

BRECKLAND COUNCIL

**STATEMENT OF COMMUNITY
INVOLVEMENT**

Final Version

July 2022

Foreword

We know that the planning functions that Breckland Council carries out are very important to our communities 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.

We believe that consultation on our planning documents and applications is essential. You can be a part of shaping plans and influencing planning decisions in a way that is as fair, transparent, and inclusive as possible.

This statement is part of a wider commitment made by Breckland Council to create and maintain effective working relationships with all sectors of the community, where everyone should feel that they are listened to and have the opportunity to influence public decision making.

Our aim of engaging with communities in an efficient, effective, and meaningful way both now and in the future is set out in this document. We would encourage you, as residents, stakeholders, Town and Parish Councils, groups and associations representing residents and businesses in the area, to use this Statement of Community Involvement and the protocols set out within it, to hold the Authority to account and ensure that all local people have sufficient opportunities to have their say. Breckland Council recognises that consultation and engagement activities are constantly evolving, and this SCI will be kept under review.



Sarah Suggitt

Executive Member for Strategic and Operational Planning

Sarah.suggitt@breckland.gov.uk

| | | |
|---|---|----|
| 1 | What is a Statement of Community Involvement? | 4 |
| 2 | Who is our Community? | 5 |
| 3 | Planning policy documents | 6 |
| 4 | Involving the Community at the Planning Application Stage | 20 |
| 5 | Reviewing and Monitoring the SCI | 27 |

1 What is a Statement of Community Involvement?

- 1.1 The Statement of Community Involvement (SCI) is a document which sets out how and when Breckland Council as the Local Planning Authority (LPA) will engage with, and consult with, local communities, local businesses and other interested parties on planning policy documents and planning applications.
- 1.2 The LPA is required to produce an SCI under Section 18 (Part 1) of the Planning and Compulsory Purchase Act 2004¹ The National Planning Policy Framework (NPPF) (2021) states that Plans should:

“be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees” (Paragraph 16c)

Planning Reforms

- 1.3 In August 2020 the Government published a White Paper ‘Planning for the Future’ for consultation which would, if enacted into legislation, have a very significant effect on the process, content, and timetable for making local plans. In the context of the White Paper and need for Breckland Council to carry out its current statutory duties as efficiently and effectively as possible the detailed work programme will be drawn up in such a way as to be appropriate under the present or proposed plan making regimes. Breckland Council will keep abreast of legislative developments and keep residents and other stakeholders informed of the details and implications of changes as they arise.
- 1.4 The White Paper particularly advances the case to:
- “move the democracy forward in the planning process and give neighbourhoods and communities an earlier and more meaningful voice in the future of their area as plans are made, harnessing digital technology to make it much easier to access and understand information about specific planning proposals. More engagement should take place at the Local Plan phase” (paragraph 1.12).*
- 1.5 The timetable for the production of the Breckland new Local Plan as set out in the Local Development Scheme being published concurrently with this SCI will be subject to change should the Government’s proposals, set out in the White Paper, be translated into law, new national policy, and practice guidance. Breckland Council can make early and effective progress with this initial stage without wasting resources or time. Similarly, the SCI will be reviewed, consulted upon, and updated as required following any relevant changes to the planning legislation.
- 1.6 Breckland Council is keen to involve local people in the planning process since the decisions we make in planning have the potential to impact upon local people and the places they live and work. Breckland Council will be open and honest in the way which we work and make decisions and we will respond to people’s needs in a fair and consistent way.

¹ <https://www.legislation.gov.uk/ukpga/2004/5/section/18>

2 Who is our Community?

- 2.1 Our 'community' includes all the individuals, groups and organisations that live, work, or operate within the District. We recognise that the different groups that make up our community have different needs and expectations. They also have their own desires, capabilities, and capacity to get involved. This SCI sets out to maximize the opportunities for everyone in the community to be involved and their voices heard.

| | |
|---------------------------|---|
| Local Communities | The interests of local communities and individuals are represented by county, district, parish and town councils and local councillors, all have the capability to be involved both individually and through their respective Councils. Specific interests can be represented by amenity or interest groups. The community is made up of individuals of all ages and who have the ability and those who find it harder to be involved. |
| Statutory Stakeholders | There are certain groups that we are required to involve. These include Historic England, Environment Agency, Highways England, Natural England, Norfolk County Council, and parish/town councils. |
| Service Providers | Service providers include local health trusts/clinical commissioning groups, schools, utility and transport providers, emergency services, community development organisations and others. All of these can be easily identified and have the capacity to be involved in the Local Plan process. However, we will seek to involve them only when it is relevant for them. |
| Developers And Landowners | Developers are already involved in the planning system and will seek to be involved. Most can be easily identified from previous involvement and have the capability to be involved. Landowners will be keen to understand and consider the implications of any policies/ decisions in order to protect their rights to develop or protect their land and its value. Both groups will be supported in being more actively involved in the Local Plan. |
| Business Sector | Local businesses range in size from the self-employed and small businesses to larger organisations. Their capacity to be involved also varies. Larger organisations may have the capacity to get more actively involved, whilst smaller organisations may need support in understanding the planning system, how it relates to them and how they can get involved. |

| | |
|----------------|--|
| Other Agencies | Other organisations can provide valuable views regarding specific development plans. These organisations are easy to identify and generally have the capacity to be involved. Some may need support in understanding the Local Plan process and how it relates to their operations, so they are able to contribute effectively |
|----------------|--|

