

# Statement of Community Involvement

How to get involved in local planning



April 2021

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## 1. Introduction

- 1.1 East Suffolk Council aims to achieve high quality outcomes and developments from future growth in the East Suffolk area. Early, effective and meaningful engagement with the community, the developers and other stakeholders will help achieve this in a timely, efficient and effective way.

### What is the Statement of Community Involvement?

- 1.2 This document sets out how East Suffolk Council will consult and engage with the community during the preparation of Local Plans and other planning policy documents, and in the determination of planning applications and other consents, along with the Council's responsibilities in the determination of planning appeals. The document also outlines how we will engage with Neighbourhood Planning groups as they develop Neighbourhood Plans. This document does not cover planning documents or applications that are solely within the Broads Authority area. The Broads Authority has responsibility for planning matters within the Broads.
- 1.3 The planning system shapes the areas where people live, work and visit. The Council is committed to involving as many people as possible in planning. By setting out a clear process of public engagement, local communities, stakeholders and other individuals and organisations will be able to contribute more to shaping their local environments. This document, therefore, is essential in setting out how people can be involved in the planning system.
- 1.4 The Statement of Community Involvement is required by section 18 of the Planning and Compulsory Purchase Act of 2004. These regulations state that local planning authorities need to explain how they will engage local communities and other interested parties in the production of planning policy documents and the planning application process.
- 1.5 The Council appreciates that different members of the community will access information in different ways and we will endeavour to make the most effective use of the methods of engagement that are available. Planning legislation sets out a number of statutory requirements with respect to consultation on planning policy documents and planning applications. This document sets out how we will meet these requirements. The document also sets out additional activities that, where possible,

practical and effective, we will consider undertaking in order to involve as many people in the planning system as possible, in a meaningful way.

## Why do we need a new Statement of Community Involvement?

- 1.6 The current Statements of Community Involvement, for the former Suffolk Coastal and Waveney Districts (excluding the Broads Authority area) were adopted in September 2014. Several recent events have necessitated the creation of a new Statement of Community Involvement.
- 1.7 East Suffolk Council is a new district Authority which, from April 2019, delivers services for the residents, businesses and communities previously served by Suffolk Coastal and Waveney District Councils. The former Councils had been working in partnership since 2008, however both had separate Statements of Community Involvement. With the creation of the new East Suffolk Council, it was the right time to create a single new Statement of Community Involvement for the whole East Suffolk area.
- 1.8 There have also been changes in the regulations that need to be reflected in an up-to-date Statement of Community Involvement. The Town and Country Planning (Amendment) Regulations 2017 requires the Statement of Community Involvement to be reviewed every five years. The Town and Country Planning (Local Authority Consultations etc.) (England) Order 2018 states that planning application consultations need to be extended by one day for each bank or public holiday which occurs during the consultation period. The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 made changes to how Councils should prepare a Community Infrastructure Levy Charging Schedule, including removing the need for a preliminary draft consultation. The Neighbourhood Planning Act 2017 requires the Statement of Community Involvement to outline policies on the advice and assistance the Council will provide to communities preparing Neighbourhood Plans.

## Responding to Exceptional Circumstances and Changes to the Planning System

- 1.9 The Statement of Community Involvement has been prepared to outline the actions that the Council will take assuming that the current local and national situation is normal. There may be times where taking some of these actions is not possible – the COVID-19 crisis and the imposition of ‘lockdowns’, for example. Whilst in the case of

COVID-19 the Government brought forward legislative changes to relax certain local authority consultation requirements and enable rapid updates to Statements of Community Involvement (in July 2020), it is important that this new Statement of Community Involvement has flexibility to cater for further lockdowns or similar situations without needing to be revised. During these situations East Suffolk Council must consider how consultations and documents can remain accessible while acknowledging that some of the actions usually taken during consultations may not be possible (consultation events held in-person, for example).

- 1.10 The Council appreciates that some methods of engagement are extremely valuable to members of the community and may, in some cases, be the only way individuals engage with the planning system. Whenever there are events or situations which mean the Council is unable to perform or undertake any 'normal' actions and activities outlined in this document, the Council will always clearly state in publicity material what has changed, why this has happened and what is being done to mitigate this, as appropriate.
- 1.11 Similarly, there may be situations and events where national regulations are temporarily or even permanently changed. The Council will always follow any changes in regulations and will outline what is being done to respond to these changes in publicity material.
- 1.12 The recent outbreak of COVID-19 is an example of when Councils have had to modify and evolve the way they engage with the community when new requirements (such as social distancing) are introduced. This has meant the Council has been unable to use certain consultation methods such as providing physical copies of documents at Customer Service Centres and local libraries and holding public exhibitions and workshops. Alternative measures have included providing physical copies of documents by post where this is practical and holding virtual consultation meetings.
- 1.13 The Council will always ensure that any consultations and documents are accessible to as many people as possible whilst also ensuring that the measures used to do this are safe. To do this, the Council will continue to take advantage of new technologies and methods as they become available.
- 1.14 The Government recently released a white paper entitled *Planning for the Future* (August 2020) which outlines a number of proposed changes to the planning system. This includes an overhaul of how Local Plans are likely to be produced and increased

use of digital platforms for engagement. Depending on how and when these proposed changes progress, it may be necessary to conduct an early review of the Statement of Community Involvement.

## 2. Approach to Engagement

- 2.1 The East Suffolk Council Strategic Plan 2020-2024 states that the Council will support our communities to enhance the places where they live and work. One way to do this is to work with the local community in the development of planning documents and the determination of planning applications.
- 2.2 The Council aims to give everyone the chance to have their say on emerging planning policy documents and planning applications where these apply to them. Local residents and stakeholders can provide unique and valuable knowledge about their areas which will enhance the development of planning policies, and identify issues relevant to the consideration of planning applications.
- 2.3 When we involve you in preparing planning policy documents, or consult you on a planning application we will:
- ✓ **Ensure each process is clearly outlined and easily understood**
  - ✓ **Communicate clearly the purpose of all consultations**
  - ✓ **Use appropriate and cost-effective methods, including utilising the Council's website**
  - ✓ **Share information to ensure consultations are accessible to as many people as possible**
  - ✓ **Be clear about the results of all consultations and planning applications to show that all views have been considered**
- 2.4 Government regulations require that certain groups are consulted at key stages in the preparation of planning policy documents and the determination of planning applications. These are known as 'specific/statutory consultation bodies'. The Council is also required to invite comments from other 'general consultation bodies' where it considers this to be appropriate. Appendix 1 is a list of the existing organisations we contact at key consultation stages.
- 2.5 The Localism Act 2011 sets out a 'Duty to Co-operate' to ensure that organisations work together on strategic issues that are greater than local in scale. The organisations involved in this include local planning authorities, county councils and other public organisations. East Suffolk Council already works closely with these bodies and will continue to, using both formal and informal structures, to meet this duty. This includes working with Babergh and Mid Suffolk District Councils, Ipswich Borough Council and Suffolk County Council through the Ipswich Strategic Planning Area Board (a Board

covering cross boundary strategic matters including for the former Suffolk Coastal area of East Suffolk). A list of organisations that we will work with can be found in Appendix 1.

- 2.6 The Council engages with certain stakeholders on a more informal basis outside formal consultations to provide information and seek feedback on planning issues relevant to the District. Town and Parish Councils are key consultees and their role has increased since the introduction of Neighbourhood Planning. A Parish Forum is held, usually twice a year, to provide a platform for parish and town councillors to engage with the Council on planning issues. East Suffolk also has an established Developer Forum. The Developer Forum provides the opportunity for regular communication between East Suffolk Council and local developers and planning agents.
- 2.7 Another aim of the East Suffolk Strategic Plan is to deliver digital transformation to make the services we deliver as efficient and accessible as possible. Online communication, including social media, are becoming more relevant to our processes and we will endeavour to make the best use of the increasing opportunities that technology provides. This could include targeted social media campaigns focussing on issues relevant to groups within the community. This will allow us to reach wider audiences and make the best use of Council resources, and hopefully help residents and communities to respond in a more engaged and knowledgeable manner.
- 2.8 The Council appreciates that “online” forms of engagement may not be as easily accessible to some members of the community as others. That is why the Council will use a variety of methods to engage with the community during the development of planning documents and when determining planning applications. This will include using non-digital methods to ensure as many groups can participate and engage as possible.

## Equality

- 2.9 The Equalities Act of 2010 requires public organisations to eliminate unlawful discrimination and advance equality of opportunity for all (called the Public Sector Equalities Duty). Efforts should be made to involve a variety of groups regardless of race, religion, age, disability, gender and sexual orientation or any other ‘protected’ characteristic. By including those groups who may not normally find it easy to get involved in planning, the Council may be able to identify issues that may not otherwise be identified.

- 2.10 We will conduct Equality Impact Assessments on appropriate documents (such as the Local Plan) to ensure that any potential adverse impacts on any particular groups are identified and – where practicable - mitigated.

