance since then.
- 4.2 The [Levelling Up and Regeneration Act 2023](#) came into force on 25 March 2026. Section 98 sets out the scope of what a Neighbourhood Plan can now cover namely:
- **Development requirements**
Policies on the *amount, type, location, and timing* of development in the area.
 - **Infrastructure and affordable housing**
Details of necessary infrastructure and any affordable housing required as a result of development.
 - **Design standards**
Design requirements can apply across the whole area, specific locations, or individual sites, and must be met before permission is granted.
 - **Local land-use policies**
Policies reflecting local priorities and characteristics, applying to all or part of the neighbourhood or to specific sites.
- 4.3 Neighbourhood plans must also take account of any local nature recovery strategy, under section 104 of the Environment Act 2021, that relates to all or part of the neighbourhood area. East Hampshire falls within the [Hampshire Local Nature Recovery Strategy](#) approved in November 2025. This means reflecting where biodiversity is important, or areas where the recovery or enhancement of biodiversity could make a particular contribution to other environmental benefits. In addition, that the development and use of land in the neighbourhood area contributes to the mitigation of, and adaptation to, climate change.
- 4.4 A further change made by the [Levelling Up and Regeneration Act 2023](#) is section 99, which sets out revised ‘basic conditions’, which a neighbourhood plan will be assessed against during its examination.

5. National Planning Policy

- 5.1 The [National Planning Policy Framework](#) (NPPF) published December 2024 includes a number of references to neighbourhood plans. The following provides a summary of the key references and the implications for neighbourhood plans:

NPPF 2024 Para reference	NP requirements
12 -14 presumption in favour of sustainable development	NPs must promote sustainable development and be in general conformity with the strategic policies of the development plan. (see para 3.1 above). Strategic policies are those that determine the quantity of development and strategic priorities for an area – accordingly NPs can only focus on non-strategic matters and must support the delivery of the strategic policies in the local plan. The Levelling-up and Regeneration Act 2023 Section 99 requires neighbourhood plans to not prevent development or plan for less development than the local plan. If a planning application for housing goes against what a neighbourhood plan says, the LPA will normally refuse it — but only if: • The neighbourhood plan is less than five years old, and • The neighbourhood plan properly planned for all the housing it was required to. In those situations, the harm caused by ignoring the neighbourhood plan is treated as clearly more important than any benefits the development might bring. There may however, be circumstances where a decision is made that goes against the NP even though it meets the requirements of Para 14, as the LPA may consider other material considerations justify a departure from the NP.
29 - 31 non-strategic policies	NPs should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies, with a footnote to stress <i>Neighbourhood plans must be in general conformity with the strategic</i>

	<i>policies contained in any development plan that covers their area</i> All policies in a NP are non-strategic (see para 3.3 above). Policies in a made NP will take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently (in a local plan).
38 - examining plans	NPs must meet certain 'basic conditions' and other legal requirements²² before they can come into force. These are tested through an independent examination before the neighbourhood plan may proceed to referendum.
69 – housing provision	A local plan may set a housing requirement figure for designated neighbourhood plan areas, but if is not possible then the LPA should provide an indicative figure. EHDC has prepared a guidance note setting out indicative housing figures for each town or parish within the district (outside of South Downs National Park). The current guidance note (updated January 2026) enables communities to maintain progression on the production of neighbourhood plans, - Indicative housing numbers for parishes. The indicative figures should not be considered a housing requirement and will be subject to change as further progress is made on the new local plan. The figures are based on the application of the Standard Method and its component inputs change annually. The figures will remain unchanged for the time being while Neighbourhood Plan groups continue to prepare their Plans. The indicative figures may need to be updated in the future to ensure they remain aligned with the components of the standard method.