2.2 The LPA is committed to involving communities and other stakeholders in the planning process. The LPA will:

- Engage in a timely, and appropriate way with stakeholders, ensuring people are invited to engage with planning policy and development management before major decisions have been made.
- Use a variety of methods to inform and engage communities in the planning process. The LPA understands that people with different needs and interests require different approaches for full inclusion.
- Continue to explore new and innovative ways to engage with a wider range of people, especially focusing on electronic communication and inclusive technology and other suitable methods.
- Avoid using jargon and strive to communicate in the clearest and simplest way possible.
- Ensure public involvement is appropriate to the scale and nature of the planning issue being addressed in line with the resources available.
- Treat participants with respect and ensure the safety and wellbeing of participants by taking account of the safeguarding frameworks, confidentiality, and data protection guidelines; and
- Keep under continual review the suitability and effectiveness of our methods of engagement and make changes where necessary.

2.3 **It should be noted that comments do not remain confidential. Personal privacy will be protected, and no identifiable personal data will be published. It is the LPA’s policy to make comments public both as part of the planning application and planning policy consultation processes. Comments may also be made public during a public inquiry or examination of a document.**

3 Planning policy documents

3.1 The Planning and Compulsory Purchase Act (2004) (as amended) requires local planning authorities to prepare a statutory development plan that will guide future development within their area. Development plans are comprised of several documents.

- 3.2 The legal requirements for consultation and community involvement in plan making are set by the Government in legislation including The Planning and Compulsory Purchase Act (2004) (as amended), the Neighbourhood Planning Act (2017) and The Town and Country Planning (Local Planning) (England) Regulations (2012) (as amended). This legislation sets out the procedure to be followed by local planning authorities in relation to the preparation of local plans and supplementary planning documents including who is to be consulted and which documents must be made available at each stage of the process. However, the legislative requirements do not specify how communities or stakeholders should be involved and accordingly Breckland Council has flexibility as to how it undertakes engagement. Furthermore, the scale and extent of consultation may vary depending on the subject of the planning document. This section of the SCI sets out how Breckland Council will meet these legal requirements.

Local Plans

- 3.3 The Local Plan sets out the vision and core policies for the future development of a district. Over the next few years, Breckland Council will be reviewing the district-wide Local Plan which will set out the policies and proposals for the development, conservation and use of land and buildings in the District. Accompanying the Local Plan will be a Sustainability Appraisal (SA) and a Habitats Regulation Assessment (HRA). The SA will make sure that social, economic, and environmental considerations are fully considered at every stage of preparation for each development plan document. The HRA will determine if policies would have any significant effects on internationally important nature conservation sites and, if so, suggest ways in which the impacts could be mitigated. When a local plan is published to allow comments to be submitted the SA and HRA will be published for comments at the same time.

Neighbourhood Plans

- 3.4 The Localism Act 2011 introduced the idea of Neighbourhood Planning, which includes the ability for a Town or Parish Council to decide whether to prepare their own Neighbourhood (Development) Plan. This Plan is more detailed than a Local Plan; but like the Local Plan, it contains planning policies and allocations to guide future development and the use of land. However, they will only operate within the agreed designated Neighbourhood Area. This is normally a parish or town area in Breckland, but this can include more than one or part of another parish or town area.
- 3.5 When a Neighbourhood Plan is being prepared, it must 'take account' of national policy and guidance, as well as conforming to the strategic policies of the adopted Breckland Local Plan. It should also contribute to achieving sustainable development, as well as meeting EU environmental requirements (enshrined into UK legislation) and other English legislation and regulation concerning Neighbourhood Planning. These are known as the 'basic conditions', which are tested when the Plan is examined.
- 3.6 Although a Neighbourhood Plan will be written by a Town or Parish Council, or a working group on behalf of them, Breckland Council still has a role to play. It has a

statutory responsibility to provide 'advice or assistance' to these groups, but it is up to each LPA to decide what they "consider appropriate" to assist with producing a Neighbourhood Plan.

3.7 The statutory stages that Breckland Council is involved with organising are:

- Public consultation (where required) on designating the Neighbourhood Plan area.
- Public consultation on the submission version (Reg.16) of the Plan.
- Examination of the plan including appointing the independent examiner in agreement with the Town or Parish Council and organising any public hearing.
- Referendum, after Breckland Council has decided that the Plan meets the 'basic conditions' and if recommended by the examiner
- 'Making' the Neighbourhood Plan a part of the statutory development plan, where more than 50% of the local community has voted in favour of the plan

Breckland Council will endeavour to take decisions at key stages in the neighbourhood planning process within the regulatory time limits that apply.

3.8 In addition to the statutory stages, there are other stages of the Neighbourhood Plan preparation process that Breckland Council can be involved with. These are:

- Front loading, which is support before the statutory stages.
- Environmental Assessment, involving arranging the screening, but not the full environmental assessment (Environmental Report) if one is required.
- Ongoing advice and discussions between Regs.14-15 consultations before the plan goes out for further consultation and the Examination.