## Data Protection

- 2.11 The General Data Protection Regulations of 2018 require anyone who collects personal data to only use this data for appropriate and agreed purposes, and to only keep the information for the necessary time period required. The six 'key principles' of the General Data Protection Regulations have been incorporated into East Suffolk Council's Constitution. The Data Protection Act 2018 applies the new standards of the General Data Protection Regulations as well as additional standards for types of data not covered by these regulations.
- 2.12 The Council maintains a Local Plan and Related Documents Mailing List containing the contact details of people who have requested to be kept informed of the preparation of new planning policy documents. The Town and Country Planning Regulations of 2012 require representations made on planning policy documents to be made publicly available. We will publish representations made in relation to planning policy documents and planning applications with the name of the representor. We will not publish personal information such as email addresses, in accordance with the principles of the General Data Protection Regulations.
- 2.13 If you wish to join the Local Plan and Related Documents Mailing List please register at: <https://eastsuffolk.inconsult.uk/consult.ti/system/register>
- 2.14 If you do not have access to the internet and would like to join the Local Plan and Related Documents Mailing List, please call 01394 444557 or 01502 523029

## 3. The Planning Service

- 3.1 The Town and Country Planning system involves making decisions about the future of our homes, towns, villages and countryside. It is vital to balance the need to develop areas of the district (for new housing, for example), whilst recognising the need to protect and safeguard key environmental and social assets. Even where development is considered to be appropriate, mitigating negative impacts – and taking the chance to deliver improvements, where possible – is a vital part of the planning process.
- 3.2 Development across the district is controlled by local and national policies. The Local Plan can include strategic and site-specific policies relating to issues such as housing targets and land allocations. The local level policies need to be consistent with national policies as shown below:

### National Planning Policy Framework

Produced by **central government**. This document sets out the government's planning policies and how these should be applied. It also provides a framework within which local planning policies should be developed.

### Local Plan

Produced by **the Council**. This document sets out local policies to determine where and how growth should be delivered across East Suffolk. It includes strategic policies that cover the whole district, as well as more localised non-strategic policies. The Local Plan is part of the development plan for the District, alongside any 'made' (adopted) Neighbourhood Plans.

### Neighbourhood Plans

Produced by **Parish and Town Councils**. These documents help determine the nature of development in the areas where they apply. They must be in general conformity with the strategic policies of the Local Plan. 'Made' Neighbourhood Plans form part of the development plan for the District alongside the Local Plan.

### Supplementary Planning Documents

Produced primarily by **the Council**. These documents do not form part of the development plan but do provide guidance on the application of local policies.

- 3.3 This current system of Local Plans was largely put in place by the Planning and Compulsory Purchase Act 2004, and amended by reforms set out in the Localism Act

2011 (amongst other legislation). The National Planning Policy Framework (first published in 2012, and most recently updated in 2019) is the suite of national planning policies. For decision making purposes Local Plan documents, and any 'made' Neighbourhood Plans, may be referred to (in aggregate) as 'the development plan' for a particular area.

- 3.4 The Planning Practice Guidance provides further context to the National Planning Policy Framework and sets out good practice processes for various parts of the planning regime.
- 3.5 Community engagement is necessary to ensure that planning policies and decisions on planning applications are effective and reflect the needs of the local area.
- 3.6 The Planning Policy and Delivery Team (including the Major Sites and Infrastructure Team), Development Management Team, and elected Councillors have specific roles and responsibilities within the Council's Planning Service. It is important to recognise these different roles and responsibilities and avoid misinterpretation that one form of engagement may automatically satisfy another. The preparation of Local Plans, Supplementary Planning Documents, Community Infrastructure Levy Charging Schedules, Neighbourhood Plans and the determination of planning applications all have different consultation processes that must be followed and will involve different parts of the Planning Service.

## 4. The Role of the Council

### Planning Policy and Delivery

4.1 The Planning Policy and Delivery Team is responsible for the production of local planning policy documents, including the Local Plan. They will take the lead on producing the studies and evidence base to support the documents (which may include commissioning specialist companies to undertake some of the work), as well as the final documents themselves. They will also organise and lead the consultations on draft documents, consider the representations submitted during these consultations and propose any subsequent modifications.

4.2 The documents the Planning Policy and Delivery Team produce include:

- Local Plans - The Local Plan documents (alongside Neighbourhood Plans) that form part of the statutory development plan for the East Suffolk area and set out the strategy and policies that guide development in the area (excluding the Broads Authority area). Planning applications for development must be in conformity with the Local Plan unless material considerations indicate otherwise.
- Evidence Base – The evidence base is a key component of the Local Plan and comprises a number of studies, reports and assessments. These all provide evidence to support the Local Plan strategies and policies. This evidence needs to be robust and up to date as emphasised in the National Planning Policy Framework.
- Supplementary Planning Documents – Supplementary Planning Documents provide further advice on how policies in the Local Plan should be implemented. This could include a development brief for a particular site to determine where components such as housing and employment development should be located. It could also include practical guidance on the interpretation of a Local Plan policy and how it should be implemented. It is not mandatory to produce SPDs, but the Council already has some adopted and is preparing others.
- Community Infrastructure Levy Charging Schedule – Community Infrastructure Levy is a charge that local authorities can choose to have for their area. The money collected is used to fund infrastructure that will support new development. The Charging Schedule outlines the rates that will be charged to each type of

development, such as housing and retail. The Council has two Charging Schedules in place, one for each of the former districts of Suffolk Coastal and Waveney.

- Local Development Orders – Local Development Orders grant planning permission for certain types of developments within a specified area. They streamline the planning process by removing the need to apply for planning permission for development covered by the order. It is not mandatory to have any LDOs and the Council does not currently have any.

4.3 Neighbourhood Plans and Neighbourhood Development Orders are prepared by Parish or Town Councils with the community. They become part of the statutory development plan for the East Suffolk area once they are ‘made’ (adopted) by the Council.

- Neighbourhood Plans – Neighbourhood Plans form (alongside the Local Plan) the statutory development plan for East Suffolk and are used to determine planning applications in the areas where they apply. They provide the opportunity for local communities to develop policies to determine the nature of development in their areas.
- The Council will provide support and advice to groups preparing Neighbourhood Plans when appropriate and has a role to play at statutory stages in the process. Neighbourhood Plans must be in general conformity with the strategic policies of the Local Plan.
- Neighbourhood Development Orders – Neighbourhood Development Orders have the same effect as Local Development Orders and can grant planning permission for specific types of development for a specific site or type of development in the neighbourhood area. As with Neighbourhood Plans the Council will provide support and advice when appropriate and has a role to play at statutory stages in the process. A Community Right to Build Order is a form of Neighbourhood Development Order that can be used to grant planning permission for small scale development for community benefit on a specific site. These are prepared by constituted community groups rather than a Parish or Town Council.

- 4.4 In preparing planning policy documents it is also necessary to determine the extent to which they will achieve sustainable development and if there are likely to be any significant impacts on the environment. Local Plans must therefore be subject to a Sustainability Appraisal which assesses the potential economic, social and environmental impacts of the policies and proposals. This is undertaken to enhance the positive effects of proposals whilst, at the same time, ensure that any potentially adverse impacts are minimised. Sustainability Appraisals are prepared alongside the Local Plan and subject to consultation at the same time. Other documents, such as Supplementary Planning Documents and Neighbourhood Plans, may also be subject to Strategic Environmental Assessment where significant environmental impacts may occur.
- 4.5 Some planning policy documents, including the Local Plan, are also subject to a Habitats Regulations Assessment. This will determine whether or not the document is likely to have any significant adverse effects on internationally important nature conservation sites and, if so, suggest ways in which the impacts could be mitigated. Neighbourhood Plans must also go through a Habitats Regulations Assessment Screening to determine if a Habitats Regulations Assessment is needed.

## Development Management

- 4.6 The legal starting point for decisions on planning applications is set out in Section 38 (6) of the Planning and Compulsory Purchase Act 2004. Decisions must be made against relevant policies in the Local Plan (and, if it exists, the Neighbourhood Plan) unless material considerations indicate otherwise (of which the National Planning Policy Framework may be such a consideration). Appendix 2 lists some material and non-material considerations, although this list is not exhaustive and not all considerations will necessarily be material in all cases.
- 4.7 Development Management Officers are responsible for assessing all planning applications for development as well as consents, notifications and appeals. The Council is also a consultee on Nationally Significant Infrastructure Projects. The vast majority of planning applications are determined through delegated authority to managers. Schemes that are departures from an East Suffolk Local Plan, or where the Council has an interest in the land involved or is the applicant, and schemes that have been through the referral process, may go to Planning Committee, where Development Management Officers will prepare a written report and a recommendation as to whether the application should be approved or refused.

- 4.8 The Design and Conservation Officers are part of the Development Management Team and are responsible for the protection and management of historic assets within the East Suffolk area, such as listed buildings. Listed Building Consent is a special form of control to protect listed buildings from inappropriate alteration or demolition. The Development Management Team also includes Arboriculture and Landscape Officers and an Ecologist who comment and advise on landscape and ecological issues including tree applications.
- 4.9 Most kinds of development require planning permission; however, there are a number of circumstances where certain types of development are automatically permitted; these are described in The Town and Country Planning (General Permitted Development) Order 2015 (as amended). Some permitted development rights are subject to a 'prior approval' process which may involve neighbour consultations. Further information on permitted development rights can be found on the [Planning Practice Guidance](#) website.

#### **Pre-application Consultation**

- 4.10 The Development Management team also provide a pre-application planning advice service for all planning applications. The Planning Practice Guidance states that pre-application discussions have significant potential to improve the efficiency and effectiveness of the planning application process. The Council encourages applicants to participate in pre-application discussions with planning officers, even if the development in question has been allocated within the Local Plan. This means that potential issues can be considered at an early stage and could speed up the process of considering a later application. Pre-application advice is confidential and is not made available to the public. More information on the Council's pre-application service can be found on the Council's website.

