

Breckland Statement of Community Involvement 2013		
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## 1 Foreword

We know that the planning functions that the Council carries out are very important to the community of Breckland and appreciate that many people feel very strongly about planning issues. Whilst plans and planning applications have the potential to benefit the community, we are aware that some can give rise to a range of diverse opinions.

The Council believes that consultation on our planning documents and on planning applications is essential. We want to make it easier for you to be more involved in shaping plans and influencing planning decisions in Breckland in a way that is as fair, transparent and inclusive as possible.

We want to hear what all parts of the community think of proposals put forward by ourselves as the Local Planning Authority, or by a developer or individual, be it a large allocation of land for housing development, or a small householder planning application for a conservatory.

Consultation or engagement is not always about the community saying they support or do not support a particular proposal. Local people are often the best source of information about their local area and better decisions can be made by tapping into this wealth of knowledge.

Councillors have a key role to play in plan-making. Councillors:

- act as a link between planning officers and people in the community and help promote the consultation.
- are decision-makers who discuss the plan and decide whether it is ready for consultation.
- give full consideration to all representations received.

Whilst we cannot guarantee that your comment on an application or planning document will always result in the changes you want, we can guarantee that the Council reads every comment it receives and takes on board what the comment is saying when making decisions. We will explain clearly to you why we have made the decisions we have made.

This Statement of Community Involvement is our commitment to engaging with the community in planning policy and development management. It sets out how we will consult on proposals and who we will consult with. It also sets out what we will do with the comments we receive.

Planning affects everyone in some way, so it is important that local people understand the process fully and are given the opportunity to get involved.

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## 2 Introduction

### What is a Statement of Community Involvement?

**2.1** This Statement of Community Involvement (SCI) is Breckland District Council's formal policy to:

- identify how and when local communities and stakeholders will be involved in the preparation of Breckland's Local Plan.
- Set out the community involvement in the consideration of planning applications, both minor and major<sup>(1)</sup>.

**2.2** The Council's first SCI was adopted in 2006. It was necessary to amend this to accommodate recent changes in planning regulations. Additional amendments were also needed to make sure that the SCI reflected new policy documents that are going to be produced, and also to take advantage of new channels of engagement such as the internet, emails, Facebook etc.

**2.3** An SCI is a requirement of the Planning and Compulsory Purchase Act 2004 (as amended). Section 18 states:

*(1): The local planning authority must prepare a statement of community involvement.*

*(2): The statement of community involvement is a statement of the authority's policy as to the involvement in the exercise of the authority's functions under sections 19, 26 and 28 of this Act and Part 3 of the principal Act of persons who appear to the authority to have an interest in matters relating to development in their area.*

**2.4** The SCI explains what Breckland's policy is regarding how we will consult and involve people and organisations who have an interest in matters relating to the development of their area.

**2.5** The Act intends that once Breckland Council has adopted the SCI we must comply with it in preparing any planning document or when determining any planning application.

### Contact details

**2.6** For more information on the SCI, or about planning documents or planning applications in the Breckland area, please contact us using the details given below:

	Planning Policy	Development Management
Telephone	01362 656 873	
Write	Elizabeth House, Walpole Loke, Dereham, Norfolk, NR19 1EE	
Website	<a href="http://www.breckland.gov.uk/category/department/planning-building-control/planning-policy">http://www.breckland.gov.uk/category/department/planning-building-control/planning-policy</a>	<a href="http://www.breckland.gov.uk/content/planning-0">http://www.breckland.gov.uk/content/planning-0</a>
E - mail	<a href="mailto:planning.policyteam@breckland.gov.uk">planning.policyteam@breckland.gov.uk</a>	<a href="mailto:planning@breckland.gov.uk">planning@breckland.gov.uk</a>

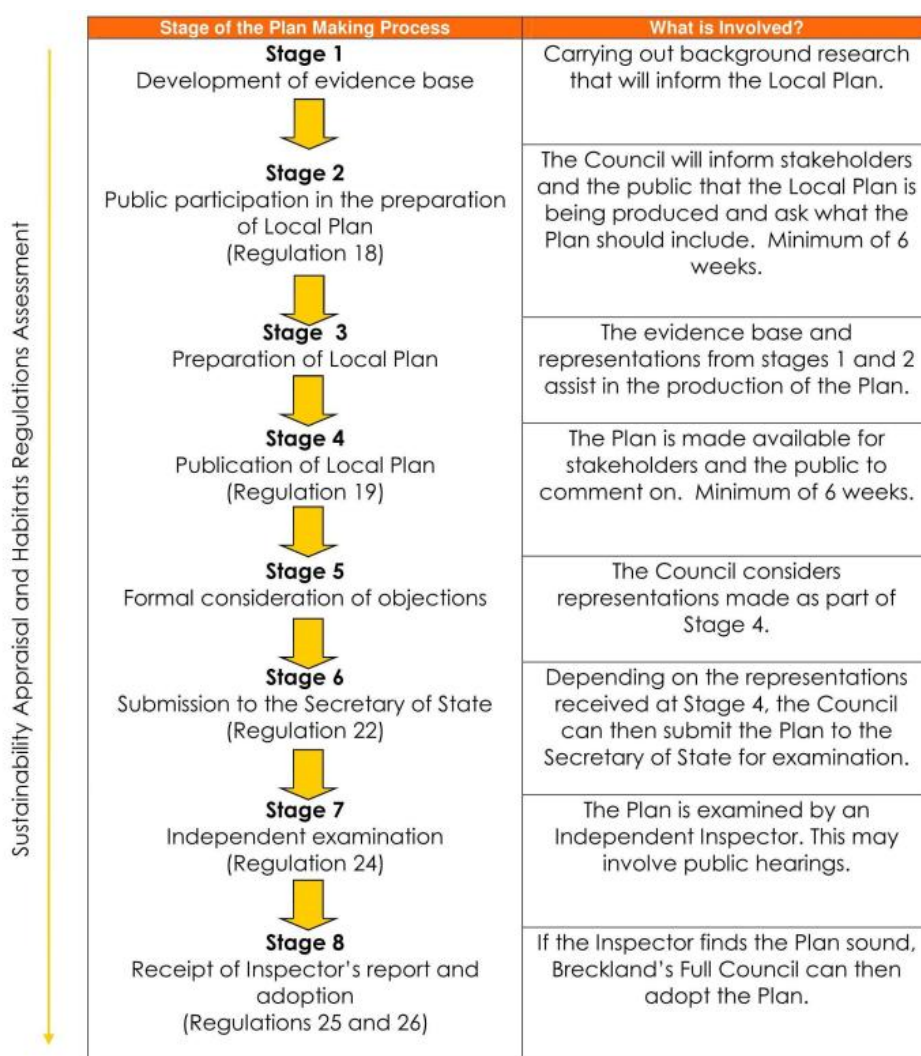
**Table 2.1 Contact details for planning policy and development management.**