3.9 Neighbourhood Planning legislation indicates that it is up to each LPA to decide what 'advice and assistance' is offered to help the groups with the production of a Neighbourhood Plan. The type of support offered in relation to this can be summarised under five basic areas:

- General guidance and information on neighbourhood planning.
- Technical support on the neighbourhood planning stages.
- Strategic advice on Neighbourhood Plan objectives and direction.
- Advice on policy content and feedback.
- Consultation activity.

3.10 The amount of 'advice and assistance' given in these areas will vary from group to group, according to the different group's needs. This advice can be provided through documents and information on the website, emails, and phone calls, as well as face to face or video conference meetings.

3.11 A Neighbourhood Development Order (NDO) grants planning permission for a particular type of development in a neighbourhood area, for example housing or offices. As NDOs can grant planning permission, there is no need for a standard

planning application to the local planning authority. The NDO:

- needs to meet some minimum standards and must be approved by the community before it can come into force.
- must be passed to the local authority which will check that it has been properly consulted on, and that the development does not need an Environmental Impact Assessment.
- will be assessed by an independent examiner, who will check that it conforms to national and local planning policies.
- will be subject to a local referendum if the examiner approves the order.

An NDO can be prepared by a town or parish council or a neighbourhood forum for a designated neighbourhood area.


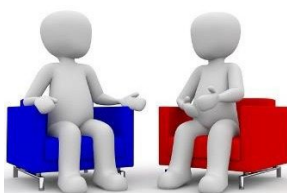


Supplementary Planning Documents

3.12 Breckland Council may also produce supplementary planning documents (SPDs). SPDs are prepared to expand policy or provide further detail to the policies in the development plan. They are not subject to independent examination. SPDs are a material consideration in planning decisions.

When can you get involved?

3.13 To generate broader and richer conversations to inform more effective and legitimate decision making, Breckland Council is keen to work with other public sector organisations to pool resources, ideas, communication channels, contacts and make innovative uses of new digital engagement and visualisation tools.

3.14 The key informal and formal opportunities for communities and the people within communities to be involved in the preparation of planning policy documents are set out in Table 2 and Table 3 below.

| Key to Tables 2 and 3 | | | |
|---|---|--|---|
| Informal engagement | Formal consultation | Referendum | Final decision |
|  |  |  |  |

3.15 Table 2 - The regulations referred to come from the The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). For the Examination,



the tests of 'soundness are:





- Positively prepared, providing a strategy which meet the area's needs.
- Justified, which considers alternatives and is based on evidence.
- Effective, by being deliverable over the plan period and based on joint working on cross-boundary strategic matters.
- Consistent with national and local planning policy to enable the delivery of sustainable development.




3.16 Table 3 - The regulations referred to come from The Neighbourhood Planning (General) Regulations 2012 and the Neighbourhood Planning (Referendum) Regulations.


3.17 For the Examination, the 'basic conditions' tests are:


- Have regard to national policies and advice.
- Achieving sustainable development.
- Being in general conformity with the strategic policies in the Local Plan.
- Meeting EU environmental regulations (incorporated into UK law).
- The legal requirements have been met and complied with.



| Table 2: The Local Plan | | |
|---|--|---|
| Preparation stage | What happens | Key time to get involved |
| <p>Development of the evidence base</p> <p>Examination of issues and options, needs and aspirations</p> | <p>Breckland Council produces background research and gathers evidence to inform the emerging plan. It informs stakeholders and the public that the plan is being produced.</p> <p>It also carries out extensive and inclusive engagement with residents and other stakeholders and begins a Sustainability Appraisal that continues throughout the preparation process.</p> |  |
| <p>Preparation of the Local Plan (Regulation 18)</p> | <p>The Council formally consults on the preferred option for the draft Local Plan for a minimum of six-weeks to allow comments (representations) to be made.</p> |  |

| | | |
|---|--|---|
| <p>Publication (Regulation 19)</p> | <p>After taking into account the comments received on the (Regulation 18) preferred options draft Local Plan, the Local Plan is formally published for a minimum six-week period to allow representations (comments) to be made and considered during the Independent Examination).</p> <p>Any Addendum (further changes) to the Regulation 19 plan will be published for a further minimum six-week period to allow additional comments to be made.</p> |  |
| <p>Submission (Regulation 22)</p> | <p>The Local Plan is then submitted to the Secretary of State for examination along with other key supporting evidence base documents.</p> | |
| <p>Examination (Regulation 24)</p> | <p>An examination is held by an Inspector. The Inspector will assess the soundness of the Local Plan. Those who submitted comments at the (Regulation 19) stage are entitled to be heard at the examination.</p> <p>Any main modifications (changes) the Inspector considers necessary to make the plan 'sound' would be subject to a further sustainability appraisal and consultation.</p> |  |
| <p>Publication of Inspector's Recommendations (Regulation 25)</p> | <p>The Local Authority publish the Inspector's recommendations and give notice to all those who requested to be notified that any modifications are available to make comments on.</p> |  |
| <p>Adoption (Regulation 26)</p> | <p>If the Inspector finds the Local Plan 'sound', the Council will need to agree (adopt) the Local Plan. This may include modifications recommended by the Inspector.</p> |  |