## **Major Sites and Infrastructure Team**

- 4.11 The Major Sites and Infrastructure Team operates in a similar manner to the Development Management team, in considering the largest planning applications and the longer-term pre-application engagement on large allocations. Due to the complexity of sites dealt with by this team, a bespoke approach to the timescale may be agreed with the applicant through the use of [Planning Performance Agreements](#).

4.12 This team also has responsibility for the collection and making recommendations on the spending of Community Infrastructure Levy and the processing and monitoring of Section 106 agreements. These dual functions of the team enable major housing and employment growth to be planned alongside site-specific and cumulative infrastructure needs across the district.

## Councillors

4.13 Elected East Suffolk councillors have key roles to play in the planning process.

4.14 Councillors participate in committees and working groups to help determine the direction of the planning policies and strategies that the Council should pursue. Councillors work with Planning Officers to review the options for the District throughout the development of policy documents and determine the best options that should be presented in draft documents. Councillors also take formal decisions on documents through Cabinet and/or Full Council meetings.

4.15 Councillors have a responsibility to monitor services provided to ensure that they are delivered in the most efficient and effective way.

4.16 Appendix A of Part 4 of the [Council's Constitution](#) contains the Suffolk Local Code of Conduct, to which all elected East Suffolk councillors must agree to on securing a term of office. It includes a *Code of Good Practice/Guidance for Members - Planning and Rights of Way*. The Code covers, amongst other elements:

- The role and responsibilities of members of the relevant Planning Committee
- The role and responsibilities of all members in relation to the Council's consideration of planning applications
- The role of the Planning Referral Panel (in determining whether certain applications should be considered by the relevant Planning Committee)
- The role of officers in the planning process
- Councillor discussions with applicants (for planning permission)
- Consultation and lobbying (of councillors) by applicants, residents etc in connection with planning applications
- The procedure for councillors undertaking site visits (for applications to be considered by the relevant Planning Committee)

- 4.17 There are situations where a planning application needs to be taken to the Referral Panel. This tends to be when the 'minded to' decision of the Planning Officer is contrary to the comments received from a Town or Parish Council, the Ward Member for the area or from a statutory consultee such as Suffolk County Council, the Environment Agency or Highways England. The Referral Panel is a consultative panel consisting of the Chairman and Vice-Chairman of each planning committee and is convened by the Head of Planning and Coastal Management. The Referral Panel discusses whether the planning application in question needs to be referred to planning committee or if the decision should be delegated to the Head of Planning and Coastal Management.
- 4.18 The Referral Panel process is outlined in the [East Suffolk Constitution](#).
- 4.19 Planning Committees make decisions on individual planning applications which have been designated to be determined by planning committee. East Suffolk has three Planning Committees. The North and South Planning Committees cover their respective parts of the District and meet on a monthly basis to determine planning applications. The Strategic Planning Committee (made up of members from the other two planning committees and the Portfolio Holder for Planning and Coastal Management) meets at least four times a year and determine the more strategic planning applications that can affect the entire District and advise on the response to Nationally Significant Infrastructure Projects that are determined nationally. The Strategic Planning Committee also considers reports on other planning matters such as the performance of the Planning and Coastal Management Service and the Authority Monitoring Report, which includes progress on the preparation of Local Plan documents and their implementation and delivery.

## 5. Getting Involved in the Preparation of Planning Policy Documents

- 5.1 Each type of planning policy document has different statutory stages and timescales as set out in the relevant legislation and/or regulations. The following sections outline these stages, the methods we will use at each stage and where you can have your say on these documents. The key regulations for preparing Local Plans and Supplementary Planning Documents are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The key regulations for preparing a Community Infrastructure Levy Charging Schedule are set out in The Community Infrastructure Levy Regulations 2010 (as amended). The regulations for Neighbourhood Plans are set out in the Neighbourhood Planning (General) Regulations 2012 (as amended).
- 5.2 We will always meet the requirements set out in the relevant regulations as a minimum and publicise a planning policy document for at least the statutory time period specified in the regulations. However, there may be situations where the regulations are temporarily or permanently changed in response to particular circumstances. The Council will clearly state in publicity material what has changed, why this has happened and what is being done to mitigate this. There may also be situations where extensions to the statutory time period are considered appropriate. This could include where the consultation overlaps with Christmas, Easter or August (Summer) Holidays.
- 5.3 The Council seeks to ensure that consultations are held in a way that is fair to all parties. Therefore, late representations will not normally be accepted.

### The Methods the Council can use

- 5.4 The Council appreciates that different people and groups/organisations have different opportunities, experiences and interests which determine how they wish to engage with the planning process. It is important to ensure that this is recognised to ensure everyone has an equal and fair chance to participate. The Council will endeavour to use a variety of consultation methods and techniques to help people participate in public consultations.
- 5.5 However, it is not always possible or appropriate to undertake consultations using all methods available. This could be due to time or resource constraints. We will always

carry out consultations and engagement appropriate to the nature and scale of the topic.

- 5.6 The Council has a variety of methods at its disposal to make consultations accessible. This includes taking advantage of new technologies and digital infrastructure to make documents more accessible. The Council will continue to explore these options as more become available and practical for use in consultations.
- 5.7 The Council acknowledges that digital methods of communication may not reach some people and groups/organisations. Therefore, the Council will also take advantage of other methods such as workshops, letters and press releases, where these are appropriate. However, it should be noted that the actual publication of press releases is not always within the control of the Council and they may not always be reported in the media. Despite this, the Council will continue to make use of them.
- 5.8 The use of these various methods will not be limited to just formal public consultation stages. The various methods will also be used to notify the public about the progress of the various documents. This could include the early, more informal preparation stages for documents including the use of workshops and questionnaires to establish the scope and aims of a document.
- 5.9 It is also acknowledged that engagement with the community should not end after public consultation. Feedback on comments received, including the changes to be made to the document are valuable in demonstrating the influence a consultation has in shaping the content of the document. One way this feedback is provided is through the production of a Consultation Statement. These are produced for most planning policy documents and include the comments made, an analysis of the feedback in a level of detail appropriate to the document, and how the comments have influenced the document.
- 5.10 Comments received on Local Plan, Supplementary Planning Document, Community Infrastructure Levy Charging Schedule and Neighbourhood Plan public consultations, which the Council are responsible for, will be published on the Council's website. The Council will not however publish any comments until after the end of a consultation and comments will only be published once they have all been reviewed.
- 5.11 The Council will use as many of these methods as is practical and appropriate for a given consultation.

### **Council's Website**

The Council's website is where the Council will publish documents and set out details of consultations that people are able to access. The website is continuously reviewed to be kept up to date. The Council's website also allows the Council to utilise the latest systems and programmes to provide more platform for engagement. This can include interactive maps and documents that could be commented on, as well as consultation databases that will collate all comments received for a given document.

### **Public exhibitions**

Public exhibitions allow Council officers to directly engage with members of the community. The Council will always ensure that exhibitions are in accessible locations when these take place. There is also now the opportunity to explore the use of 'virtual' exhibitions that will help the Council engage with the community.

### **Press and Radio**

Local media can be extremely effective at communicating with large sections of the local community. The Council will use the platforms of local media that are available and appropriate. This could include press releases, newspaper notices and even radio advertisements. However, it should be noted that the Council does not have control over when news outlets report on any material that the Council has released, such as a press release, as this is at the discretion of the outlet.

### **Social Media**

Social media platforms are some of the most used platforms for the distribution of information to the public. Platforms such as Twitter, Facebook and Instagram can be extremely effective at reaching members of the community who may have engaged little with the planning system before. The Council will look to use these platforms to publicise consultation and engagement events and

### **Workshops**

Workshops provide an opportunity for focussed discussion on issues and concerns that the community have in relation to a document that the Council is producing. Similar to public exhibitions, there is also now often the opportunity to do workshops virtually to gain the input and views from as many members of the community as possible.

### **Emails, Letters and Questionnaires**

Emails, letters and questionnaires are effective methods at directly engaging with individuals and groups. The Council will make use of the Local Plan Mailing List to inform those wish to be informed of consultations.

### **Direct Contact**

There may be some situations where members of the public wish to talk directly to Council officers. Email addresses and telephone numbers will be provided where this is considered appropriate.

## How will the Council involve you in the preparation of the Local Plan?

### 1. Prepare/update a Local Development Scheme

5.12 The Local Development Scheme provides a programme for the preparation of documents that will form part of the development plan for the District, including setting out a timetable for the production of Local Plans, and providing information on preparation of Neighbourhood Plans as suggested by the Planning Practice Guidance. The Local Development Scheme will be kept up to date, however the frequency will depend on the work being undertaken and if there are significant changes to the timescales. This will allow communities and interested parties to keep track of progress on the development plan.

What the Council is required to do by legislation:

- Prepare and maintain a Local Development Scheme and publish the document on the **Council's website**.
- Revise the Local Development Scheme when it is considered necessary to do so, including updating the document and timeline on the **Council's website**.

What the Council will also do at this stage:

- **Notify** Town and Parish Councils and neighbouring authorities when the Local Development Scheme is published.

### 2. Evidence Gathering and Early Production (Regulation 18)

5.13 Early engagement with key stakeholders, such as infrastructure providers, through the undertaking of initial survey work and preparation of the evidence base is used to help inform understanding of the baseline, issues and needs, as appropriate. The information gathered informs the identification of issues and options, which will inform the identification of policy and site allocation options. We may consult on issues and options and/or publish a Draft Local Plan for consultation during this stage, as deemed appropriate. At this stage we may also produce a draft Sustainability Appraisal

Report which assesses the potential effects the Local Plan will have on the economy, the environment and society.