6. National Planning Guidance

6.1 The Government's Planning Practice Guidance on [Neighbourhood planning](#), provides a valuable source of data, however, parts are in the process of being updated and/or being replaced. More recent toolkits² have been published under '[Neighbourhood planning toolkits](#)', to date this includes toolkits covering:-

- How to create a neighbourhood plan
- How to write planning policies for a neighbourhood plan
- How to assess and allocate sites for development
- Screening neighbourhood plans for Strategic Environmental Assessment
- Developing a memorandum of understanding
- After the neighbourhood plan is made: implementation, monitoring and review
- The power of neighbourhood planning
- How to keep your neighbourhood plan simple
- How to use social media to engage your local community
- Neighbourhood plan project planner
- Making Local Green Space designations in your neighbourhood plan
- How to address regeneration in your neighbourhood plan
- How to consult with environment statutory consultees using the template
- Consultation for the environment consultees with example answers
- How to establish a neighbourhood forum

6.2 'How to write neighbourhood planning policies', provides a particularly useful resource, with regard to linking your vision and objectives to policies and that policies should:

- Be written in plain English – avoid jargon
- Avoid duplication – no need to cover matters in the Local Plan or in national policy. It is important that neighbourhood plans do not repeat existing policy.
- Be clear – avoid ambiguity, be as precise as to the intention of the policy.
- Keep it local – policies cannot conflict with national policy and should work alongside other parts of the development plan.
- Evidence – policies need a clear and well-reasoned justification. Every policy should be underpinned by robust evidence and rooted in feedback from public consultation.
- Informed by local views – There must be a strong and transparent link between evidence, community views and needs and the reasoning for each policy.
- Be positive – Be positive and proactive in creating policies, welcome development that meets local expectations and needs.
- Targets – use the policies to set targets or provide indicators which can be used to monitor success.
- Delivery – policies need be capable of being delivered within the time frame of the plan.⁷

² The toolkits have been updated to reflect changes to planning policy and it is expected the process will be completed by April 2027.

7. The role of East Hampshire District Council in Neighbourhood Planning

7.1 The Council, as the LPA, has a duty to support and provide technical advice to any emerging neighbourhood plan, and a responsibility to make timely decisions.

7.2 The Council will:

- confirm and designate the proposed neighbourhood area
- attend certain meetings and provide information and advice at appropriate times
- run the Regulation 16 submission consultation
- organise (and fund) the independent examination
- hold (and fund) the referendum
- 'make' the neighbourhood plan (if it is successful at referendum).

7.3 However, the Council cannot commit to:

- Attending all meetings of the neighbourhood plan/steering group or lead on preparation of the neighbourhood plan;
- Produce bespoke evidence for the plan or print any documentation associated with the neighbourhood plan outside of the Reg 16 consultation, examination or referendum processes;
- Provide or fund legal advice;
- Assist with consultation responses, except to ensure appropriate redaction is undertaken in compliance with GDPR;
- Promote the neighbourhood plan or set up external websites;
- Provide any funding support for the preparation of the neighbourhood plan (except where the council is required to do so for the purposes of Reg 16, examination and referendum).

South Downs National Park

7.4 Where a neighbourhood plan area covers land within the South Downs National Park, further advice on neighbourhood planning is available on their website:

<https://www.southdowns.gov.uk/planning-policy/neighbourhood-planning/neighbourhood-development-plans/>

8. The role of Hampshire County Council in Neighbourhood Planning

8.1 Hampshire County Council has also published a [Neighbourhood Planning in Hampshire guide](#), that sets out information and guidance the County Council can provide. The County Council has statutory responsibilities with regard to the following matters which may be relevant to neighbourhood planning:

- Education
- Highways
- Lead local flood authority
- Minerals and waste planning authority
- Adult and children's care services
- Public health and well-being

9. The key stages in neighbourhood planning

Step 1: Designating a neighbourhood area

- In accordance with [Neighbourhood Planning Regulations](#) the parish/town council submits an application to the LPA to designate a neighbourhood area. This must include a map that identifies the area to be designated and a supporting letter setting out why the proposed area is considered an appropriate neighbourhood area; and that the qualifying body is the correct and 'relevant body' to make the application.
- If the neighbourhood plan area coincides with the whole parish boundary there is no need for the LPA to undertake any consultation. If this is not the case, then a minimum 6 week consultation period with details of the area to be designated and how to make representations needs to be undertaken by the LPA. A decision by the LPA needs to be made within 13 weeks of the start of the consultation or 20 weeks of the start of the consultation where the proposed area falls across two or more Local Planning Authorities.
- If the application is valid then the LPA will designate the neighbourhood area.
- A letter and map will be issued from the LPA to the qualifying body and placed on the LPA's website to confirm the designation.

Frequently Asked Questions

Who is the qualifying body?

The parish/town council will become the 'qualifying body' of the neighbourhood plan; direction on the plan shall be given by this group and they will be responsible for key decisions.