1 Major Development is defined by the Government as Residential development comprising 10 or more dwellings, or a site area of 0.5 hectares and other uses where the proposed floor space exceeds 1000m<sup>2</sup> or the site area exceeds 1 hectare'.

## 3 Involving the Community in Planning Policy

### The Local Plan Process

**3.1** Over the next few years the Council will be developing a district-wide Local Plan which will shape the future use of land and buildings in the District. The Plan will determine how many new houses can be built and where employment land should be located. The process is summarised in Figure 3.1 'The Local Plan Process'. Stages 2 and 4 involve public consultation. The public are able to be involved in stage 7 and attend and speak at hearings if they have made comments at Stage 4 and wish to attend the hearings. This is the minimum required by the regulations, although the Council can carry out additional consultations if there is a need to.



These Regulations referred to above are from the 'The Town and Country Planning (Local Planning) (England) Regulations 2012' that came into force on 6th April 2012.

**Figure 3.1 The Local Plan Process**

**3.2** A Local Development Scheme has been prepared which sets out the timetable for the preparation of the Local Plan documents. This can be viewed on the Council's website.

## The Local Plan - Relationship to Other Documents.

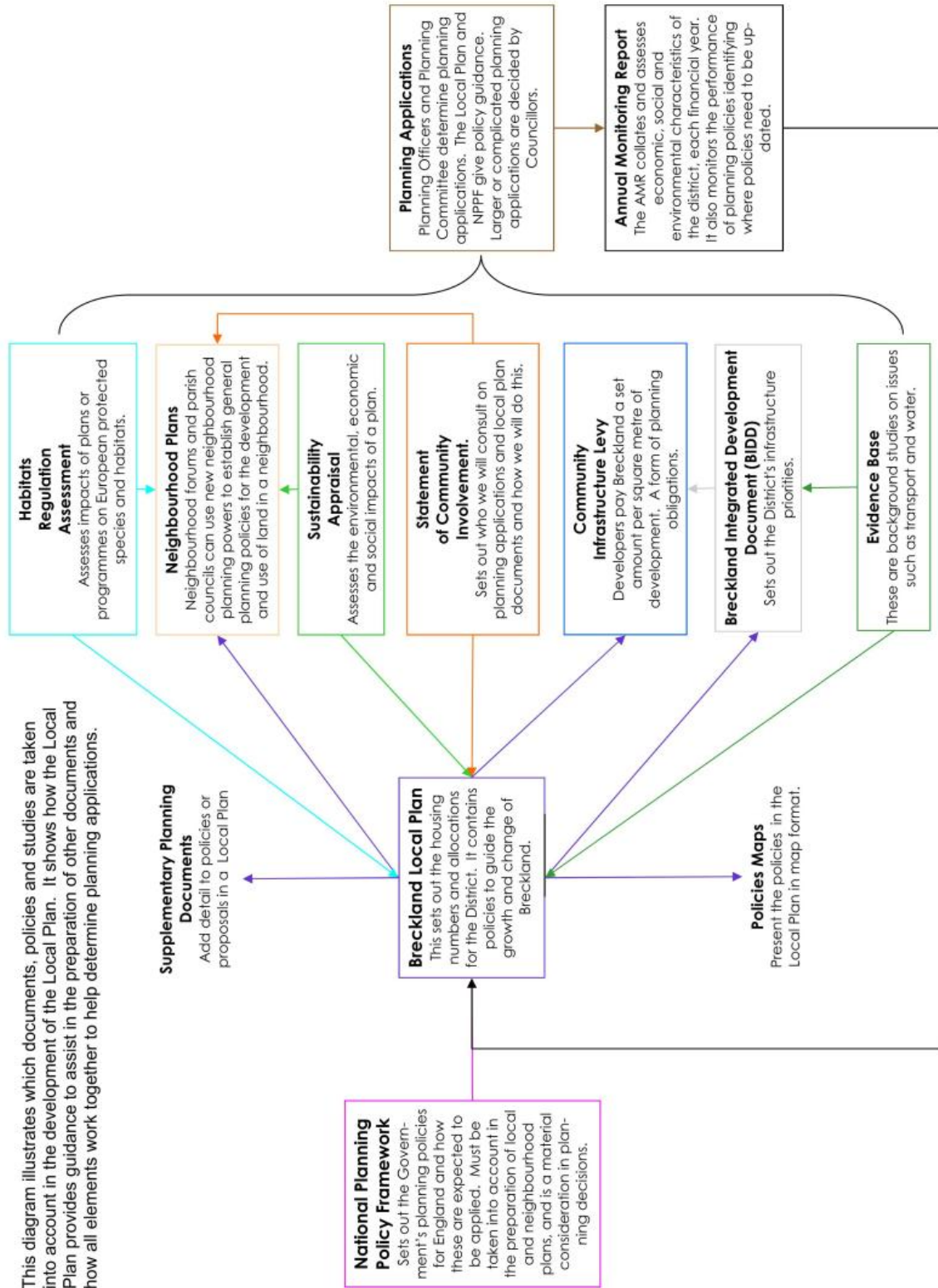


Figure 3.2 The Local Plan and its Relationship with Other Documents

## Sustainability Appraisal (SA)

**3.3** A Sustainability Assessment (SA) (incorporating a Strategic Environmental Assessment (SEA<sup>(2)</sup>) must be undertaken as part of the Local Plan and Supplementary Planning Document (SPD) process. The purpose of the SA process is to assess the social, environmental and economic effects of a plan. In doing so it will help ensure that decisions are made that contribute to achieving sustainable development. These documents are prepared in parallel to the Local Plan and SPD and continuously inform and shape the Local Plan policies.