What the Council is required to do by legislation:

- Engage with and invite comments from specific and general consultation bodies, residents and businesses on the **Local Plan and related documents mailing list** on what the Local Plan ought to contain.
- Where a draft Local Plan including a draft Sustainability Appraisal report is produced, we are required to invite consultation bodies and public consultees to express their opinions on the documents and to make documents available for public inspection (which will normally be at the **Council's Customer Service Centres**).

What the Council will also do at this stage:

- We will add information about the Local Plan preparation to the **Council's website** and **social media** sites.
- We will make use of **online documents and tools**, as appropriate.
- We will hold **workshops/exhibitions** (physical and/or virtual), where appropriate, to help determine issues to be considered for inclusion in the plan.
- Issue a **Press Release** to local media, where this would be appropriate.

Consultation on draft Local Plans:

- As appropriate, we will publish draft Local Plan documents, along with any supporting documents for consultation for a minimum of six weeks. This may include a draft Sustainability Appraisal and draft Habitats Regulations Assessment.
- Draft documents and consultation information would be published on the **Council's website** and **social media** sites.
- We will also **notify** specific and general consultation bodies and other organisations and individuals on the **Local Plan and related documents mailing list** about any draft Local Plan documents and invite comments.
- We will issue a **Press Release** to local media.
- Physical copies of the Local Plan, Policies Maps and Sustainability Appraisal may also be made available to **local libraries** where appropriate.

### 3. Publication of the Local Plan (Regulation 19)

5.14 Comments received during the previous (Regulation 18) stage will be considered in progressing the Local Plan and will be summarised and documented in a Consultation Statement. The Local Plan will be finalised and published to receive comments. Comments (referred to at this stage as ‘representations’) at this stage can only be sought on ‘soundness’ and legal compliance. Soundness refers to whether a plan has been positively prepared; whether the plan is justified; whether the plan is effective; and whether it is consistent with national planning policy. At this stage we will also consult on the final Sustainability Appraisal Report.

What the Council is required to do by legislation:

- Publish the Local Plan and supporting documents for a minimum of six weeks.
- Publish the Local Plan and supporting documents on the **Council’s website** alongside details of where the documents can be inspected and the procedure for making representations.
- **Notify** and invite representations from the specific and general consultation bodies and individuals and organisations on the **Local Plan and related documents mailing list**.
- Make clear that there is a right for anyone making representations on the Local Plan to request to be heard by the Inspector during the Examination. Those who are invited to be heard is at the Inspector’s discretion.
- Make physical copies of the Local Plan, Policies Maps, Sustainability Appraisal and Consultation Statement available for public inspection (at **Council Customer Service Centres**).

What the Council will also do at this stage:

- Hold **exhibitions** (physical and/or virtual) where considered appropriate.
- Issue a **press release** to local media.
- Add information on the **Council’s social media** sites.
- Physical copies of the Local Plan and Policies Maps will be made available to **local libraries** where appropriate.

#### 4. Submission (Regulation 22)

5.15 The Local Plan, including all supporting documents, evidence base and the representations received from the Publication stage (including a consultation statement), are submitted to the Secretary of State. An independent Planning Inspector is appointed to examine the Local Plan.

##### What the Council is required to do by legislation:

- Prepare and publish a statement setting out the comments received during the preparation of the Local Plan and how these were taken into account, and the representations received during the Local Plan publication and a summary of the issues raised ('the Consultation Statement').
- Submit to the Secretary of State the Local Plan, Sustainability Appraisal Report, Policies Maps, the supporting evidence, the representations received during publication of the Plan, and the Consultation Statement.
- Publish the Local Plan and submission documents on the **Council's website**.
- **Notify** specific and general consultation bodies and respondents from the publication stage **who requested to be notified of submission**.
- Make physical copies of the Local Plan, Policies Maps, Sustainability Appraisal and Consultation Statement available for public inspection (at **Council Customer Service Centres**).

##### What the Council will also do at this stage:

- Issue a **press release** to local media.
- Add information on the **Council's social media** sites.
- Physical copies of the Local Plan and Policies Maps will be made available to **local libraries** where appropriate.

#### 5. Examination (Regulation 24)

5.16 The Local Plan, the supporting documents and the representations received are examined by the Planning Inspector.

##### Public hearings:

5.17 We will make arrangements for public hearings to take place as considered necessary by the Planning Inspector. Any member of the public can attend the hearing sessions to watch from a public gallery. However, only those that responded during the

Publication consultation and indicated they wished to participate at the hearings can be given the opportunity to speak at the hearings. Those invited to participate in the hearings is at the Inspector's discretion. Any engagement with the Planning Inspector will take place through the appointed Programme Officer for the examination, who works to the Inspector and acts as the point of contact for all correspondence with the Inspector for all participants and the Council.

What the Council is required to do by legislation:

- Publish the date, time, venue and format of the hearings on the **Council's website** at least six weeks before the opening of public hearings.
- Anyone who made a representation and **indicated that they wish to attend the Examination** in public and speak at the public hearings will be informed of the date, time, venue and format of the hearings at least six weeks before the opening of public hearings.

What the Council will also do at this stage:

- Issue a **press release** to local media.
- Add information on the Council's **social media** sites.

**Main Modifications:**

**5.18** Following the completion of the public hearings, the Planning Inspector will determine if any Main Modifications to the Local Plan are necessary. If Main Modifications are considered likely to be necessary, these will be subject to public consultation before the Planning Inspector's Report is published. Any public consultation will only cover the proposed Main Modifications and any policy map changes, along with any proposed Additional Modifications (those not related to soundness) and will reflect the scope and duration of the consultation held at Regulation 19.

## 5. Publication of Inspector's Recommendations (Regulation 25)

5.19 The Planning Inspector will send their Report on the Local Plan, including any Main Modifications they deem to be necessary for the Local Plan to be sound, to the Council.

What the Council is required to do by legislation:

- Publish the Inspector's Report on the **Council's website**.
- Make physical copies of the Inspectors Report available for public inspection (at **Council Customer Service Centres**).
- **Notify respondents who requested to be notified about the availability of Inspector's Report.**

What the Council will also do at this stage:

- Issue a **press release** to local media.
- Add information on the Council's **social media** sites.

## 6. Adoption of the Local Plan by Full Council (Regulation 26)

5.20 Following consideration of the Inspector's Report, where this concludes that the Plan is 'sound', the Council may then adopt the Local Plan, including any Main Modifications the Planning Inspector has concluded are necessary.

What the Council is required to do by legislation:

- Publish the Local Plan and all supporting documents available on the **Council website**.
- Make physical copies of the Local Plan available for public inspection (at **Council Customer Service Centres**). Copies of the Adoption Statement, Sustainability Appraisal report and Sustainability Appraisal Adoption Statement will also be made available.
- Send the adoption statement to respondents at the publication stage **who requested to be notified of the adoption** and to the Secretary of State.

What the Council will also do at this stage:

- Add adoption information on **Council's social media** sites.
- Issue a **press release** to local media.
- Physical copies of the Local Plan and Policies Maps will be made available to **local libraries**, where appropriate. Copies of the Adoption Statement, Sustainability Appraisal report and Sustainability Appraisal Adoption Statement will also be available, where appropriate.

## How will the Council involve you in the preparation of Supplementary Planning Documents?

### 1. Pre-production / evidence gathering

5.21 The topic and scope of the Supplementary Planning Document will be researched. The evidence from this research will be used to form a baseline of the existing situation, which will determine the level of detail the document will need and the potential information it will contain.

What the Council is required to do by legislation:

- Consultation is required to be undertaken during the preparation of a Supplementary Planning Document before it can be adopted.

What the Council will also do at this stage:

- Where necessary and appropriate, **preliminary consultations** will be carried out to engage relevant stakeholders and the public in determining the level of detail to be included in the document and to identify key issues that need to be addressed. If early consultations are conducted, information will be added to the **Council's website** and **social media** sites and **exhibitions and workshops** (physical and/or virtual) will be arranged as appropriate. A **Press Release** will also be issued to local media where this is appropriate.

## 2. Draft Supplementary Planning Document (Regulation 12)

5.22 The draft Supplementary Planning Document is prepared following the initial evidence gathering stage. The draft document will then be made available for comment.

What the Council is required to do by legislation:

- Publish the draft Supplementary Planning Document for consultation for a minimum of four weeks.
- Publish the consultation document, Consultation Statement, and any supporting documents on the **Council's website** along with the date by which comments must be made and how these can be submitted.
- Make physical copies of the draft Supplementary Planning Document and Consultation Statement available for public inspection (at **Council Customer Service Centres**).

Following the end of the consultation, prepare a statement setting out the number of comments received on the draft Supplementary Planning Document, a summary of the issues raised and how the comments have been taken into account ('the Consultation Statement').

What the Council will also do at this stage:

- **Notify** consultation bodies, individuals and organisations on the **Local Plan and related documents mailing list**.
- Issue a **press release** to local media where appropriate.
- Add consultation information to **Council's social media** sites.
- Copies of the Draft Supplementary Planning Document and Consultation Statement will be made available to **local libraries based on the area where the document will apply**, where this is appropriate.

### 3. Adoption of the Supplementary Planning Document (Regulation 14)

5.23 The Council will consider the representations received through the consultations and make any amendments necessary before adopting the Supplementary Planning Document.