Can there be more than one neighbourhood plan in a parish?

Yes - the application can apply to a whole parish/town or just part of it, or include more than one parish/town council area, if appropriate. However, the boundaries for separate neighbourhood areas cannot overlap.

What is a 'steering group/working party' and who can be involved?

A steering group can comprise parish/town Councillors together with local volunteers to assist with the preparation of a neighbourhood plan. The steering group are directed by the qualifying body to carry out tasks (such as drafting). The parish/town council remains the qualifying body and all decisions must be finalised by them even if work is carried out by the steering group. Smaller working parties of volunteers are often set up to undertake specific tasks such as gathering evidence for certain topics.

What is the role of EHDC at this stage?

The role of EHDC is to designate the neighbourhood area. If the area is split with EHDC and SDNPA, both authorities need to designate the area.

Step 2: Preparing a draft neighbourhood plan or Order

- The qualifying body with support from the steering group/working party will:
 - gather baseline information and evidence
 - prepare a draft vision and objectives
 - engage and consult those living and working in the neighbourhood area and those with an interest in or affected by the proposals (e.g. service providers)
 - talk to land owners and the development industry
 - assess options
- using information gathered from the evidence and community engagement identify matters to be covered by the plan and sites for potential allocation.
- determine whether a plan or an Order is likely to have significant environmental effect.

Frequently Asked Questions

Do we need to appoint a planning consultant, and can the Council recommend one?

The Council cannot recommend a planning consultant. The qualifying body should interview and decide who to appoint. There is no need to appoint a planning consultant, however some neighbourhood planning groups decide to do so.

What evidence is needed to support a neighbourhood plan?

There is no 'tick box' list of evidence required for neighbourhood planning. Proportionate, robust evidence should support the choices made and the approach taken, these will be assessed as part of the examination process. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan or the proposals in an Order.

Does the neighbourhood plan have to allocate sites for development?

No, but the plan cannot propose less development than that advocated by the Local Plan. If the qualifying body through consultation with the community decide to allocate sites, they must follow a robust process – this may involve a local 'call for sites' and specific evidence such as a housing needs assessment. All sites will need to be assessed, this needs to follow a transparent, objective and robust methodology to be applied on a consistent basis. Assessment should ensure the sites are available, suitable and deliverable (further details are set out in the governments neighbourhood planning toolkit [How to assess and allocate sites for development](#)).

What is a Strategic Environmental Assessment (SEA) and will a neighbourhood plan need one?

SEA stands for 'Strategic Environmental Assessment'. It is fundamental that any draft neighbourhood plan meets the basic conditions for it to proceed to referendum.

SEA is a tool that helps to demonstrate whether the plan will contribute to the achievement of sustainable development. The SEA will establish if there would be any significant environmental effects from implementing the neighbourhood plan's policies and proposals.

The need for a full SEA is dependent on the scope of the plan. Essentially, it is mandatory for any plan that sets out policies for the development of land to carry out an SEA, where those policies are likely to have significant environmental effects. This is first determined through a 'Screening Determination' undertaken by the LPA, in consultation with the environmental agencies³, if this concludes a full SEA is required the qualifying body will have to source and fund this assessment. (Further details are set out in the governments neighbourhood planning toolkit [Screening neighbourhood plans for Strategic Environmental Assessment](#)).

What is a Habitats Regulation Assessment (HRA) and is it needed?

A HRA is a Habitats Regulation Assessment. This assessment is carried out if any development is thought to have an adverse or significant impact on any protected species of animals or plants, or areas of special protection; these areas are typically referred to as Special Protection Areas (SPAs).

If a neighbourhood planning group suspects that their neighbourhood area may be affected by any of the above, EHDC may advise that an initial screening is carried out to determine whether a full HRA (an Appropriate Assessment) should be carried out – this can be undertaken at the same time as the SEA screening. Like SEA, if the screening determines a full HRA is required then the qualifying body will have to source and fund this assessment.

What is the role of EHDC at this stage?

EHDC officers can help identify relevant objectives for the SEA/HRA process to inform both a screening assessment and the assessment itself. Because both SEA/HRA are technical processes neighbourhood planning groups are strongly advised to employ consultants to help them.