| Table 3: The Neighbourhood Plan | | |
|--|---|--|
| Preparation stage | What happens | Key time to get involved |
| Neighbourhood Area Designation (Reg.5-7) | An application for neighbourhood area to be designated is sent to Breckland Council by the Parish or Town Council (Qualifying body). The proposal for the designated area will only need to be publicised for six weeks if the area is different from the Parish area. |  |
| Preparing a Draft Neighbourhood Plan | The Qualifying body engages and consults those living and working in the neighbourhood area, gathers baseline information, and prepares the draft Neighbourhood Plan. |  |
| Informal Review of the Plan | With the agreement of the Qualifying Body the Council can informally review the Reg 14 Plan prior to formal consultation. |  |
| Pre-Submission (Regulation 14) | The Qualifying body publicises the draft Neighbourhood Plan for a minimum of six weeks to bring it to the attention of those who live and work in the neighbourhood area and those that may have an interest in the | |

| | | |
|-----------------------------------|--|---|
| | <p>Neighbourhood Plan Area to make comments (representations) on it.</p> <p>The Qualifying body also consults the “Consultation Bodies”, adjoining parish and town councils, and groups that represent voluntary bodies, racial, ethnic, national groups, religious groups, business groups and all disadvantaged minorities in the neighbourhood area.</p> <p>A copy of the draft Neighbourhood Plan is sent to Breckland Council.</p> <p>In parallel with a Reg 14 pre-submission, the Council can, if requested, undertake the necessary environmental screenings on behalf of the Qualifying Body.</p> <p>If environmental screening shows it to be necessary, Strategic Environmental and/or Habitats Regulations Assessments must be prepared. It is the Qualifying Body’s responsibility to arrange those or undertake the work itself. Such assessments are subject to statutory consultation.</p> |  |
| <p>Submission (Regulation 15)</p> | <p>The draft Plan, including a designated area map, is submitted to Breckland Council by the Qualifying body along with a number of other supporting documents. These include a Consultation Statement (outlining what consultation has been carried out), a Basic Conditions Statement (explaining how these examination ‘tests’ are met), and any Environmental Assessment Statements (clarifying whether any further studies are required, or a full assessment is required).</p> <p>All consultation responses should be addressed and included in a Consultation Statement, together with details of all consultation activity undertaken during plan preparation.</p> | |

| | | |
|--|--|---|
| <p>Publicising the Submission Neighbourhood Plan (Regulation 16)</p> | <p>Breckland Council publicises the draft Plan for a further period of at least six weeks for consultation.</p> <p>Breckland Council needs to notify the consultation bodies and everyone else who made comments on the previous draft Plan, where they are listed in the Consultation Statement (one of the Submission documents). The Council will also bring the publication at Reg 16 to the attention of all who live, work, or carry out a business in the Neighbourhood Area (and thereby also invite their comments on the published documents).</p> <p>During this time, Breckland Council will agree with the Qualifying body, which Independent Examiner to appoint.</p> |  |
| <p>Submission of the Plan to Examination (Regulation 17)</p> | <p>Breckland Council submits the draft Plan and supporting documents, along with the Regulation 16 comments, to the Examiner without responses by either the Council or the Qualifying Body.</p> <p>The Examiner will assess if the draft Plan meets the 'basic conditions' (the examination tests) and will issue a Report at the end of the examination.</p> <p>During the examination, the Examiner may invite the Council and Qualifying Body to respond to his initial comments and if required will call a public hearing, to be arranged by the Council. The Examiner will make an unaccompanied visit to the Neighbourhood Area to assist his decision-making and may issue a draft version of the examination report for 'fact-checking' by the Council and the Qualifying Body prior to formally publishing it.</p> <p>The Public are entitled to attend and if invited by the Inspector, participate in any hearings that take place.</p> | |
| <p>Decision and Publication of Examiner's Report</p> | <p>Breckland Council will make a decision on the Examiners Report, regarding any modifications (changes) to the Plan within 5 weeks of the</p> | |

| | | |
|--|--|---|
| <p>and Plan (Regulation 17A & 18)</p> | <p>Report being issued unless an alternate date is agreed between the Qualifying body and Breckland Council. This decision is then published on Breckland Council's website to let those who live and work in the neighbourhood area know about it.</p> | |
| <p>Referendum (Reg.12, Schedule 4B, Town and Country Planning Act 1990)</p> | <p>Breckland Council organises the Referendum.</p> <p>This includes publishing an Information Statement and a number of other specified documents (The draft Neighbourhood Plan, the Examiners report, a Summary of the Reg.16 comments, Basic Council statement and a general statement about the Planning system and Neighbourhood Plans).</p> <p>This needs to be issued at least 28 days before the Referendum.</p> <p>The question at Referendum is:</p> <p>Do you want Breckland Council to use the Neighbourhood Plan for (INSERT PARISH NAME) to help it decide planning applications in the neighbourhood area?</p> <p>If the majority of those who vote in a Referendum are in favour, then the plan must be agreed (made) by Breckland Council.</p> |  |
| <p>Date Decision and Publicising a 'made' Neighbourhood Plan (Regulation 18A, 19 & 20)</p> | <p>The decision on the Neighbourhood Plan should be made within 8 weeks of the Referendum.</p> <p>Once this is completed, Breckland Council will place a Decision Statement, outlining the reasons for that decision, and the Final version of the Neighbourhood Plan on its website. Details of where and when these can be viewed will also be included.</p> <p>A copy of the Decision will also be sent to the Qualifying body, and any person who asked to be notified about this decision, as well as details where and when the Final Neighbourhood Plan can be viewed.</p> |  |