**3.4** The first stage of the SA is the production of a Scoping Report. The purpose of the Scoping Report is to identify, through consultation, literature and data review, the key sustainability issues for the area. It is a requirement that the Environment Agency, Natural England and English Heritage are consulted at this stage.

**3.5** Following the Scoping Report, subsequent versions of the SA are produced to accompany each stage of the Plan making process. The SA assesses the policies and proposals within the Plan with the aim of recommending improvements. The SA is published alongside the document and is open to comment, just like the planning document itself.

## Community Infrastructure Levy (CIL)

**3.6** The Community Infrastructure Levy (the levy) allows local authorities in England and Wales to raise funds from developers undertaking new building projects in their area. The money can be used to fund a wide range of infrastructure that is needed as a result of development. This includes new or safer road schemes, flood defences, schools, hospitals and other health and social care facilities, park improvements, green spaces and leisure centres. The rate is charged per square metre. The regulations which apply to the production of CIL are the The Community Infrastructure Levy (Amendment) Regulations 2012.

**3.7** The first stage of consultation on the CIL is on the Preliminary Draft Charging Schedule. This consultation will last 6 weeks.

**3.8** The next stage is publication of the Draft Charging Schedule. We will publish the draft schedule and the appropriate available evidence on infrastructure costs, other funding sources and economic viability. This consultation will also last at least 6 weeks (longer if the issues under consideration are particularly complex). Any person may make representations about a Draft Charging Schedule and that person must be heard before the examiner at the Community Infrastructure Levy examination, if they have requested to be heard and the request has been made as set out in regulation 21.

**3.9** If the Council makes any large changes to the Draft Charging Schedule following the publications period, we have to produce a 'statement of modifications' which is then advertised for a four week period. During that time, requests can be made to be heard on the modifications.

**3.10** A Charging Schedule must be examined in public by an independent person (usually a Planning Inspector) appointed by the Council. Any person requesting to be heard at the examination must be heard in public. The format for the levy's examination hearings will be similar to those for the Local Plan and the independent examiner may determine the examination procedures and set time limits for those wishing to be heard to ensure that the examination is conducted in an efficient and effective manner.

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2 The SEA is an European Union Directive that has been made into UK law as the Environmental Assessment of Plans & Programmes Regulations 2004. This requires Local Authorities to consider the environmental impacts of the plan. The SA that is required to accompany planning documents is broader and requires us to consider environmental, social and economic impacts.

## Supplementary Planning Documents (SPD)

**3.11** SPDs can take the form of Design Briefs, Masterplans, Codes of Practice or other issue-based documents which add detail to policies or proposals in a Local Plan. These documents will also be prepared with the involvement of the community. This will involve a consultation period of at least 4 weeks. They are not subject to independent examination, but are adopted by agreement of Full Council. The need for a SPD to be prepared will be determined during the Plan process.

## Other Documents

**3.12** Supporting Evidence Base, the Breckland Integrated Delivery Document, Habitats Regulations Assessment and Annual Monitoring Report are placed on the website but are not subject to public consultation. If anyone wishes to comment on these documents, they can email or write in and the Council will respond accordingly.

**3.13** Neighbourhood Plans are addressed at section About Neighbourhood Planning.

## Duty to Co-operate

**3.14** New legislation (Localism Act, section 110) sets out a new 'duty to co-operate' requirement which applies to all Local Planning Authorities, National Park Authorities and County Councils in England and to a number of other public bodies. The new duty requires that councils and public bodies 'engage constructively, actively and on an ongoing basis' to develop strategic policies and requires councils to consider joint approaches to plan making.

**3.15** The National Planning Policy Framework (NPPF) defines issues that require cooperation as:

- The homes and jobs needed in the area;
- The provision of retail, leisure and other commercial development;
- The provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and the provision of minerals and energy (including heat);
- The provision of health, security, community and cultural infrastructure and other local facilities; and
- Climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.

**3.16** The organisations that have statutory Duty to Cooperate <sup>(3)</sup> are set in the following table:

Environment Agency	The Civil Aviation Authority	The Homes and Communities Agency
English Heritage	Natural England	New Anglia (Local Enterprise Partnership)
The Office of Rail Regulation	Norfolk County Council (Highways Authority)	Primary Care Trust <sup>(4)</sup>

**Table 3.1 Duty to Cooperate Bodies**

3 As set out at Regulation 4 of the The Town and Country Planning (Local Planning) (England) Regulations 2012. Please note that the regulations also refer to the Mayor of London, Transport for London and Marine Management Organisation, but these are not relevant to Breckland District.

4 The Health and Social Care Act 2012 abolishes Strategic Health Authorities and other health bodies such as Primary Care Trusts. The Government will shortly amend the Local Planning Regulations 2012 to reflect the newly established bodies, the clinical commissioning groups and the National Health Service Commissioning Board

**3.17** Breckland Council will ensure it 'engages constructively, actively and on an ongoing basis' with relevant organisations and publicise such activities in a clear and open manner.

### **Methods of consultation and engagement**

**3.18** We will ensure all consultations are well advertised. Depending on the consultation stage, we will use the following techniques, as appropriate:

- Advertise and promote consultations on the Council's website.
- Send E-mails or letters to relevant parties who have requested to be on our database.
- Place posters on notice boards and at public venues at appropriate locations.
- Ask Town and Parish Councils and Councillors for their assistance in promoting consultations.
- Promote consultations in the local press or community magazines using adverts or press releases.
- Use social media and information technology: recently the Council has increased its use of social networking sites, such as Facebook and Twitter, to communicate with residents.

**3.19** The methods of consultation will depend on the type of document being consulted upon. We will consult you in the following ways, as appropriate.