Step 3: Pre-submission publicity and consultation

- Once the plan is in a final draft form the qualifying body will start a consultation (under Regulation 14 of the [Neighbourhood Planning Regulations 2012](#)). The consultation must last no less than six weeks and be publicised, so that it is brought to the attention of people living, working and undertaking business in the neighbourhood area. As part of this the qualifying body, must publicise:
 - The draft neighbourhood plan
 - Where the plan can be viewed and how to make comments (including the date and time by which representations must be received by the qualifying body)
 - Any supporting information (evidence) that would aid interpretation of the draft plan
 - In addition to those living and working in the neighbourhood area, the qualifying body must also consult the 'consultation bodies' as specified in [Schedule 1](#) of the Neighbourhood Planning Regulations 2012, which will include sending a copy to EHDC/SDNPA for comment.

³ Natural England, Historic England and Environment Agency

- After the close of the consultation the qualifying body will need to assess all representations received and modify the plan accordingly.
- The qualifying body must keep and record all representations received during this consultation and how they have responded to them, as this information will be required during the examination of the plan. This becomes part of the Consultation Statement.

Frequently Asked Questions

Why does the parish council run this consultation and not the LPA?

At this stage the qualifying body is still in charge of the promotion and drafting of the plan. It is only when the plan has been formally submitted to the LPA (next step) that the lead authority will lead the process on behalf of the qualifying body.

Are there certain consultation periods that should be avoided?

No. There are no regulated times a consultation should or should not be held. It is at the discretion of the qualifying body to decide when to consult. While avoiding key holiday periods can help minimise criticism, if consultation during these times is unavoidable, consideration could be given to extending the consultation period.

What is the role of EHDC at this stage?

EHDC can advise of any regulatory requirements and how to consult with statutory consultees.

Step 4: Submission of a neighbourhood plan or Order proposal to the local planning authority

- The qualifying body submits the plan or Order proposal to the LPA under Regulation 15 of the [Neighbourhood Planning Regulations 2012](#). Documents to be submitted are:
 - The submission neighbourhood plan
 - A map and statement showing the area to which the neighbourhood plan relates
 - The SEA/HRA screening assessment and determination (and full SEA/HRA if required)
 - A legal checklist and letter
 - A consultation statement including appendices
 - A basic condition statement
 - Other relevant documentation, such as the evidence base, should be available to view on the parish/town council's website.
- The LPA will check that submitted documents comply with all relevant legislation and legal requirements and then issue a letter to the qualifying body to that effect.
- The LPA will then:

- Advertise the Regulation 16 consultation and arrange for the consultation documents to be deposited at certain locations within the parish
- The consultation will run for a minimum 6 weeks
- All those that responded to the Regulation 14 consultation, together with the consultation bodies will be notified of the consultation and a general awareness of the consultation will be promoted via social media allowing anyone to respond.
- During the consultation period the LPA will contact the Neighbourhood Planning Independent Examiner Referral Service (NPIERS) to arrange and appoint an examiner, in consultation with the qualifying body.

Frequently Asked Questions

What happens if the submitted documents are not sufficient?

The Council will review all documentation submitted and if documents are missing or lack the necessary detail, the qualifying body will be advised and requested to rectify and resubmit before the consultation takes place.

How long does it take the local authority to start the consultation from the submission of the neighbourhood plan?

This varies and is dependent upon how the documentation is submitted to the Council. In past submissions, the Council has been able to start the consultation within 1-2 weeks.

Does the qualifying body respond to the representations made during the Regulation 16 consultation process?

No. At this stage representations that are made are sent straight to the independent examiner. The examiner can decide if a representation should result in a modification to the plan and recommend that modification be made to ensure the neighbourhood plan meets the basic conditions test.

What is the role of EHDC at this stage?

Once the plan has been submitted, the Council must be satisfied that the draft neighbourhood plan complies with all the relevant statutory requirements ready for examination. EHDC will also check that all the relevant submission documents have been submitted.

EHDC will start a statutory six-week consultation, known as Regulation 16, on the submitted neighbourhood plan and supporting documents. The Council will invite representations and notify any consultation body referred to in the consultation statement. When the consultation has closed EHDC will collate all the relevant documents and representations received and send this information to the independent examiner.