What the Council is required to do by legislation:

- Publish the Supplementary Planning Document, Consultation Statement and Adoption Statement on the **Council website**.
- Send the Adoption Statement to respondents who have requested to be notified of the adoption of the Supplementary Planning Document.
- Make physical copies of the Supplementary Planning Document and Adoption Statement available for public inspection (at **Council Customer Service Centres**).

What the Council will also do at this stage:

- Publicise the adoption on the **Council's social media** sites.
- Issue a **press release** to local media where appropriate.
- Physical copies of the Supplementary Planning Document will be made available to **local libraries** where appropriate.

## How will the Council involve you in the preparation of the Community Infrastructure Levy Charging Schedule?

### 1. Evidence Base Stage

5.24 The Council will prepare evidence on infrastructure needs across East Suffolk. We will also assess the development viability across the area. This evidence will be used to establish the rates that will be charged for development in different areas of East Suffolk. There are no specific requirements for this stage set out in legislation, although the Planning Practice Guidance says that the evidence base should be developed in collaboration with neighbouring/overlapping authorities and other stakeholders.

What the Council is required to do by legislation:

- No specific requirements in legislation.

What the Council will also do at this stage:

- The Council may make use of **workshops** with Parish and Town Councils and the Developers' Forum if it is considered there are clear benefits to do so.

## 2. Public Consultation on Draft Charging Schedule (Regulations 16 and 17)

5.25 A Draft Charging Schedule is published. The Draft Charging Schedule sets out the Council's proposed rates of Community Infrastructure Levy (in £ per m<sup>2</sup>).

What the Council is required to do by legislation:

- Publish the Draft Charging Schedule for an appropriate period of consultation.
- Publish the Draft Charging Schedule and supporting documents and evidence on the **Council's website**, alongside the procedure for making representations and where the documents can be inspected.
- Send the Draft Charging Schedule and the representations procedure to "consultation bodies", which include Parish and Town Councils, adjoining local authorities and Suffolk County Council, and businesses and voluntary bodies operating in East Suffolk.
- Make clear that there is a right for anyone making representations to the Draft Charging Schedule to request to be heard by the Examiner.
- Make copies of the Draft Charging Schedule and relevant evidence available for inspection (at **Council Customer Service Centres**).
- Issue an **advertising notice** to local media.

What the Council will also do at this stage:

- **Notify** consultation bodies, individuals and organisations on the **Local Plan and related documents mailing list** of the consultation.
- Add consultation information on the **Council's social media** sites.
- Copies of the Draft Charging Schedule and relevant evidence will be made available to **local libraries**.

### 3. Submission of Draft Charging Schedule for independent examination (Regulation 19)

5.26 Following the public consultation on the Draft Charging Schedule, the Council will submit the Draft Charging Schedule to an independent Examiner for examination.

What the Council is required to do by legislation:

- **Prior to submission**, if any modifications have been made to the draft Charging Schedule, the statement of modifications should be published on the website and a copy of the statement be sent to those invited to make representations on the Draft Charging Schedule.
- Prepare and publish a statement setting out the number of representations received on the draft Charging Schedule, a summary of the issues raised and how the representations have been taken into account ('the Consultation Statement').
- Submit to the Examiner the Draft Charging Schedule, the supporting evidence, the Consultation Statement and (if any modifications have been made to the draft Charging Schedule) a statement of the modifications made.
- As soon as practicable after submission, publish the Draft Charging Schedule, Statement of Consultation, (if prepared) a Statement of Modifications and (if practicable) copies of representations made and relevant evidence on the **Council's website**.
- As soon as practicable after submission, make available the Draft Charging Schedule, Statement of Consultation, a Statement of Modifications (if prepared), copies of representations made and relevant evidence at the locations where the documents were available for inspection during the Draft Charging Schedule consultation period.

What the Council will also do at this stage:

- Add information on the **Council's social media** sites.

#### 4. Independent examination of Draft Charging Schedule (Regulations 20 and 21)

5.27 The Independent Examiner will examine the Draft Charging Schedule. The examination will normally take the form of written representations; however, the Council will arrange public hearings where a representor has formally requested that they be heard by the Examiner and/or the Examiner decides that a Hearing session(s) is/are appropriate.

What the Council is required to do by legislation:

- Publish the date, time and venue of any Hearing sessions on the **Council's website**, alongside the Examiner's name.
- Anyone who made a representation on the Draft Charging Schedule must be informed of the date, time and venue of the Hearing at least four weeks before the commencement of the Hearing, alongside anyone who has made a request to be heard.
- Anyone who wishes to be heard in relation to modifications to the Draft Charging Schedule must inform the Council of this request by four weeks after the Draft Charging Schedule was submitted for examination (beginning with the day on which the draft Charging Schedule has been submitted). The Council must inform anyone requesting to be heard the date, time and venue of the Hearings at least two weeks before the opening of the Hearings.

What the Council will also do at this stage:

- Add information on the **Council's social media** sites.
- Issue a **press release** to local media where appropriate.

## 5. Publication of the Examiner's Recommendations

5.28 The Examiner must submit their recommendations (and reasons for those recommendations) to the Council at the close of the examination.

What the Council is required to do by legislation:

- Publish the Examiner's recommendations and reasons the **Council's website** as soon as practicable after the day on which it receives the recommendations and reasons.
- Make available the recommendations and reasons at the locations where the documents were available for inspection during the Draft Charging Schedule consultation period.
- Give notice to those persons who requested to be notified of the publication of the examiner's recommendations and reasons that they have been published.

What the Council will also do at this stage:

- Add information on the **Council's social media** sites.
- Issue a **press release** to local media where appropriate.

## 6. Adoption of Charging Schedule by Full Council (Regulations 23 and 25)

5.29 The Council will consider the Examiner's recommendations and adopt the final Charging Schedule by a resolution of Full Council. If adopted, there are then several other necessary steps (outlined below).

What the Council is required to do by legislation:

- As soon as practicable after formally approving/adopting the Charging Schedule, the Council must:
  - Publish it on the **Council's website**.
  - Publish a report setting out how the Charging Schedule as approved remedies any non-compliance identified by the Examiner.
  - Give notice to those persons who requested to be notified of the approval of the Charging Schedule that it has been approved.
  - Make available the Charging Schedule at the locations where the documents were available for inspection during the Draft Charging Schedule consultation period.
  - Issue an **advertising notice** to local media.

What the Council will also do at this stage :

- Add adoption information to **Council's social media** sites.

## Housing Land Supply

5.30 Each year, the Council produces a statement outlining its position with respect to the aim of having at least a five-year supply of deliverable land for housing. A Statement of Housing Land Supply is produced to show the supply of deliverable development sites (including those with planning permission, those with a resolution to grant permission subject to Section 106 agreement and those which are allocated in Local Plans and Neighbourhood Plans) sufficient to provide five years' worth of housing according to the housing requirement set out in the adopted Local Plan, or the housing need calculated under the standard methodology where the Local Plan is over 5 years old.

5.31 To show that the sites are deliverable, as defined in the National Planning Policy Framework (further guidance is set out in the Planning Practice Guidance), clear evidence needs to be provided to demonstrate that housing will be delivered on the sites. This can include information such as anticipated start dates and build out rates. To do this, the Council needs to engage with a variety of stakeholders who impact on site deliverability.

5.32 These stakeholders could include:

- Developers
- Land promoters
- Landowners
- Other government authorities
- Infrastructure providers

5.33 The Council will contact the relevant stakeholder(s) for relevant sites to request information to inform the production or review of the Statement of Housing Land Supply.

5.34 This information will support an analysis of site circumstances, past completions, permissions and annual on-site monitoring checks to determine how sites are progressing in terms of completions and dwellings that are under construction or have yet to be started. This analysis will then be used to calculate the Housing Land Supply.