- The Breckland on-line Consultation Portal is an on-line computer software package which allows people to comment on the planning document. It is our preferred method for receiving comments.
- We may present to certain groups or organisations (such as business forums or at school assemblies).
- In working with Town and Parish Councils we will respond constructively and positively to requests to attend Parish meetings, particularly where they can be grouped or where there is a recognised policy issue of local significance.
- We may hold open days at accessible locations (usually in the centre of towns) and at times when we think that most people will be able to come along (usually from morning to evening). Information is presented on boards at the venue and officers are present to assist with queries.
- Printed documents will be placed in public venues around the District, for example the libraries and the Council's contact centres in the towns.
- We can print copies of the plan for individuals, but we may have to charge a fee in order to cover costs.
- We may deliver leaflets that summarise the consultation to most homes in an area at certain stages of the plan making process. People can then drop off completed forms at set drop off points around the town.
- Electronic versions will be placed on the Council's website for you to download.
- We will accept email responses and letters.
- We may also hold public meetings.
- Un-staffed displays may be used. For example summary posters could be put up in accessible areas.
- Questionnaires can be used, either printed or online.
- We can translate parts of documents or summary leaflets into other languages on request as well as provide versions in braille or large print if needed.

**3.20** It is important to note that consultations are held for a set period of time. We will make sure that the deadline date and time is well publicised. Any responses must be sent to us before the deadline. Late responses are retained on file but are unlikely to influence the document. At the formal stages of publication of a Local Plan, late representations will not be considered to be 'duly made'.

### **Who will be consulted**

**3.21** Consultees are grouped into three categories:



- **Specific Consultees:** these are the organisations we must consult to comply with planning regulations. We have also included the Local Enterprise Partnership (New Anglia) and the Local Biodiversity Partnership (Wild Anglia) as Specific Consultees.
- **General Consultees:** these are additional organisations that we think are relevant to the consultation. They may be national or local bodies.
- **Local Consultees:** these organisations are local to an area or town and we want to hear their views

**3.22** Appendix A lists the organisations that will be consulted and which group they fall into.

**3.23** The Council recognises that some groups are harder to engage with than others. These 'hard-to-engage' groups include people whose first language is not English, people with disabilities, young people, older people and gypsies, travellers and travelling show people. Such groups may not be engaged by, or may be unable or generally unwilling to engage in traditional consultation methods. The following table sets out how we will consult 'hard-to-engage' groups.

'Hard to Engage' Group	How we will consult these groups
Young people	Depending on the stage of the plan making process and depending on the type of document and content, we may attend school assemblies, produce consultations aimed at school-aged people and leave displays at young people venues. Schools are also a Local Consultee. We will also engage with the Breckland Youth Council (if applicable).
People with English not as their first language	Again, depending on the stage of the process as well as the content of the document, we may put posters in venues frequently used by these members of the community and we may translate parts of documents or summary posters and questionnaires.
People with disabilities	We will ensure that the open days or public meetings are held in accessible venues. Our General Consultees include Disabled Persons Transport Advisory Committee and LINK - UP - Breckland's talking newspaper. Consultation material can also be provided in large print and braille.
Gypsies, travellers and travelling show people	Our General Consultees include The National Federation of Gypsy Liaison Groups, The Showmen's Guild of Great Britain and Gypsy Roma Traveller Achievement Service. The Housing Team of Breckland Council are also engaged in the production of planning documents.
Elderly people	We ensure the open days or public meetings are held in accessible venues. One of our General Consultees is Age UK.

**Table 3.2 How we will consult the 'hard to engage' groups of society**

### Consulting on different stages of different plans - who and how?

**3.24** Different consultation methods may be more suitable at different stages of the Plan making process. Please note that the methods of consultation used will depend on the type of document being consulted upon at the time.

**3.25** There are regulations that the Council must follow. They set out when to consult, how long to consult for and who to consult with for the different documents discussed in the following table.

**3.26** When we consult we will try to avoid school holiday time although if we have to consult over holiday periods as a last resort, we will consider extending the consultation period beyond the minimum required.

**3.27** Our preference is to use email when notifying people of consultations, as well as receiving comments in an electronic format. This will save cost and time associated with postage. We will of course use letters if required and are happy to receive comments by post, although submitting comments on-line could be more convenient and save you time. The following table sets out the consultation process for different documents:

Document	Stage of Production	Length of Consultation	Who and How?
Sustainability Appraisal Scoping Report <sup>(5)</sup>	Before plans are progressed (Regulation 12)	5 weeks	We must consult the Environment Agency, Natural England, English Heritage, New Anglia, Wild Anglia and Norfolk County Council. We will write to these consultees directing them to the Scoping Report which will be on the Breckland online Consultation Portal and a PDF version will be on the Planning Policy web pages.
Breckland Local Plan and Sustainability Appraisal <sup>(6)</sup>	Consultation (Regulation 18)	6 weeks	This is the first stage of consulting on a planning document and as such consultation methods will be wide ranging. We will notify those on our consultee database, promote the use of the Breckland on-line consultation portal, place documents on the website, print off documents and put them in public venues <sup>(7)</sup> in towns and hold public events like open days. In working with Town and Parish Councils we will respond constructively and positively to requests to attend Parish meetings, particularly where they can be grouped or where there is a recognised policy issue of local significance. If deemed appropriate, we may produce summary leaflets or surveys, present to specific groups (such as school assemblies) and produce summary posters or un-staffed displays at suitable venues.
	Publication (Regulation 19)	6 weeks	At this stage of consultation, we will notify those on our consultee database, we will promote the use of the Breckland on-line consultation portal, place documents on the website and place printed documents in public venues in towns. We will ask those who respond if they wish to be kept informed of the progress of the document as it is submitted, examined and potentially adopted.
	Submission (Regulation 22)	-	At Submission stage, we must tell Specific and General consultees and those who requested to be kept informed that the Submission documents are available for inspection on the Council's website and at appropriate public venues. We will also put a notice in the local press.
	Examination (Regulation 24)	-	Any consultees 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. We will advertise the date, time, venue and format of the examination on our website and at public venues. The Inspector may also ask someone who has made a representation to provide further information to help his understanding. On receipt of the Inspector's Report, we will place it on the website, place it in public venues in the towns and contact those who asked to be kept informed.