Consultation on Supplementary Planning Documents (SPD)

3.18 As SPDs do not have development plan status, they are not subject to the same process of submission and independent examination as the local plan or neighbourhood plans. However, consultation plays an important role in the production of SPDs. The methods of engagement considered for planning documents as set out in in this Statement below also apply to SPDs. There will be a minimum of 4 weeks consultation. In accordance with the Town and Country Planning (Local Planning) Regulations (2012) (as amended), a consultation statement will be prepared outlining the persons consulted during SPD preparation, a summary of the main issues raised during the consultation and how those comments have been addressed. As soon as reasonably practicable following adoption of the SPD, the Council will publish the Adoption Statement setting out the date adopted and that aggrieved persons have 3 months to apply to the High Court for judicial review of the decision to adopt the SPD.

How will you be kept informed of the development of planning policy documents?

3.19 Throughout the process of preparing planning policy documents, from the earliest stages through to adoption, community and stakeholders will be kept informed of progress as follows:

- The Local Development Scheme²
- The planning policy page of the Council's website³
- Reports to Cabinet and Council⁴

3.20 A database of all interested parties wishing to receive information on key consultation stages is maintained by the Council. If you wish to be added please contact the Planning Policy Team at the Council by email: planning.policyteam@breckland.gov.uk

3.21 When processing personal data, the LPA is required to tell people what we are doing with it. You have a right to know why we need it, what we will do with it and who we may share it with. This is set out in our privacy Notice.⁵

3.17 Information about neighbourhood plans in Breckland is retained on the Council website⁶.

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:

² <https://www.breckland.gov.uk/local-plan-timetable>

³ <https://www.breckland.gov.uk/planningpolicy>

⁴ <https://democracy.breckland.gov.uk/ieDocHome.aspx>

⁵ <https://www.breckland.gov.uk/article/8649/Planning-Privacy-Notices>

⁶ <https://www.breckland.gov.uk/article/4284/Neighbourhood-Plans>

- 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 Ward representatives for their assistance in promoting consultations. Promote consultations in the local press or community magazines using adverts or press releases in a timely manner.
- Use of social media and information technology: including the use of social networking sites, such as Facebook and Twitter.

3.19 The consultation and community involvement methods applied will be proportionate to the nature of the planning policy document being prepared.

INFORMATION: The Council will provide information on what the Council is doing, what stage it is at in the preparation of the documents, where documents can be inspected, and how people can get involved. Notices will be placed on the Council's website, and advertising through other methods such as social media, news releases, Council publications or press adverts.

CONSULTATION: Consultation will take place informally during the research stages of documents and formally during the publication stages where people can comment on the Council's proposed policy direction.

- Written / email consultations with 'specific consultation bodies' and appropriate 'general consultation bodies' and other relevant stakeholders (see appendix 1) and people who have requested to be kept informed.
- In working with Town and Parish Councils we will, wherever possible, 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.

PARTICIPATION: Inviting representations through:

- Public workshops or exhibitions, if appropriate to the nature of the consultation either in person or virtual via appropriate IT platforms. Every effort will be made to undertake the consultation outside August and the end of year holiday period. However, where this is unavoidable, due to the need to make progress on development plan preparation we will seek to ensure that a reasonable part of the consultation period extends beyond these holiday periods. Printed documents will be placed in public venues around the District, for example public libraries and the Council's contact centres in the towns.
- We will 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.
- Electronic versions will be placed on the Council's website for you to download. We will accept email responses and letters.
- Un-staffed displays may be used. For example, summary posters could be put up in accessible areas. Questionnaires will be used, either printed or online.

- We will translate parts of documents or summary leaflets into other languages or by other inclusive means on request as well as provide versions in braille or large print if needed.
- 3.20 A Consultation Strategy will be prepared setting out in detail the engagement programme for the whole Local Plan preparation. It will explain the methods of engagement, how they will be tailored to each consultation stage, the needs of the community and other consultees. It will contain the following:
- The principles of community engagement on the Local Plan.
 - How the Council will engage with partners, town and parish councils, key groups, infrastructure providers, residents, businesses and landowners and developers.
 - Outline the specific consultation and engagement methods of how people are to be involved and how they can respond.
 - Roles and responsibilities.
 - Explain how feedback will be provided and how comments will be taken into account.

3.21 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 (i.e.: those not received by the closing time and date) will not be considered to be 'duly made' and will not be considered in exceptional circumstances, and where there is a clear and justified reason provided.

Key stakeholders and community groups

- 3.22 The Council is required under the Town and Country Planning (Local Planning) (England) Regulations (2012) (as amended) to consult 'specific consultation bodies' and other interest groups which cover the whole range of voluntary, community, special interest, amenity and business interests, referred to as 'general consultation bodies'.
- 3.23 The list in Appendix 1 refers to key types of groups rather than listing every individual group and organisation. The lists are not exhaustive; the Council maintains a comprehensive list of consultees which is updated regularly.
- 3.24 The duty to co-operate was introduced in the Localism Act (2011) and amends the Planning and Compulsory Purchase Act (2004). It places a legal duty on local planning authorities and public bodies to engage constructively, actively and on an on-going basis to maximise the effectiveness of local plan preparation in the context of strategic cross boundary matters. This means that the Council must seek to

actively engage neighbouring councils and a range of other agencies when preparing and reviewing its planning policies, particularly in relation to strategic priorities and cross-boundary issues. The Council will produce a Duty to Cooperate Statement of Compliance which will be made available for inspection as part of the Local Plan Examination process.