5.35 The Housing Land Supply Statement will be published on the Council's website.

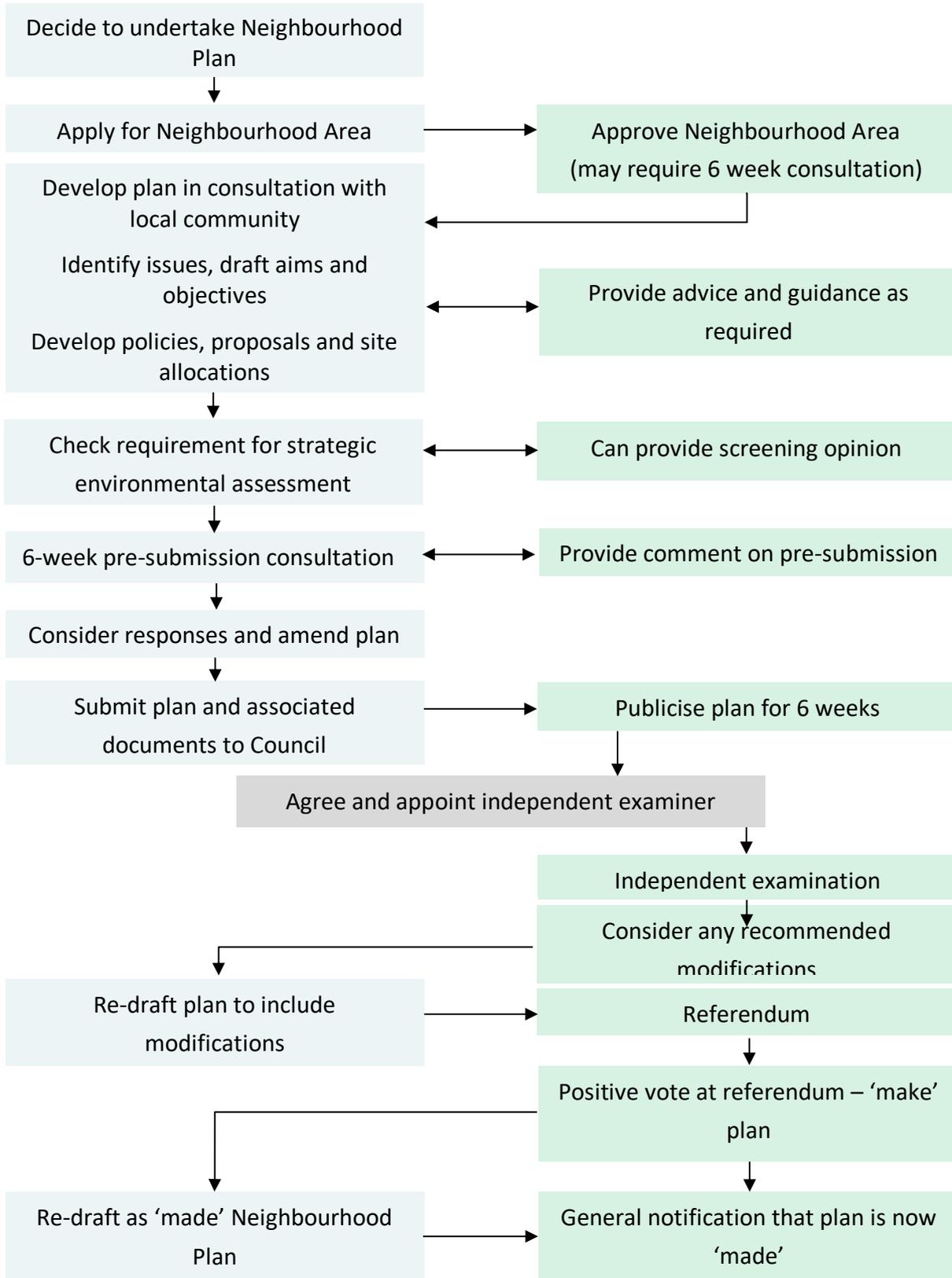
## How will the Council involve you in Neighbourhood Planning?

- 5.36 Parish and Town Councils are responsible for preparing Neighbourhood Plans and Neighbourhood Development Orders. However, they must work with other members of the community who are interested in, or affected by, the proposals in the Neighbourhood Plan or Neighbourhood Development Order. Engagement with the local community must be continuous throughout the process.
- 5.37 Any community organisation can develop a Community Right to Build Order, provided they meet the conditions set out in [paragraph 3 of Schedule 4C to the Town and Country Planning Act 1990 \(as amended\)](#) and in [regulation 13 of the Neighbourhood Planning \(General\) Regulations 2012 \(as amended\)](#)). A Community Right to Build Order is a form of Neighbourhood Development Order that can be used to grant planning permission for small scale development for community benefit on a specific site.
- 5.38 The Council has a duty to provide advice and technical assistance to communities that are working on producing Neighbourhood Plans. Planning Practice Guidance states that a local planning authority must give advice or assistance to neighbourhood planning groups as they consider appropriate for facilitating the making of a neighbourhood plan. This does not include financial assistance; however, the Communities Team can provide advice on funding options. The Council also undertakes specific roles at certain stages in the development of the Neighbourhood Plan, including arranging the examination and referendum.
- 5.39 To support neighbourhood planning groups, including those producing Neighbourhood Development Orders, the Council will generally:
- Provide initial advice, often through an inception meeting, on the suitability of a Neighbourhood Plan for the area in question and the potential scope of such a plan.
  - Provide ongoing advice and support throughout the preparation of the Neighbourhood Plan. This includes advice on the relevant legislation, timetabling and conformity with national and local strategic planning policies.
  - Provide some practical assistance where practicable, such as data for mapping.
  - Provide examples of best practice.
  - Provide contacts for consultees where this is necessary.
- 5.40 The Council website includes information on our wider duty to support neighbourhood plans: <http://www.eastsuffolk.gov.uk/planning/neighbourhood-planning/preparing-a-neighbourhood-plan/>

- 5.41 Whilst responsibility for the Neighbourhood Plan lies with the Parish or Town Council, Planning Practice Guidance notes that the Parish and Town Councils should work with other members of the community who are interested in, or affected by, the Neighbourhood Plan proposals to allow them to play an active role in preparing the neighbourhood plan.
- 5.42 The Broads Authority is the local planning authority for areas within East Suffolk falling within The Broads; therefore, Parish and Town Councils may need to consult with the Broads Authority if the contents of the Neighbourhood Plan fall within their responsibility. The Council will also consult with the Broads Authority during the formal stages of the process.
- 5.43 The flowchart below outlines the typical process for creating a Neighbourhood Plan, identifying the roles for the Town or Parish Council and East Suffolk Council.

Town/Parish Council Role

East Suffolk Council Role



5.44 The Council's roles during the development of a Neighbourhood Plan are outlined below.

## 1. Application for Neighbourhood Area (Regulations 5 and 6)

5.45 Before the Neighbourhood Plan can be drafted a Town or Parish Council will have to apply for a Neighbourhood Area Designation, which determines the area where the Neighbourhood Plan will apply to. In some cases, such as when the area goes beyond a single parish boundary, the application will require consultation.

What the Council is required to do by legislation:

- Publish the Neighbourhood Area Designation application for a minimum of six weeks if consultation is required.
- Publish the application on the **Council's website**.

What the Council will also do at this stage when consultation is required:

- Notify neighbouring Parish and Town Councils, neighbouring Local Planning Authorities when the designation adjoins their areas, local Ward and County Councillors, specific consultation bodies and internal East Suffolk services.
- Issue a **press release** to local media where appropriate.
- Publish information on the **Council's social media** sites.

## 2. Publicise Neighbourhood Area Decision (Regulation 7)

5.46 Publicise the designation of a new Neighbourhood Planning Area.

What the Council is required to do by legislation:

- Publish the Neighbourhood Area Decision on the **Council's website**.

What the Council will also do at this stage:

- Send **notification of decision** to neighbouring Parish and Town Councils, neighbouring Local Planning Authorities when the designation adjoins their areas, local Ward and County Councillors, specific consultation bodies and internal East Suffolk services.
- Issue a **press release** to local media, where appropriate.
- Publish the Neighbourhood Planning Area on the **Council's social media** sites.

### **3. Draft Neighbourhood Plan and Pre-Submission Consultation (Regulation 14)**

5.47 The Town or Parish Council will carry out work to develop the Neighbourhood Plan once the Neighbourhood Planning Area Designation has been approved. The Town or Parish Council will be responsible for all public engagement during the drafting of the Neighbourhood Plan; however, East Suffolk Council will provide guidance and support throughout the development of the Neighbourhood Plan. This could include assisting with the drafting of policies. We will respond to the Pre-Submission Consultation, which the Town or Parish Council will also be responsible for conducting.

### **4. Submission of Neighbourhood Plan (Regulations 15 and 16)**

5.48 Following consideration of the comments received during the pre-submission consultation the Town or Parish Council may make changes to the Neighbourhood Plan. The Town or Parish Council will submit:

- their final draft Neighbourhood Plan,
- Consultation Statement outlining the public consultation process they used while developing the Neighbourhood Plan,
- Basic Conditions Statement and;
- any other supporting documentation to the Council.

What the Council is required to do by legislation:

- Publish the Neighbourhood Plan for a minimum of six weeks.
- Publish all documents on the **Council's website** along with details of where the Neighbourhood Plan can be inspected, the procedure of how to make comments and the date when these comments need to be submitted.
- Make clear that there is a right for anyone making comments on the Neighbourhood Plan to request be notified of the Council's decision to 'make' (adopt) the Neighbourhood Plan.
- Notify consultation bodies listed in the Consultation Statement to inform them that the Neighbourhood Plan has been received.

What the Council will also do at this stage:

- Publish information on the **Council's social media** sites.
- Issue a **press release** to local media where appropriate.
- Make physical copies of the Neighbourhood Plan available for inspection at a **Council Customer Service Centre/Centres** nearby to the Neighbourhood Area where appropriate. Copies will also be made available at a nearby **library/libraries** where appropriate.

## 5. Examination (Regulation 17)

5.49 After the completion of the Submission Consultation, the Council will arrange the Examination of the Neighbourhood Plan, including appointing an independent Examiner in consultation with the Town or Parish Council. The Neighbourhood Plan and the comments received are then examined by the Examiner.

What the Council is required to do by legislation:

- Submit to the Examiner the Neighbourhood Plan, supporting documents, Consultation Statement, Basic Conditions Statement and copies of the representations received during the Submission consultation.
- Notify anyone who made a representation and indicated that they wish to attend a hearing (if public hearings take place) and speak at the hearings will be informed of the date, time, venue and format of the hearings.

What the Council will also do at this stage:

- Issue a **press release** to local media where appropriate.
- Add information on the **Council's social media** sites.

## 6. Publication of Examiner's Recommendations

5.50 The Examiner will then provide their report outlining their recommendations for the Neighbourhood Plan, including any modifications they consider to be necessary and whether the Neighbourhood Plan should be taken to Referendum.

What the Council is required to do by legislation:

- Publish the Examiner's Report on the **Council's website**.

What the Council will also do at this stage:

- Issue a **press release** to local media where appropriate.
- Add information on the **Council's social media** sites.