5 The Environmental Assessment of Plans and Programmes Regulations 2004:

<http://www.legislation.gov.uk/uksi/2004/1633/contents/made>

6 The Town and Country Planning (Local Planning) (England) Regulations 2012:

<http://www.legislation.gov.uk/uksi/2012/767/contents/made> and The Environmental Assessment of Plans and Programmes Regulations 2004: <http://www.legislation.gov.uk/uksi/2004/1633/contents/made>

7 Regulation 35 of the 2012 regulations say that documents are made available when 'made available for inspection, at their principal office and at such other places within their area as the local planning authority consider appropriate, during normal office hours'. Breckland Council will therefore place documents in the contact centres and libraries in the Market Towns

Document	Stage of Production	Length of Consultation	Who and How?
	Adoption (Regulation 26)	-	As well as informing the interested parties of adoption, we will place a notice in the local press, write to or e-mail consultees, place information in public venues and also use our website.
Community Infrastructure Levy <sup>(8)</sup>	Preliminary Draft Charging Schedule (Regulation 15)	6 weeks	We will notify those on our consultee database, promote the use of the Breckland on-line consultation portal, place documents on the website and print off documents and put them in public venues in towns. We will also present to local agents and hold a Parish and Town Council meeting.
	Draft Charging Schedule (Regulation 16)	6 weeks	At this stage of the consultation, we will notify those on our consultee database, we will promote the use of the Breckland on-line consultation portal, place documents on the website and place printed documents in public venues in towns. We will also place a notice or advert in the local press. We will ask those who respond if they wish to be kept informed of the progress of the document as it is submitted, examined and potentially adopted.
	Advertising statement of modifications (if required) (Regulation 19 (4)) <sup>(9)</sup>	4 weeks	If we make any significant changes to the Draft Charging Schedule, we must advertise these changes. We will notify those on our consultee database, place electronic documents on the website and printed documents in public venues in towns.
	Submission (Regulation 19 (3))	-	At Submission stage, we must tell those who requested to be kept informed that the Submission documents are available for inspection on the council's website and at appropriate public venues.
	Examination (Regulation 21)	-	Any consultees who 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. We will advertise the date, time, venue and format of the examination on our website and at public venues. The Inspector may also ask someone who has made a representation to provide further information to help his understanding. On receipt of the Inspector's Report, we will place it on the website, place it in public venues in the towns and contact those who asked to be kept informed.
	Approval and publication (Regulation 25)	-	As well as informing the interested parties of adoption, we will place a notice in local press, write to or e-mail consultees on our data base, place information in public venues and also use our website.
Statement of Community Involvement.	Draft SCI	Around 5 weeks.	Whilst there is no need to consult, Breckland Council will consult for just under 5 weeks. We will notify those on our consultee database,

8 The Community Infrastructure Levy Regulations 2010 as amended:

<http://www.legislation.gov.uk/ukxi/2010/948/contents/made>

9 Amended by Regulation 5 of the 2011 amendment

Document	Stage of Production	Length of Consultation	Who and How?
			place documents on the website and printed documents in public venues in towns.
Supplementary Planning Documents <sup>(10)</sup>	Draft SPD (Regulation 12)	4 weeks	We will notify those on our consultee database, place documents on the website, print off documents and put them in public venues in towns and hold public events like open days. If deemed appropriate, we may produce summary leaflets or surveys, present to specific groups (such as school assemblies) and produce summary posters or un-staffed displays at suitable venues.  We will ask those who respond if they wish to be kept informed when it is adopted.
	Adoption (Regulation 14)	-	As well as informing the interested parties of adoption, we will place a notice in the local press, write to or e-mail consultees on our data base, place information in public venues and also use our website.

**Table 3.3 Who we will consult and how at various stages of production of the different planning related documents.**

#### What we do with the comments we receive

**3.28** When you respond to a Planning Policy consultation, your comment will be in the public domain. This helps ensure a transparent planning system.

**3.29** If you respond via the Breckland on-line consultation portal, we will check your comment before making it public. We have to ensure that language used is appropriate for a public audience (i.e. Not offensive or inflammatory).

**3.30** If you respond by email, letter or response form, we will log your response and place the information onto the on-line consultation software to make it publicly available.

**3.31** At the end of the consultation period, we will produce a summary document. In this document we will respond to the representations received and indicate how the comments will be taken forward. We will explain clearly why decisions have been made. This document will be available on the Planning Policy pages of the Council's website. As we need to read, consider and respond to every comment received, this report will be published a little while after the consultation period ends.

**3.32** When the Council submits the Local Plan (or any other planning document) to the Planning Inspectorate to be examined, we have to produce a consultation report. The report shows the comments we received and explains how we have dealt with them and how they have affected the development of local plan policy.

**3.33** We cannot guarantee that your comment will result in changes to the plan you are commenting on. However, we can guarantee that we will read every comment and provide a response saying what, if any, action will be taken.

**3.34** Please note that we will abide by data protection rules and we will ensure that full personal details are not publicly available.

10 The Town and Country Planning (Local Planning) (England) Regulations 2012:  
<http://www.legislation.gov.uk/ukSI/2012/767/regulation/12/made>

## How can people get involved?

**3.35** We advertise our consultations widely in many ways. This gives people the opportunity to respond to the consultation and tell us what they think. You can also write to us asking to be kept informed about a certain planning document. We will log your details and contact you when we consult on that document.

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## 4 Involving the Community at the Planning Application Stage

### Legislative Requirement to Consult

**4.1** As well as consulting on strategic documents Breckland Council also has to consult the community on planning applications. The requirements are set out in the Town and Country Planning (Development Management Procedure) (England) Order 2010.

### Pre-application Discussions

**4.2** The Localism Act 2011 sets out requirements for consultation and the National Planning Policy Framework (NPPF) also encourages applicants to engage in this process. This can provide feedback at an early stage as to whether their application is likely to be acceptable in principle. Officers can also give advice as to the type and level of information required by the Council to enable us to determine their application. We can also let the applicant know which organisations we will be consulting; this will give the applicant an opportunity to contact the organisations beforehand and address any concerns they may have.

**4.3** The Localism Act also aims to require consultation where a proposed development is of a type specified in a Local Development Order (not yet published). Upon publication the Order is likely to require a minimum level of pre-application consultation.