Feeding information into decisions

- 3.25 The information and comments the Council obtains through participation and consultation with the community and stakeholders will be used to inform the Council's decisions and shape any documents produced.
- 3.26 Formal comments will need to be made either by email or by letter or by using the Council's online form. Respondents are required to provide their name and contact details, preferably email. They will be added to a database which will be used to keep people informed of the next stages in the plan making process. Anonymous comments will not be accepted.
- 3.27 All comments will be registered and made publicly available. Personal details including phone numbers, addresses and personal emails will not be published.
- 3.28 At the end of the consultation period, we will produce a summary document. In this document we will respond to the comments 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.
- 3.29 It is the responsibility of the planning policy team to prepare planning policy documents, undertake consultation, consider the comments, and recommend actions to all member briefings, the Local Plan Executive and Cabinet, and then implement Members' decisions. The recommendations will clearly explain the reasoning for the recommendation taking into account the views of stakeholders and consultees. 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.
- 3.30 Cabinet is responsible for approving plans and related documents for consultation and submission. Full Council is responsible for approving the submission and adoption of the Local Plan. Any future changes to the delegation of decisions will be set out in the Council procedures and standing orders.
- 3.31 All documents produced will be available at the Council's principal office and on the Council's website. Planning documents which are being consulted upon will also be sent to local libraries. At times of Government restrictions such as that experienced during the Covid-19 pandemic which results in either the full or partial closure of principal office, community information centres and libraries, documents will be available on the website.

4 Involving the Community at the Planning Application Stage

Legislative Requirement to Consult

- 4.1 As well as consulting on strategic documents Breckland Council will 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 All applicants are encouraged to discuss future development proposals with the Council prior to submitting a planning application. Our development management team can advise on the general acceptability of proposals before they are submitted and explain what information is likely to be required to enable the determination of an application. When we receive a written request for pre-application advice we will confirm safe receipt, tell you who is dealing with your query and when you can expect a response. We will provide advice in a positive and proactive manner that guides you in what additional work might be needed to enable us to reach a positive conclusion on your proposals (if it is possible to do so). The Council charges for pre-application advice. Details on the fees charged can be found on the website. Proposed works to a listed building that do not constitute development will not incur an application fee for pre-application advice. Any advice given in pre-application discussions may not be construed by applicants as an indication of permission being likely to be granted, or that additional documents may not be required to support an application. Further information is contained in the Council's Planning Application Guidance Notes⁷ and a Planning Application Checklist. These are available on the Council's website⁸.
- 4.3 Applicants are encouraged to involve the community, including the Town or Parish Council, or meeting neighbours and ward councillors before a formal application is submitted as this will help to address issues and may help to avoid unnecessary objections being made at a later stage. At times of Government restrictions such as those relating to Covid-19, applicants are encouraged to discuss the approach with the case officer.
- 4.4 For all major developments but specifically residential developments of 50 or more dwellings and commercial developments of 2,000 square metres or more of floor space, applicants are strongly encouraged to agree the scope, nature, and location of community engagement with the local planning authority in advance. The Council will wish to be assured that the engagement events and consultation will be:
- Advertised widely by a variety of means to reach as many people as possible.
 - A wide variety of engagement methods are used to enable all sectors of the community to participate.
 - That in-person engagement takes place in an easily accessible location to the

⁷<https://www.breckland.gov.uk/planning-pre-application-advice>

⁸<https://www.breckland.gov.uk/article/2938/Validation-OS-Map-Service>

communities affected and on days and at times to enable all sectors of the community to participate (subject to any Government restrictions).

- That communities are given sufficient notice of engagement events (recommended to be 10 – 14 days), and
- that sufficient time is given to respond to consultations.

Where a town or parish has a made or emerging neighbourhood plan, applicants are encouraged to undertake pre-application consultation with the relevant Qualifying Body for such plans to establish likely conformity with a neighbourhood plan and understanding of its requirements.

An application is classed as major if

- (i) it is for 10 or more dwellings, or
- (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the number of dwellinghouses to be provided is 10 or more, or
- (iii) the development carried out on a site having a site area of one hectare or more or the provision of a building, or
- (iv) buildings where the floor space to be created by the development is over 1000m² or more.

A development's context refers to the particular characteristics of the application site and its wider setting. These will be specific to the circumstances of an individual application and a Design and Access Statement should be tailored accordingly.

How to comment on a planning application

- 4.5 Once the application is submitted, the Council must publicise it, consult the relevant parish or town council, and allow people the opportunity to contribute their views in writing or online. The Council carries out consultation for applications, even those when pre-application advice has been sought, to ensure there is no bias. The legal requirements for consultation on submitted planning applications is set by the Government in legislation including The Town and County Planning (Development Management Procedure) (England) Order (2015) as amended. These are set out in more detail below. 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. Site notices are also used to publicise a planning application. These are erected for all major and minor applications and some householder applications (unless direct neighbour consultation is undertaken). Site notices are not posted for applications for advertisement consent and for the majority of householder applications unless they are a Listed Building or in a Conservation Area.
- 4.6 A consultation letter will be sent to Parish/Town Councils (or representatives of the Parish meeting if applicable), any other relevant body or organisation and neighbouring properties (who share a boundary with the application site), Parish/Town Councils (or representatives of the Parish meeting if applicable) and to any other relevant body or organization, and/or a site notice will 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. Site notices will be put up in locations where there are no adjoining neighbours or these are at a significant distance from the application site, in accordance with the regulations. These will be for major Planning applications (10 dwellings or more or 1ha land) as well as applications affecting Listed Buildings, public rights of way or for applications in a conservation area. In certain circumstances, should the planning officer consider further notification is required a notice will be posted.