Step 5: Independent examination

- The LPA then sends plan/Order proposal and representation to the independent examiner appointed.
- The independent examiner undertakes the examination to determine if the plan/Order meets the Basic Conditions. The examiner will usually reach a view by considering written representations. However, in some instances a public hearing may be necessary which the LPA will arrange and liaise with the examiner. There must be a minimum of four weeks allowed to advertise the public hearing and the examiner will invite representors that he/she wants to participate.
- The examiner will identify any modifications necessary for the plan to meet the basic conditions tests. If the changes are substantial a further consultation may be held.
- The examiner will issue their report to the LPA. The report is binding.
- The examiner will also recommend as to whether to send the plan/Order to referendum.
- The LPA will then issue a decision statement as to what action it decides to take in response to the examiner's recommendation in the examiners report.
- In accordance with Regulation 18 of the [Neighbourhood Planning Regulations 2012](#), the LPA will issue a "decision statement" stating their decision and reasons for it; details of where and when the "decision statement" can be inspected; and the examiner's report.

Frequently Asked Questions

What is the purpose of an examination?

The purpose of the examination and independent examiner is to ensure that the neighbourhood plan has met the basic conditions and that legislative requirements have been met throughout the process.

What are the basic conditions?

A draft neighbourhood development plan meets the Basic Conditions⁴ if: -

Have regard to national policy and advice contained in guidance issued by the Secretary of State,

Contribute to the achievement of sustainable development,

Not result in the local authority providing less housing than would have been provided if the plan did not exist,

Not prevent development from taking place which is proposed in the development plan for the area and if it took place, would provide housing,

Comply with relevant environmental outcomes reports (EORs),

Not breach, and be otherwise compatible with assimilated EU obligations,

⁴ [How to create a neighbourhood plan guidance, March 2026](#)

comply with human rights legislation,

Meet prescribed conditions in relation to the plan (meaning that the plan has passed all necessary legal, environmental and procedural requirements).

In addition to what is set out in the primary legislation, secondary legislation requires plans to:

Comply with Habitats Regulations requirements and have regard to all material considerations (including Environmental Impact Assessment where relevant).

How long does the examination process take?

The examination process usually takes between 8- 10 weeks, following the Regulation 16 consultation period. This could be longer if the examiner asks for any additional documentation or requires a public hearing, or if additional consultation is required.

Who funds the examination?

The LPA receives funds from the government to cover the costs of the examination and referendum processes.

What if the qualifying body do not want to accept the examiner's modifications?

If the examiner considers that the plan does not meet the right standards, he/she will recommend changes and recommend if it should proceed to a referendum.

As the examiner's report is binding, the qualifying body should discuss with EHDC any changes that they are not comfortable with, prior to the report being finally published.

Once the examiner's report is published the only option would be to withdraw the plan so that it does not progress to referendum.

What is the role of EHDC at this stage?

Once EHDC has sent the relevant documents to the independent examiner, the examiner will look at the neighbourhood plan documents against the basic conditions. All examination documentation and representations with personal information redacted will be placed on the planning policy webpages of the Council's website. EHDC will be notified by the examiner when they have reached a conclusion.

The examiner will issue their report to EHDC to share with the qualifying body – this is to fact check the detail rather than to comment on any proposed modifications. EHDC can assist the qualifying body in understanding the implications of the modifications.

EHDC will oversee any changes made to the plan alongside the qualifying body in preparation for the referendum.

Step 6: Holding a Referendum

- EHDC as the relevant council is required to prepare and publish:-
 - Information Statement which includes
 - date of the referendum
 - question to be asked
 - map of the referendum area
 - description of those entitled to vote
 - the referendum expenses limit
 - that the referendum will be conducted in accordance with procedures similar to those for local government elections
 - address and times where the specified documents can be inspected
 - other specified documents include:
 - the neighbourhood plan
 - the examiner's report
 - summary of representations submitted to the examiner
 - a decision from the Council that it meets the basic conditions and other requirements
 - general statement on town and country planning
 - Notice of Poll (issuing of Poll cards, running the referendum etc)
 - Declaration of results after the Poll
- If more than half of those voting, vote in favour of the neighbourhood plan, the plan comes into force as part of the statutory development plan for the area, once formally adopted by the Council.

Frequently Asked Questions

What is the question asked at the referendum?

The question is as follows: "Do you want [*insert name of LPA*] to use the neighbourhood plan for [*insert name of neighbourhood plan area*] to help it decide planning applications in the neighbourhood area?"