### Pre-application Consultation

**4.4** Developers are encouraged to consult neighbours, the appropriate Parish Council and other local amenity bodies before submitting their application. The Localism Act sets out the requirements for statutory pre-application consultation; the NPPF encourages those not required by law to also undertake community engagement. Developers will then be able to submit a Consultation Statement with their application.

### How to comment on a planning application

**4.5** There is a statutory consultation period of 21 days. Any responses received during this consultation period are uploaded onto the application's folder on the Council's website. A hard copy of the application is available at the main Council offices at Elizabeth House, Walpole Loke, Dereham. A computer is available at these offices to allow access to the Council's web-site.

**4.6** You can comment on a planning application in three different ways:

- i. via the Breckland website
- ii. via email
- iii. via post

**4.7** A consultation letter will be sent to neighbouring properties, Parish/Town Councils (or representatives of the Parish meeting if applicable) and to any other relevant body or organisation. Site notices will also be put up if applicable. Consultation letters and site notices will include details of how to view the application and how to make a comment on the application. As of October 2012, site notices are no longer posted for the majority of applications relating to householder proposals (unless they are a listed building or in a Conservation Area), or for applications relating to advertisement consent. However, should the planning officer consider further notification is required a notice will be posted.

### Who will be consulted and how?

**4.8** Once an application has been submitted, the Council is responsible for managing the consultation, determining who will be consulted and how long they will have to comment. The Council carries out consultation for applications, even those when pre-application advice has been sought to ensure there is no bias.

**4.9** Depending upon the nature and location of the application, the Council may consult various bodies and organisations to receive their views regarding the application. These include the Environment Agency, Anglian Water, Natural England, Norfolk County Council Highways Department, Norfolk Landscape and Archaeology Department, Norfolk Fire Service and others considered pertinent to the proposal. The Council may also consult internal departments for their specialist views. These include Contaminated Land, Environmental Health, Asset Management, the Historic Buildings Consultant, the Tree and Countryside Consultant and the Housing Team. The Parish Council is a statutory consultee and is always consulted.

**4.10** These organisations/departments are consulted via email (or by post if no email address is provided to the Council) with information as to how they can view the application online. Neighbours are consulted by post whilst Parish and Town Councils are sent a copy of the application by post and are sent an email informing them of the consultation period.

**4.11** On occasion, planning applications are revised after they have been submitted, due to concerns raised by case officers or to comments received from consultees or the public. Depending on the significance of the changes, the Council will re-consult with the Parish Council, neighbours and anyone else likely to be affected by the changes made. The usual time for response to amendments is 10 days.

**4.12** Whilst some planning applications might technically be classed as 'minor', they may still have a major impact for a community. The Council will therefore apply some flexibility to the approach included in the following table.

	Major Applications	Minor Applications	Householder Applications
Advertise receipt of application on website	Always	Always	Always
Erection of site notice	Always	Always unless the application seeks advertisement consent	Only if the application relates to a listed building or is in a conservation area
Letters sent to neighbours (via email or in hard copy)	Always (if adjoining neighbours)	Always (if adjoining neighbours)	Always (if adjoining neighbours)
Copy of the application form sent to the local Parish/Town Council/Parish Meeting	Always	Always	Always
Letters sent to statutory and non-statutory consultees	As applicable	As applicable	As applicable
Advert in the EDP	Always	If applicable	Only if the application relates to a listed building, conservation area or public right of way.
Public exhibitions/displays	Dependent upon proposal	Dependent upon proposal	
Press release	Dependent upon circumstances	Dependent upon circumstances	

	Major Applications	Minor Applications	Householder Applications
Application considered at Planning Committee	Always	Occasionally	Occasionally

**Table 4.1 How and when members of the public are consulted.**

#### **What we do with the comments we receive?**

**4.13** All comments received during the consultation period will be acknowledged in writing.

**4.14** The Council displays all comments received regarding an application on its website under the application's reference (although we will not include any inappropriate or offensive comments). These can be accessed by all members of the public.

**4.15** The planning officer responsible for an application which receives comments will take all comments received into consideration when making his/her recommendation. Where appropriate, comments received may result in amendments being made to the proposal and/or adding conditions to the decision notice. In some instances, comments received may result in the refusal of a proposal.

**4.16** Every planning officer will ensure that any comment received is referenced in their final report on the proposal, whether or not further action has been taken as a result of the comment.

**4.17** For each major planning application that goes to Planning Committee, the Development Management Team will provide the relevant Town or Parish Council with a copy of the Officer's report as well as the minutes from the Committee. This will mean that Town and Parish Councils are kept informed of decisions and are able to understand why decisions have been made.

#### **How can people get involved?**

**4.18** Members of the public can get involved during the consultation period, by informing the Council in writing of their views on proposals or by providing any relevant information they feel the Council should know.

**4.19** Applications are also discussed at Parish/Town Council committee meetings. Members of the public may be able to speak at these meetings. However it is advised that the Parish Clerk/Representative is asked for that Parish's protocol in respect of its 'planning meetings'

**4.20** Breckland Council's Planning Committee is also a public meeting and anyone is eligible to register to speak on an application, or turn up on the day to sit and listen.

#### **Publicity for planning applications**

**4.21** Planning applications are published on the Breckland Council website (<http://www.breckland.gov.uk/content/planning-search-0>) and a weekly list of new applications is issued each week to allow the public to stay up-to-date with applications submitted for sites within their local area.

**4.22** All new major applications, some minor applications and certain householder applications are also published weekly in the Eastern Daily Press. This list appears in the Monday edition of the newspaper.

**4.23** Site notices are also used to publicise a planning application. These are erected for all major and minor applications and some householder applications. Site notices are not posted for applications for advertisement consent and for the majority of householder applications.

**4.24** Letters to neighbouring occupiers are also sent notifying them of the application.



## How can I find out about planning applications in my area?

**4.25** The weekly list published on the Council's website shows new applications registered within the district.

**4.26** Site notices are another way to find out about planning applications (other than householder and advertisement consent applications). These are erected on or close to the application site in places accessible to the public from public footpath or highway.