- 4.7 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 (including highways, education, flood risk, fire service, libraries), Norfolk Historic Environment Service, Historic England 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 or Town Council is a statutory consultee and is always consulted. The Council will also have regard to the County Council's current Planning Obligations Standards that cover County led services.
- 4.8 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.
- 4.9 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. For minor applications the re-consultation will be by way of a site notice displayed in at least one place on or near the land to which the application relates for not less than 21 days or by serving the notice on any adjoining owner or occupier. The usual time for response to amendments is 10 days but this can vary depending on the nature of the amendment made. 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 Table 4 below:

| Table 4: Notification | | | |
|---|--|--|---|
| | Major Applications | Minor Applications | Householder Applications |
| Advertise receipt of application on website | Always | Always | Always |
| Erection of site notice | Always unless neighbour consults have been undertaken | Always unless the application seeks advertisement consent or neighbour consults have been undertaken | 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) and unless a site notice has been erected | Always (if adjoining neighbours) and unless a site notice has been erected | 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 | Only if the application relates to a listed building, conservation area or public right of way. | Only if the application relates to a listed building, conservation area or public right of way. |
| Press release | Dependent upon circumstances | Dependent upon circumstances | |
| Application considered at Planning Committee | As applicable | Occasionally | Occasionally |

4.10 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 computer is available at the Council offices at Elizabeth House, Walpole Loke, Dereham, to allow access to the Council's website. (Access to the offices may be restricted due to Covid 19 restrictions).

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

- via the Breckland website (preferred method)
- via email

- via post

4.12 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. Only material planning considerations can be taken into consideration in the determination of the planning application – further information can be found on our website. A material consideration is a matter that should be taken into account in deciding a planning application or on an appeal against a planning decision. Material considerations can include (but are not limited to):

- Overlooking/loss of privacy
- Loss of light or overshadowing
- Parking
- Highway safety
- Traffic
- Noise
- Effect on listed building and conservation area
- Layout and density of building
- Design, appearance, and materials
- Government policy
- Disabled persons' access
- Proposals in the Development Plan
- Previous planning decisions (including appeal decisions)
- Nature conservation

However, issues such as loss of view, or negative effect on the value of properties are not material considerations.

4.13 Applications are frequently 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'

4.14 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 (subject to any Government restrictions). This is further explained in the planning committee section below.

4.15 All comments received during the consultation period will be acknowledged in writing. The Council displays all comments received regarding an application on its website under the application's number (although we will not include any personal information, inappropriate or offensive comments). These can be accessed by all members of the public.

4.16 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.

- 4.17 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. Planning Officers will not respond directly to parties with regards to comments made but planning matters will be summarised in the planning committee or delegated report.

Planning Committee

- 4.18 The Planning Committee comprises elected Councillors and is responsible for making decisions on applications received by the Council, excluding those which fall within delegated powers. Committee reports are available at least 7 working days before Committee. On applications reported to Committee the Council operates a policy of public speaking. Details how to get involved in meetings can be found by contacting planningusher@breckland.gov.uk. At times of Government restrictions such as those imposed during the Covid-19 pandemic meetings may take place virtually using a an interactive platform such as Zoom or Teams and public speaking is still facilitated with the same rights and rules applying. If a speaker is unable to use the platform, it is possible a statement can be read out on their behalf.
- 4.19 Officers can consult with the Chairman's Panel, where appropriate, to obtain a view on whether an application can be determined under delegated powers. The Panel is not a decision-making body, but it has the power to agree for planning applications that would otherwise have to be referred to the committee to be dealt with under delegated powers if the proposal is not controversial, and (in the view of the Panel) there are no other reasons that it should be heard in a public forum. The panel can also be used as a consultative body to allow officers to seek a view on whether applications, that would otherwise be dealt with under delegated powers, represent (in the view of the Panel) planning related impacts that would merit the proposal being heard in a public forum.
- 4.20 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 Assistant Director, Economy & Growth. Delegated powers enable officers from Breckland Council to determine applications themselves without needing a decision from the planning committee. The majority of, mainly minor, applications, are dealt with in this way. Under the Councillor Call-In process, ward councillors have 28 days from the date of validation to refer a planning application for the Planning Committee to decide, they must provide valid planning reasons to do so. For those applications that need to go to Planning Committee, The Planning Committee meeting is held approximately every 4 weeks at the Council offices in Dereham or via an interactive platform at times of Government restrictions.
- 4.21 Members of the public, the Parish Council and ward members 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.