## 7. Referendum (Regulation 18)

5.51 The Council will then come to a decision on what action to take in response to the Examiner's recommendations and whether or not to take the Neighbourhood Plan to Referendum. Where the Neighbourhood Plan goes to a Referendum, the Council will administer the Referendum and everyone in the neighbourhood area who is registered to vote will have the opportunity to vote.

What the Council is required to do by legislation:

- Publish the Council's decision on whether to take the Neighbourhood Plan to referendum (the 'Decision Statement') on the **Council's website**.
- Send a copy of the Council Decision Statement to the Town or Parish Council responsible for the Neighbourhood Plan and anyone who requested to be notified of the decision.
- Make physical copies of the Decision Statement available for inspection at a **Council Customer Service Centre/Centres** nearby the Neighbourhood Area where appropriate.

What the Council will also do at this stage:

- Publish information on the Referendum on the **Council's website** and **social media** sites.
- Issue a **press release** to local media where appropriate.
- Make physical copies of the Neighbourhood Plan available for inspection at a **Council Customer Service Centre/Centres** nearby to the Neighbourhood Area where appropriate. Copies will also be made available at a **library/libraries** nearby to the Neighbourhood Area where appropriate.

## 8. Adoption (Regulations 19 and 20)

5.52 Following a successful Referendum result (more than 50% of the votes are cast in favour of approving the Neighbourhood Plan), the Council will 'make' (adopt) the Neighbourhood Plan.

What the Council is required to do by legislation:

- Publish the Decision Statement and the Neighbourhood Plan on the **Council's website**.
- Notify consultees who wished to be kept informed about the adoption of the Neighbourhood Plan.
- Make physical copies of the Neighbourhood Plan and Decision Statement available for inspection at the **Council Customer Service Centres** where appropriate. Copies will also be made available to a **local library/libraries** nearby to the Neighbourhood Area where appropriate.

What the Council will also do at this stage:

- Issue a **press release** to local media where appropriate.
- Add information on the **Council's social media** sites.

## 6. Getting Involved in the Planning Application Process

- 6.1 Anyone can comment on all planning applications that the Council consults on. The Council aims to encourage people to engage with the planning process as greater feedback leads to better understanding of local issues. There are some types of applications and notifications that the Council publishes but does not consult on: these include Discharge of Conditions (in most cases), non-material amendments (in most cases), screening requests and certain prior notifications applications.
- 6.2 When making planning decisions Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that regard is to be had to the development plan and that the determination shall be made in accordance with the plan unless material considerations indicate otherwise. In the case of East Suffolk, this relates to the adopted Local Plans and any relevant Neighbourhood Plan, if there is one for the area. The decision should also be made in accordance with the National Planning Policy Framework unless there are material considerations to indicate otherwise.
- 6.3 The planning application process is outlined below.

### 1. Pre-Application

- 6.4 The Council recommends that applicants enter pre-application engagement with officers as it makes the planning process more efficient. Further Information on pre-application advice can be found on the Council's website:  
<http://www.eastsuffolk.gov.uk/planning/planning-applications/pre-application-planning-advice/>
- 6.5 Paragraphs 39-42 of the National Planning Policy Framework (2019) and National Planning Practice Guidance states that pre-application discussions and consultation have significant potential to improve the efficiency and effectiveness of the planning application system. Pre-application engagement help provide parties with an understanding of the policies and material considerations that would be relevant and can help resolve issues earlier in the process. We encourage applicants to send clear plans and supporting information to the Council as early as possible so Planning Officers can give detailed feedback.

- 6.6 Whilst pre-application consultation with the Council itself will normally be confidential, there can be advantages to engaging in some public pre-application consultation for (especially) larger and/or more significant proposals and the Council encourages this.
- 6.7 Pre-application consultation is mandatory for wind turbine proposals that involve 2 or more turbines or any turbines with a hub height of 15m or more.
- 6.8 In the interest of timely determination of applications and in order to ensure that well considered development proposals are submitted, a decision on planning applications will generally be reached based on the original submission when a prior formal pre-application opinion has not been provided. This approach is consistent with the National Planning Policy Framework.

What the Council will do:

- The Council will encourage applicants to enter pre-application discussions with officers.
- We will encourage applicants to undertake pre-application consultation with the community when this is considered beneficial.

## 2. Planning Application

- 6.9 The Council will accept or decline to register the application based on national and local validation criteria and payment of the relevant planning fee.

## 3. Publication of Planning Application

- 6.10 The Council will publish all applications on the 'Public Access' planning application system on the Council's website and they will remain available for future reference.
- 6.11 The application will be published for 15 working days to accommodate situations when a planning application consultation takes place over a period that contains a bank or public holiday as required by The Town and Country Planning (Local Authority Consultations etc.) (England) Order 2018. The deadline for responses will also be displayed on the 'Public Access' system. In the case of applications which are accompanied by an Environmental Statement, this period is required to cover 20 working days.

6.12 Written, emailed or online comments through the 'Public Access' system can be sent to the Council during the 15/20 working days of the public consultation period. Comments must relate to material considerations. A list of examples of material considerations are outlined in Appendix 2.

What the Council will do:

- The plans will be published on the **Council's 'Public Access' planning application system.**
- Relevant Town/Parish Councils are notified.
- **Site notices** will be displayed in areas close to the site in a safe location that is publicly accessible (when required).
- Neighbours which share a physical boundary with the site will be notified.
- Statutory and non-statutory consultees will be invited to make comments.
- A **press advert** may be made for certain applications, such as any application that affects a public right of way, falls within a Conservation Area, affects a listed building, where the application is accompanied by an Environmental Statement or involves a departure from the Development Plan.

#### 4. Officer Report

6.13 The case officer prepares a report on the application and provides a recommendation. If the 'minded to' decision of the Planning Officer is contrary to the comments received from a Town or Parish Council, the Ward Member for the area in question or from a statutory consultee within the prescribed consultation period, the application will be referred to the Referral Panel, who will then decide if the application will go to Planning Committee for determination. The referral reports and outcome of the meeting listing the decision will be made publicly accessible.

#### 5. Decision

6.14 The decision will be made by planning officers in most cases via delegated powers afforded to the Head of Planning and Coastal Management. Decisions will be made by Planning Committee if the planning application has been referred by the Referral Panel, the application is a departure from the Local Plan with a positive recommendation or the applicant or landowner is East Suffolk Council itself or a Member or Officer (or close relative of) of the Council. If the application is considered at Planning Committee certain interested parties can be allowed to speak if they register an interest to do so in advance of the meeting. The permitted parties include a

representative of the Town or Parish Council or Parish Meeting, the applicant or representative of the applicant, one objector and the relevant ward members. Further information on the Planning Committee and the right to speak can be found on the Council's website: <http://www.eastsuffolk.gov.uk/planning/planning-applications/planning-committee/>

## **6. Decision Notice Issued**

6.15 The decision will be published on Public Access on the Council's website. The Parish/Town Council and any neighbours to the site will also be informed of the decision. Decision letters for planning appeals will be issued by the Planning Inspectorate and published online once received by the Council.

## **Planning Appeals**

6.16 Planning applications may be subject to appeal by the applicant if refused, against conditions imposed on an approval or on grounds of 'non-determination' after the statutory determination period has passed. Planning appeals are processed by the Planning Inspectorate and may be determined through a process of written representations, informal public hearing or through a public inquiry. In each case the process may differ and in some cases the Planning Inspectorate request that the Council notifies interested parties upon registration of the appeal and further comments on that appeal may be invited.

6.17 More information on planning appeals can be found on the Council's website: <http://www.eastsuffolk.gov.uk/planning/planning-applications/planning-decision-appeals/>

## 7. Community Engagement and Masterplans

- 7.1 The Council encourages applicants to undertake early consultation and engagement with Planning Officers and the local community to make the planning process as efficient as possible and achieve the best results for everyone involved and a high-quality development.
- 7.2 Large scale development schemes often involve wider issues within the planning process. This includes infrastructure requirements to accommodate the development and greater landscape and ecological impacts. There may also be additional criteria established in policies that the development will have to meet in order to be approved, such as Garden City principles. Significant development has more potential to have significant impacts compared to small-scale development. Early discussion with Planning Officers can provide applicants with more detailed understanding of these impacts in order to provide mitigation as part of their proposal.

### Community Engagement

- 7.3 Where community engagement is used to support a planning application then the following principles should be employed.
- 7.4 The running of the community engagement will be the responsibility of the applicant. The amount and duration of any consultation should be proportionate to the scale of the development being consulted on. For most proposals, a minimum 4-week consultation will be accepted. However, it is expected that the applicant will have discussions with Planning Officers to determine the appropriate scale and duration of consultations based on the development being proposed. Officers will consider proposals on a case-by-case basis.
- 7.5 Community consultation could involve questionnaires, public information events and exhibitions as well as any other methods considered appropriate.
- 7.6 The community engagement process is expected to actively identify and engage stakeholder groups. From the local community this will involve town/parish councils and neighbourhood planning groups as well as other interested groups. Representatives of public bodies should be involved such as district and county councillors; district and county council officers; police and fire services etc. Those with a private interest should also be engaged which may include utilities and infrastructure

providers; landowners; developers etc. A list of specific and general consultation bodies can be found in Appendix 1.