## Speaking at Planning Committee

**4.27** The majority of applications are not required to go before the Planning Committee to be decided because they are of a nature that enables them to be determined by the Council's Planning Manager.

**4.28** For those applications that need to go to Planning Committee, The Planning Committee meeting is held approximately every 4 weeks, usually on a Monday at the Council offices in Dereham.

**4.29** Members of the public, the Parish Council and ward member are eligible to speak at the Planning Committee, either as supporters or objectors and do not need to have provided comments during the initial consultation period. Attendance by the applicant/agent is also encouraged.

**4.30** Each speaker will be given a maximum of 3 minutes. If more than one objector/supporter from a group wishes to speak, then a total of 3 minutes will be allocated to that group. However, it is advised that a group nominate a single spokesperson due to the limited speaking time. The Committee Usher will advise whether there are other interested parties who have requested to speak. A guide to public speaking is included with all acknowledgements of representations.

**4.31** Anyone who wishes to speak regarding an application must register with the Usher no later than 4pm on the Friday before the Committee meeting.

**4.32** It is advised that your speech should be brief and to the point, referring to relevant planning issues. Illustrative material is permitted to clarify issues.

## Sources of planning advice

**4.33** *Planning Aid*: Planning Aid provides free, independent and professional advice to those who are unable to pay professional fees. See 5 'Neighbourhood Planning' for more details.

**4.34** *Planning Portal*: The Planning Portal is the Government's website which offers clear guidance on the planning system in England and Wales. The website also allows you to submit online planning applications to the Council. The website is available to view at [www.planningportal.gov.uk](http://www.planningportal.gov.uk).

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## 5 Neighbourhood Planning

### About Neighbourhood Plans

**5.1** The Localism Act 2011 (as amended) makes provision for communities to prepare their own Neighbourhood Development Plans which can add detail beyond the strategic elements of the District Council's Local Plans. These plans can set planning policies to guide future development in the parish. They must be in conformity with National Policy as well as any Plan that has been adopted by the Local Authority. They are community-led and can be written by Town or Parish Councils, or where there is no Town or Parish Council by a specially-created Neighbourhood Forum.

### The Role of Breckland Council as the Local Planning Authority

**5.2** Whilst the Neighbourhood Plan will be written by the community, the Local Planning Authority (LPA) still has a role to play:

- In order to produce a plan for a neighbourhood area, the Parish or Town Council must apply to the LPA (Breckland) to become a designated Neighbourhood Forum. There will then be a 6 week consultation period on the proposal;
- Once the neighbourhood area is approved, the LPA is legally required to provide support and advice covering such issues as planning matters and advice on the legal requirements for producing a Neighbourhood Plan;
- The LPA is responsible for checking that the submitted Neighbourhood Plan has followed the proper legal process. The LPA is also responsible for publicising the proposed plan and arranging for the independent examination and referendum to take place; and
- If the Neighbourhood Plan is found to be satisfactory, the LPA will arrange for the referendum to take place.
- If more than 50% of the community vote yes to the Neighbourhood Plan being adopted, the LPA will then use it in determining planning applications.

### Neighbourhood Plans - 'cans' and 'cannots'

**5.3** A Neighbourhood Plan can...

- Decide where and what type of development should happen in the neighbourhood;
- Promote more development than is set out in the Local Plan; and
- Include policies, for example regarding design standards, that take precedence over existing policies in the Local Plan for the neighbourhood – provided the Neighbourhood Plan policies do not conflict with the strategic policies in the Local Plan.

**5.4** A Neighbourhood Plan cannot...

- Conflict with the strategic policies in the Local Plan prepared by the LPA;
- Be used to prevent development that is included in the Local Plan; and
- Be prepared by a body other than a Parish or Town Council or a Neighbourhood Forum.

### How the Community is involved in the Process

**5.5** Once a draft Neighbourhood Plan has been prepared a formal round of public consultation is required within the community. This should last for at least 6 weeks. The methods and list of stakeholders included in this Statement of Community Involvement will be useful in assisting communities in carrying out their consultations. Depending on the scale of the Neighbourhood Plan or the complexity of issues, it may be useful if a separate Statement of Community Involvement was prepared. This can be a succinct document, tailored to the local community, setting out who will be consulted, where and when consultation will take place and how the comments made on the Neighbourhood Plan will be dealt with.

**5.6** Depending on the responses from this consultation stage, if the plan progresses, the next step is for it to be examined by an Independent Inspector. The examiner will issue a report that will recommend either that your draft Neighbourhood Plan should proceed to a referendum **or** that your draft Neighbourhood Plan should proceed to a referendum subject to certain amendments **or** that your draft Neighbourhood Plan should not proceed.

**5.7** Assuming that the examiner recommends that your draft Neighbourhood Plan can proceed then your LPA will organise and pay for a referendum. Anybody registered to vote in the area covered by your Neighbourhood Plan will be entitled to vote. A simple majority of votes (over 50% of those voting) in favour of your Neighbourhood Plan is sufficient for it to succeed.

### **More Information**

**5.8** For more information, please go to these useful websites:

- <http://www.planninghelp.org.uk/improve-where-you-live/shape-your-local-area/neighbourhood-plans> (used to inform this section).
  - <http://www.planningportal.gov.uk/inyourarea/neighbourhood/>
  - <http://www.pas.gov.uk/pas/core/page.do?pageId=1802659>
  - <http://www.legislation.gov.uk/ukxi/2012/637/contents/made>
  - <http://www.rtpi.org.uk/planning-aid/neighbourhood-planning/>
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## 6 Planning Help and Advice Available to the Community

### Introduction

**6.1** Planning Aid is a voluntary service linked to the Royal Town Planning Institute (RTPI) which offers free independent professional advice on planning issues. Planning Aid is provided to support community groups and individuals who have limited resources to participate effectively in planning matters.

### What type of service is provided by Planning Aid?

**6.2** The current remit of Planning Aid involves advising community groups in negotiations with the Local Planning Authority and, if necessary, representing the groups at examination. The Government is promoting the expansion of this service.