- 4.22 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 divided between that group. However, it is advised that a group nominate a single spokesperson due to the limited speaking time. The Planning 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.
- 4.23 Anyone who wishes to speak regarding an application must contact the Committee Usher at planningusher@breckland.gov.uk. The deadline is noon on the Wednesday before the committee meeting (if it happens on a Monday).
- 4.24 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 but must be provided in advance of the meeting in accordance with the committee procedures.
- 4.25 In determining an application, the Council will ensure that:
- All decisions will be made in accordance with the development plan/relevant legislation but also taking into account other material considerations.
 - It has acted in a positive and proactive manner and looks to find solutions. Where amendments or changes to a scheme could potentially turn an unacceptable proposal into an acceptable one, we will offer the applicant an opportunity to make these changes.
 - Set out how the points made at the consultation stage have been taken into account in reaching any decision.
- 4.26 A decision notice will be sent to the applicant, explaining the reasons why a planning application has or has not been granted planning permission. Planning decisions are published on the Council's website.

Appeals

- 4.27 If an application is refused or not determined within statutory timeframes, the applicant may exercise their right to appeal. When the Council is notified of an appeal by the Planning Inspectorate, the Council will notify interested parties of the appeal and provide a copy of comments made on the application to the Planning Inspectorate. Interested parties will be advised on how they can participate in the appeal process, including venue and time of any informal hearing or public inquiry. At times of Government restrictions such as those experienced during the Covid-19 pandemic hearings and inquiries may take place virtually and participants will be informed on how they can participate.

5 Reviewing and Monitoring the SCI

Reviewing and Revising the SCI

- 5.1 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

- 5.2 It is important to note that Breckland 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.
- 5.3 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 Breckland will be processed in compliance with the principles.

Complaints Procedure

- 5.4 A complaint is an expression of dissatisfaction about a service provided by Breckland Council or by a contractor or partner affecting an individual resident or a group of residents, that requires a response.
- 5.5 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.¹⁰
- 5.6 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
- 5.7 If you wish to make a complaint, you can do so by using the on-line form, e-

¹⁰ <https://www.breckland.gov.uk/article/7806/Compliments-Complaints>

mailing us (complaints@breckland.gov.uk), or writing to The Standards Officer, Breckland Council, Elizabeth House, Walpole Loke, Dereham, Norfolk, NR19 1EE.

5.8 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.

5.9 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
- Write to: Local Government Ombudsman, P.O. Box 4771, Coventry, CV4 0EH

6 Contact details

6.1 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 and Neighbourhood Planning |
|----------|--|
| Write | Elizabeth House, Walpole Loke, Dereham, Norfolk, NR19 1EE |
| Website | https://www.breckland.gov.uk/planningpolicy https://www.breckland.gov.uk/article/4284/Neighbourhood-Plans |
| E - mail | planning.policyteam@breckland.gov.uk NeighbourhoodPlanning@breckland.gov.uk |

| | Development Management |
|----------|---|
| Write | Elizabeth House, Walpole Loke, Dereham, Norfolk, NR19 1EE |
| Website | https://www.breckland.gov.uk/planning |
| E - mail | planning@breckland.gov.uk |

Appendix 1: Key Stakeholders

- Adjoining county councils – Suffolk County Council
- Adjoining district councils: North Norfolk, King's Lynn and West Norfolk, Broadland, South Norfolk, West Suffolk
- Age UK
- Airport Operators Association
- Ancient Monuments Society
- Anglian Water and wastewater undertakers
- British Geological Society
- British Horse Society
- Civil Aviation Authority
- Clinical Commissioning Groups and NHS providers
- Communities and Local Government
- Council for British Archaeology
- CPRE Norfolk
- Crime Prevention and Architectural Liaison Officer (Norfolk Police)
- Crown Estate
- Design Council
- Disabled Persons Transport Advisory Committee
- East of England Ambulance Service
- Electronic Communications Operators
- Environment Agency
- Equality and Human Rights Commission
- Fields in Trust
- Forestry Commission
- Freight Transport Association
- Friends of the Earth
- Gardens Trust and Gardens Trust (Norfolk)
- Gypsy Roma Traveller Achievement Service
- Health and Safety Executive
- Highways England
- Historic England
- Home Builders Federation
- Homes England
- Landowners, agents, developers, and Housing Associations operating in the area
- Local Enterprise Partnership (New Anglia)
- Local Nature Partnership (Wild Anglia)
- Ministry of Defense
- Mobile Operators Association
- National Federation of Gypsy Liaison Groups
- National Grid
- National Trust
- Natural England
- Network Rail
- Neighbourhood Planning Groups
- NHS Norfolk

- Norfolk Biodiversity Partnership
- Norfolk County Council (Lead Local Flood Authority; Highway Authority)
- Norfolk County Council (Local Education Authority)
- Norfolk County Council (Minerals and Waste Planning Authority)
- Norfolk County Council (Fire & Rescue Service)
- Norfolk Geodiversity Partnership
- Norfolk Landscape Archaeology
- Norfolk Local Access Forum
- Norfolk Rural Community Council
- Norfolk Tourism Team
- Norfolk Wildlife Trust
- Parish and town councils, including those within the District and those that adjoin the District
- Ramblers (Norfolk)
- Renewables East
- RSPB
- Secretary of State for Transport
- Society for the Protection of Ancient Buildings
- Sport England
- Sustrans
- Theatres Trust
- Train Operating Companies
- UK Power Networks
- Woodland Trust