- 7.7 The process should facilitate an exchange of views and ideas and should avoid tokenism. It should support input from different sections of the public and engagement should allow for views to be fed in via a range of means (e.g. public events, focus groups, postal feedback, online submissions, social media feedback etc.).
- 7.8 Different options for a masterplan should be tested through the process. A single round of consultation on plans is not considered to be ongoing engagement.
- 7.9 At the planning application stage, the application must demonstrate how this process has informed the design and delivery framework of the proposed development.
- 7.10 Local communities can also help shape development in their areas through the recently introduced 'Beauty In My Back-Yard' (BIMBY) process. This involves the coordination of three consecutive workshops conducted with the local community to bring together local knowledge, identify suitable and unsuitable areas for housing and identify what new buildings should look like. This leads to the creation of a BIMBY Housing Manual, outlining the types of housing development local communities wish to see. This manual can be used through a variety of means, either through adoption in the Local Plan or Neighbourhood Plan, or it can be used by the community to comment on individual planning applications. More information on the BIMBY process can be found at <https://bimby.org.uk/>.
- 7.11 Where ongoing engagement is required then it is expected that this process will continue into the delivery stage of the development and consideration is given to ongoing management of the development once the development is complete.

## Masterplans

- 7.12 Some major development schemes could involve the development of hundreds or potentially thousands of homes on a site that will have to be delivered in phases over a number of years, or may be smaller but involve complex delivery considerations. The scale and nature of these developments therefore provides additional challenges. The potential impacts of these developments may require the production and engagement on a detailed masterplan prior to the submission of a planning application or as part of the pre-application process. In most circumstances, sites requiring masterplanning will

be carried out through engagement with both the Planning Policy Team and Major Sites and Infrastructure Team.

**7.13** Masterplans set out the vision and implementation strategy for the developments they cover and can be created at various scales and levels of detail. These masterplans will cover aspects of the relevant scheme such as the phasing of development, land-use distribution and infrastructure delivery, and will cover the entire development site if practicable. The development of these masterplans will benefit from a collaborative approach and include ongoing engagement with Planning Officers, consultees and the wider community through public events on consultation as outlined above. Effective collaboration through this process can be facilitated through a Planning Performance Agreement, alternatively the process may lead to the production of a Supplementary Planning Document or the integration of a masterplan into a Neighbourhood Plan.

**7.14** Where local plan policies require preparation of a masterplan, the masterplan should include as a minimum:

- Vision Statement
- Site and Context Appraisal
- Policy Review
- Feasibility Appraisals
- Planning and Design Principles
- Design Concepts and Proposals
- Details of the proposed development process or delivery strategy
- Statement as to how community involvement has informed the masterplan development

## 8. Planning Support for Communities

### RTPI Planning Aid

- 8.1 The Royal Town Planning Institute (RTPI) offers advice and support to individuals and communities who wish to become more engaged with the planning system and more involved in local planning
- 8.2 The service is delivered by RTPI members and is funded by the Institute. It provides web resources and email advice as well as training on planning matters, including engagement and workshops. The service does not provide advice on issues outside of planning such as building regulations and valuation work.
- 8.3 Planning Aid can be contacted by the following:
- Email: [info@planningaid.rtpi.org.uk](mailto:info@planningaid.rtpi.org.uk)
  - Phone: 020 7929 8338
  - Postal address: Planning Aid England, RTPI, 41 Botolph Lane, London EC3R 8DL
- 8.4 Planning Aid do not provide planning advice over the telephone or through the email address listed above. All enquiries should go through the email advice service found via the following link: <https://planningaid.zendesk.com/hc/en-us/requests/new>
- 8.5 More information on Planning Aid can be found on the RTPI website: <https://www.rtpi.org.uk/planning-aid/about-planning-aid/>

### Locality

- 8.6 Locality organise the support and funding offered to Neighbourhood Planning groups on behalf of the Ministry for Housing, Communities and Local Government. This includes grant funding for the development of Neighbourhood Plans. There is additional funding available for Neighbourhood Plans that meet certain eligibility criteria, such as plans that allocate land for affordable housing. Grant funding is also available for Neighbourhood Development Orders.
- 8.7 Locality also offer technical support and work packages to assist groups with the development of their Neighbourhood Plans and Neighbourhood Development Orders. This can include assistance with the development of Housing Needs Assessments, Environmental Impact Assessments, and Habitats Regulations Assessments. As well as technical support, Locality also have various guides and toolkits available on their

website to assist Neighbourhood Planning Groups with the development of their plans and/or orders.

- 8.8 Further information on the support offered by Locality can be found on their website: <https://neighbourhoodplanning.org/>

## Appendix 1 - Consultation Bodies

### Specific/statutory consultation bodies

**In accordance with government regulations the following specific/statutory consultation bodies must be consulted where the Council considers that they may have a statutory interest in the subject of the proposed planning document/application. They may also be consulted on a non-statutory basis. These may include:**

- Canal and River Trust
- The Coal Authority
- Control of Major Accident Hazards
- Crown Estates
- Department of Energy and Climate Change
- Environment Agency
- Garden History Society
- Forestry Commission
- Historic England
- Lead Local Flood Authority
- Marine Management Organisation
- Natural England
- Network Rail
- The Relevant County Highway Authority
- Highways England
- Norfolk County Council
- Suffolk County Council
- Parish and Town Councils and Parish Meetings within and adjoining the East Suffolk area
- Suffolk Constabulary
- Norfolk Constabulary
- Adjoining local planning authorities – The Broads Authority,
- Mid Suffolk District Council,
- Babergh District Council, South
- Norfolk District Council, Great
- Yarmouth Borough Council,
- Ipswich Borough Council
- NHS Great Yarmouth and Waveney Clinical Commissioning Group
- NHS Ipswich and East Suffolk Clinical Commissioning Group
- Suffolk and North East Essex Sustainability and Transformation Partnership
- Norfolk and Waveney Sustainability and Transformation Partnership
- Anglian Water
- Essex and Suffolk Water
- Sport England
- Theatres Trust
- Homes England
- Electronic communication companies who own or control apparatus in the East Suffolk area
- Relevant gas and electricity companies

## General consultation bodies

**In accordance with government regulations the following general consultation bodies must be consulted where the Council consider it appropriate, these may include:**

- Voluntary bodies some or all of whose activities benefit any part of the District
- Bodies which represent the interests of different racial, ethnic or national groups in the District
- Bodies which represent the interests of different religious groups in the District
- Bodies which represent the interests of disabled persons in the District
- Bodies which represent the interests of persons carrying on business in the District

## Duty to co-operate

**The Localism Act 2011 introduced a Duty to Co-operate, which is designed to ensure that local planning authorities, county councils and prescribed public bodies work together constructively, actively and on an ongoing basis on strategic cross boundary matters.**

The authorities and agencies that the Council will co-operate with are specified in Regulation 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended by the National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Savings Provisions) Order 2013. The following bodies are designated as Duty to Co-operate stakeholders (*please note this list is not exhaustive*):

### **Neighbouring Local Authorities and County Councils:**

- The Broads Authority
- Great Yarmouth Borough Council
- Ipswich Borough Council
- Mid Suffolk District Council
- Babergh District Council
- West Suffolk Council
- South Norfolk District Council
- Suffolk County Council, including relevant departments including Minerals and Waste, Archaeology and Area of Outstanding Natural Beauty team amongst others.
- Norfolk County Council

### **Other public bodies and infrastructure providers:**

- Environment Agency
- Historic England
- Natural England
- Civil Aviation Authority
- Homes England
- NHS Commissioning Board
- The Office of Rail Regulation
- Integrated Transport Authorities
- Highways England
- Marine Management Organisation
- New Anglia Local Enterprise Partnership
- Wild Anglia Local Nature Partnership

## Appendix 2 - Material and non-material considerations

*The following list provides some examples of material and non-material considerations; however this is not an exhaustive list.*

### Material considerations

#### Can be taken into account

- ✓ The Development Plan – including the Local Plan and any relevant Neighbourhood Plan
- ✓ National policies
- ✓ Planning history and previous appeal decisions
- ✓ Case Law
- ✓ Impact on sunlight, outlook, privacy and residential amenity
- ✓ Highways capacity and safety
- ✓ Affordable Housing
- ✓ Fear of Crime (section 17)
- ✓ Effects on the Local Economy
- ✓ Some local finance considerations including the effect of developer contributions as mitigation or benefits
- ✓ Layout, Density, Design/Appearance, Character
- ✓ Effect on Heritage Assets
- ✓ Biodiversity, protected species and habitats
- ✓ Effects on landscapes, seascapes and townscapes
- ✓ Noise, smell or other disturbances
- ✓ Cumulative impact – Positive and Negative Impacts
- ✓ Permitted Development
- ✓ Protected Trees
- ✓ Some personal circumstances, e.g the need for an agricultural worker to live on site.

### Non-material considerations

#### Cannot be taken into account

- X Issues considered under Building Regulations
- X Land/boundary disputes
- X Rights of access – though this may influence conditions imposed
- X Opposition to business competition
- X Loss of property value
- X Loss of private view (this does not include 'outlook')
- X Moral Objection
- X History of the applicant and in some cases their personal circumstances
- X Some matters covered by other legislation (e.g. Right to Build)
- X Restrictive covenants

- x Opposition to the principle of a development if permission has been granted by an outline application or appeal decision
- x Factual misrepresentation of the proposal
- x Some local finance considerations



Email us 

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planning@eastsoffolk.gov.uk

Call us 

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03330 162 000

Write to us 

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This document is available in alternative formats and in different languages on request. If you need support or assistance to help you read and/or understand this document, please contact the Council using one of the methods above.

[www.eastsuffolk.gov.uk/planning](http://www.eastsuffolk.gov.uk/planning)