NB: For parishes that are split between EHDC and the SDNPA, both authorities' names will appear on the ballot paper.

What does the result of the vote mean?

A majority 'yes' vote (more than 50% of votes cast) means the LPA is required to 'make' (formally adopt) the plan and it would form part of its development plan – alongside the adopted Local Plan.

A majority 'no' vote at this stage would mean the planning authority wouldn't 'make' (formally adopt) the plan, and planning applications in the neighbourhood area would only need to adhere to policies in the Local Plan.

What is the minimum turnout required at a neighbourhood plan referendum?

There is no minimum turnout required for a neighbourhood plan referendum. Therefore, even if turnout is very low, if there is a majority 'yes' vote, the LPA would 'make' the plan.

What is the role of EHDC at this stage?

EHDC is the electoral authority, so organises and funds the referendum.

Step 7: Bringing the neighbourhood plan or Order into force

- Once a neighbourhood plan has been successful at referendum, the LPA will 'make' the plan in accordance with the Council's constitution. This means it is formally adopted and becomes part of the development plan.

Frequently Asked Questions

What role does a LPA have once the Neighbourhood Plan has been approved at a referendum?

After a neighbourhood plan has been approved at referendum by the local community, it is 'made' by the LPA. If the plan is split between EHDC and the SDNPA then both authorities must 'make' the plan.

This is done in accordance with the constitution of each respective Council.

Once the plan has been formally 'made' by the planning authority, it then sits alongside adopted Local Plans as part of the development plan.

Reviewing and monitoring a neighbourhood plan

- 9.1 As with Local Plans, Neighbourhood Plans have a plan period; often 15 years. However, unlike Local Plans they do not need to be reviewed every five years. There is however, a need to ensure that they remain up to date and reflect any changes to National legislation or Planning Policy or the Local Plan.
- 9.2 Regular monitoring of the effectiveness of the policies within the neighbourhood plan, enables the parish/town council to keep tabs on when the plan may need reviewing. A plan can be reviewed in part or full as required. Further guidance is set out in the neighbourhood planning toolkit '[After the Neighbourhood plan is made: implementation, monitoring and review](#)'.

10. Updating or reviewing a Neighbourhood Plan

10.1 There are 3 types of modifications which can be made to a neighbourhood plan and the process will depend on the degree of change which the modification involves, in summary:

Minor Modifications	Material Modifications	Substantial Modifications
Non material – does not change the policies or proposals in the plan	Does not change the nature of the plan	Changes the nature of the plan
Can be correcting errors or references	Addition of a design code or sites	Allocating significant new sites and includes new policies
No consultation No examination No referendum	Yes- consultation Yes – examination No – referendum	Yes- consultation Yes – examination Yes – referendum

Minor modifications

10.2 Minor (non-material) modifications to a neighbourhood plan or Order would not materially affect the policies in the plan or permission granted by the Order. A LPA may make such updates at any time, with the consent of the qualifying body. Consultation, examination and referendum are not required

Material or Substantial modifications

10.3 To make modifications that materially affect the policies in a plan, the process in the [national planning practice guidance](#) must be followed. Additionally the qualifying body and the LPA must state whether they believe that the modifications are so significant or substantial as to change the nature of the plan and give reasons. This is stated in a modification statement.

10.4 For example, new site allocations, changes to settlement policy boundaries or new policies are usually seen as **substantial modifications**. However, it is the examiner that determines whether modifications change the nature of the plan and whether a referendum is required. The qualifying body also have the opportunity to decide whether to proceed with the examination after the examiner has decided whether the modifications proposed change the nature of the plan.

10.5 Where material modifications do not change the nature of the plan (and the examiner finds that the proposal meets the basic conditions or would with further modifications) a referendum is not required. The LPA is required to 'make' the modified plan within 5 weeks following receipt of the examiner's report, or such later date as agreed in writing between the LPA and the qualifying body.

Frequently Asked Questions

Is there funding available to the qualifying body to undertake a review of a made neighbourhood plan?

No – all funding and technical support for neighbourhood plan preparation was withdrawn by the government in June 2025.

What stages are required to be undertaken if material or substantial modifications are required?

It will be necessary for the qualifying body to first assess the plan and determine which parts are to be subject to the review and make this clear, or if a complete new plan is to be prepared. Revised evidence and community engagement will need to be undertaken in compliance with Regulations 14 and 16 as referred to above.