**6.3** Planning Aid England can help individuals and communities to:

- Understand and take part in the planning system
- Take part in the preparation of plans
- Comment on planning applications
- Apply for planning permission
- Appeal against a decision
- Help individuals represent themselves at appeals or public enquiries

**6.4** Every part of the UK is covered by Planning Aid with each region having its own service. Developers should consider contacting Planning Aid for advice about appropriate engagement techniques. Planning Aid England can be contacted on (0330) 123 9244 or by email [advice@planningaid.rtpi.org.uk](mailto:advice@planningaid.rtpi.org.uk). Further information can be found on the RTPI website [www.rtpi.org.uk/planning-aid/](http://www.rtpi.org.uk/planning-aid/).

**6.5** Information regarding the planning system can also be found on the Government planning portal website [www.planningportal.gov.uk](http://www.planningportal.gov.uk).



## 7 Complaints Procedure

**7.1** A complaint is an expression of dissatisfaction about a service provided by the Council or by a contractor or partner affecting an individual resident or a group of residents, that requires a response.

**7.2** Breckland Council is committed to high standards of customer care, service delivery and performance. If you are unhappy with any service you have received from Breckland Council we want to put things right as quickly as possible. The complaints procedure can be found on Breckland's website: [www.breckland.gov.uk/content/comments-compliments-and-complaints](http://www.breckland.gov.uk/content/comments-compliments-and-complaints) but is summarised below.

**7.3** The following are the categories of complaints that fall within the procedure.

- Failure to consider relevant matters in coming to a decision or implementing it – but not the decision itself.
- Inappropriate attitudes or actions by individual employees or Councillors (but not if the complaint is really about a Council policy or decision).
- Delays in responding, or complaints about the administrative process.
- Failure to provide a service properly or at all – for example, not doing something we either should do or have advised the resident we will do. An example could include not turning up for a pre-arranged meeting.
- Failure to fulfil statutory responsibilities – but not disagreements with those powers or duties.
- Bias or unfair discrimination

**7.4** If you wish to make a complaint, you can do so by using the on-line form, e-mailing us ([complaints@breckland.gov.uk](mailto:complaints@breckland.gov.uk)), calling us (01362 656 870) or writing to The Standards Officer, Breckland Council, Elizabeth House, Walpole Loke, Dereham, Norfolk, NR19 1EE.

**7.5** We will acknowledge receipt of your complaint within 5 working days of receipt. All complaints will be investigated and responded to within 15 working days. Some complaints may take more time to investigate, but we will keep you informed of our actions and the progress we have made.

**7.6** If, after following the procedure as set out on the website, you remain unhappy, you may refer the matter to the Local Government Ombudsman for an independent investigation. The Ombudsman's contact details are:

- Telephone: 0300 061 0614
- Website: [www.lgo.org.uk](http://www.lgo.org.uk)
- Fax: 024 7682 0001
- Write to: Local Government Ombudsman, P.O. Box 4771, Coventry, CV4 0EH

## 8 Reviewing and Monitoring the SCI

### Reviewing and Revising the SCI

**8.1** The SCI will be kept under review and revised where necessary. Revisions would only be made if there are new groups we wish to engage with or the regulations relating to public consultation change.

### Monitoring the SCI and Data Protection

**8.2** Our online consultation portal allows for registered consultees to enter equal opportunities monitoring data when signing up to the system. We may also include an optional monitoring form with the consultation response forms. We will consider doing this depending on the consultation being undertaken.

**8.3** It is important to note that the Council will only ask relevant questions and we only collect this information to monitor the effectiveness of our approach to engaging with the community. We will not pass information or details on to anyone else, nor identify anyone personally.

**8.4** Breckland District Council is registered under the Data Protection Act 1988 for the purpose of processing personal data in the performance of its legitimate business. The information held by the Council will be processed in compliance with the principles set out in the Act.

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## Appendix A Planning Policy Consultees

A.1 The following tables list the stakeholders we consult.

Norfolk County Council	The Highways Agency	Natural England	Homes and Communities Agency
Suffolk County Council	Network Rail	English Heritage	Clinical Commissioning Groups
Neighbouring District Councils	Norfolk Constabulary	The Environment Agency	National Health Service Commissioning Boards
Town and Parish Councils and Parish meetings both within and adjoining Breckland District	Relevant electricity and gas companies UK Power Networks and National Grid	Relevant Telecommunications Companies (BT)	Relevant sewerage and water undertakers (Anglian Water Services)
Coal Authority <sup>(11)</sup>	Local Enterprise Partnership (New Anglia)	Local Nature Partnership (Wild Anglia)	

**Table A.1 Specific Consultees**

Disabled Persons Transport Advisory Committee	Train Operating Companies	Ministry of Defence	The National Trust
Design Council	Forestry Commission	Ancient Monuments Society	Gypsy Roma Traveller Achievement Service
Sport England	The Woodland Trust	LINK - UP - Breckland's Talking News Paper	Equity and Human Rights Commission
Fields in Trust	Renewables East	Airport Operators Association	Mobile Operators Association
British Geological Society	Friends of the Earth	Secretary of State for Transport	Age UK
RSPB	Home Builders Federation	Freight Transport Association	Civil Aviation Authority
Health and Safety Executive	Communities and Local Government	The Crown Estate	The Theatres Trust
The Council for British Archaeology	Healthy Town	NHS Norfolk	Norfolk Rural Community Council
Norfolk Tourism Team	CPRE Norfolk	Norfolk Geodiversity Partnership	Norfolk Local Access Forum
Norfolk Landscape Archaeology	Norfolk Wildlife Trust	Norfolk Fire Service	Norfolk Biodiversity Partnership

11 The Coal Authority has written to us saying that we do not need to consult them anymore as there are no coal resources in Breckland.



Landowners, agents, developers and Housing Associations operating in the area	The National Federation of Gypsy Liaison Groups	Crime Prevention and Architectural Liaison Officer	The Society for the Protection of Ancient Buildings
Norfolk Ambulance Service			

**Table A.2 General Consultees**

Local residents	Civic societies	Schools	Residents associations	Local partnerships
Chambers of Trade	Keystone Development Trust	Local interest groups	Local businesses	Attleborough Community Team

**Table A.3 Local Consultees**

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