What is the role of EHDC at this stage?

The Council will undertake the Regulation 16 consultation and then when sending the plan for independent examination state whether they believe the modifications are so significant or substantial as to change the nature of the plan and give reasons. They must also submit a copy of the original neighbourhood plan.

Overview of Neighbourhood Plan process

Step	Qualifying Body	East Hants District Council
Step 1 Neighbourhood Area Designation	Make application for NP area designation	Determine application
Step 2 Prepare draft Plan	Gather baseline data and evidence. Engage local community. Identify vision and objectives. Assess options. Determine if plan needs SEA/HRA. Draft plan	Provide SEA/HRA screening opinion. Assist with data sources Provide feedback on draft policies (on request)
Step 3 Pre-submission consultation	Invite comments on the draft plan (6 weeks). Assess consultation responses and amend NP. Prepare documents for submission	Provide feedback on draft NP
Step 4 Submit NP to EHDC for examination	Submit plan and all supporting documents to EHDC for examination	Check all submitted documents for legal compliance. Publicise for 6 weeks consultation. Appoint an independent examiner
Step 5 Independent Examination	Respond to examiners clarification questions if required. Consider examiners report (fact check)	Send plan and all supporting documentation to appointed examiner. Consider examiners report (fact check). Publish examiners report. Make a decision to proceed to referendum
Step 6 Referendum		Organise referendum and if successful make the NP
Step 7 Make the Plan		

Glossary

Designated – When the council formally identifies the area that the neighbourhood plan shall have jurisdiction.

Development Plan – Is defined in Section 38 of the Planning and Compulsory Purchase Act 2004 (as amended), and includes adopted local plans, neighbourhood plans that have been made, published spatial development strategies, and adopted minerals and waste plans. Once a Neighbourhood plan passes a referendum it becomes part of the development plan, unless the local planning authority decides that the neighbourhood plan should not be made.

EHDC – East Hampshire District Council.

Evidence Base – Information gathered to support the Neighbourhood Plan, this can include technical reports plus community engagement.

HRA – Habitats Regulation Assessment. Also known as an Appropriate Assessment. Used to assess the impacts of proposals and land-use plans against the conservation objectives of a European Protected site and to ascertain whether it would adversely affect the integrity of that site.

Local Plan – The plan for the future development in the area, drawn up by the Local Planning Authority in consultation with the community.

Localism Act – An act to devolve greater powers to councils and neighbourhoods and give local communities more control over housing and planning decisions.

Making a plan/ 'made' – This is the formal description of what happens when a neighbourhood plan has received a positive decision at referendum. It is then formally adopted as a planning document by the local authority/district council, in regulatory terms this is called 'making a neighbourhood plan.'

Neighbourhood area – the area in which the neighbourhood plan will influence. Typically, within EHDC this area follows the parish boundary however this does not have to be the case if the council agrees with the justification. The neighbourhood area also influences who will be able to vote at referendum. It is the role of EHDC (and the SDNPA where applicable) to designate the neighbourhood area.

Qualifying body – The group of people that lead on the neighbourhood plan. All formal regulatory decisions are made by this group. For EHDC, it is the parish or town council that will be the neighbourhood plan qualifying body.

Referendum – A vote by the electoral area on a single political or social question, in this case it will be the electorate's decision on whether the neighbourhood plan should be 'made'.

Regulations – Rules or directives made by national government through legislation that are implemented by local government.

Regulation 14 – The consultation on the draft neighbourhood plan, led by the qualifying body.

Regulation 15 – When the qualifying body submits their submission neighbourhood plan (plan proposal) and subsequent documentation to the Council.

Regulation 16 – The consultation on the submission neighbourhood plan and documents, led by the local planning authority.

Screening assessment – Formal process to find out if a ‘full assessment’ is needed. Typically to do with HRA and SEA.

SDNPA – South Downs National Park Authority.

SEA – Strategic Environmental Assessment.

Statutory consultees – Organisations or bodies (defined in the regulations) which are legally required to be consulted.

Steering group – A committee that decides on the priorities and manages the general course of operations for the neighbourhood plan. All decisions made by the steering group must be finalised by the qualifying body.

Working group – A committee or group appointed to study and report on a question or subject area within the neighbourhood plan. They can make recommendations to the steering group and qualifying body.