

# **Babergh and Mid Suffolk Joint Statement of Community Involvement: Planning Matters**

February 2019



# Contents

<b>Foreword</b>	1
<b>1. Introduction</b>	
1.1 Purpose of the Joint Statement of Community Involvement: Planning Matters (SCI)	2
1.2 The joint SCI (March 2014)	2
1.3 How the joint SCI (March 2014) was prepared	2
1.4 2019 Update to the SCI	2
1.5 The geographical area covered by the SCI	3
1.6 Reviewing and updating the SCI	3
<b>2. Key Principles of Community Involvement</b>	
2.1 Aims	4
2.2 The Councils' Commitments	4
2.3 Who will the Councils Involve?	5
2.4 Duty to Co-operate	6
2.5 Local Development Scheme	6
<b>3. Plan-Making</b>	
3.1 The role of Babergh and Mid Suffolk in preparing plans	7
3.2 The different types of plans that can be prepared	7
3.3 Consultation and engagement for plan preparation	8
3.4 Neighbourhood Planning	9
3.5 Parish and Community Plans	10
3.6 Key Stages of plan production	10
3.7 Sustainability Appraisal	12
3.8 Community Infrastructure Levy	12
3.9 The roles of Elected Councillors	12
<b>4. Planning Applications</b>	
4.1 Development Management	14
4.2 Involving the community	14
4.3 Comments	15
4.4 Decision making	15
4.5 The Development Management Service – process for different types of applications	16
4.6 Neighbour consultation scheme	18
4.7 Post-decision	18
<b>Appendix 1: Consultation for 2019 SCI</b>	19
<b>Appendix 2: Local Plan Consultees</b>	21
<b>Appendix 3: Development Management Consultees</b>	22
<b>Glossary of terms</b>	23
<b>Contact Details</b>	25

# Foreword

The Councils are committed to providing inclusive and sustainable development to deliver healthy and safe communities through the use of effective and inclusive engagement with all. The planning process is to ensure objectives contribute to achieving sustainable development, ensure the Local Plan provides a strategy to meet objectively assessed needs with cross-boundary collaborative<sup>1</sup> work to ensure the plan is positively prepared. Early, proportionate and effective engagement between all will inform, influence and shape the Local Plan and decisions. The Local Plan will contain policies that are effective for development management implementation and serve a clear purpose for meaningful and inclusive outcomes.

At both Babergh and Mid Suffolk, the District Councils want to effectively involve residents, businesses and others with an interest in planning. The Councils want to make it easier for local people and others with a planning interest to be involved in shaping plans and influencing planning decisions in the local area and importantly to encourage more residents and businesses to get involved. To do this, the Councils have made strong commitments in this joint Statement of Community Involvement that will make sure planning processes in Babergh and Mid Suffolk are as fair, transparent and inclusive as possible.

Local people, local businesses etc. are often the best source of information about their local area and better decisions can be made by tapping into this wealth of local knowledge.

The Councils also want residents and businesses to know that their ideas and concerns have been listened to and considered. Although getting involved does not guarantee that the Councils will make changes or decisions that reflect everyone's views, the Councils aim to ensure that they explain appropriately why they have made those decisions. The Councils look forward to working with all parties to help shape planning decisions in Babergh and Mid Suffolk in the future.

---

<sup>1</sup> All neighbouring Local Authorities that border Babergh and Mid Suffolk (St Edmundsbury, Breckland, South Norfolk, Waveney, Suffolk Coastal, Ipswich, Braintree, Colchester and Tendring).

# **1. INTRODUCTION**

## **1.1 Purpose of the Joint Statement of Community Involvement: Planning Matters (SCI)**

The 2004 Planning and Compulsory Purchase Act requires local planning authorities to prepare a Statement of Community Involvement (SCI). However, there are no current formal / regulatory requirements for preparing an SCI, so Councils have their own discretion as to how to do this. Similarly, there is no requirement for an SCI to be subject to an external examination (independent scrutiny) process (such as that for other planning documents, as carried out by the Planning Inspectorate). This SCI demonstrates how these requirements will be met to ensure the community has the opportunity to be fully involved in the planning process. This document sets out how and when Babergh and Mid Suffolk District Councils will involve the community in preparing the Local Plan (and related planning documents) and in assessing planning applications and similar applications for determination/recommendation. The Councils are required to follow these procedures when preparing the Local Plan and when consulting on planning applications. The Councils are committed to ensuring mechanisms are in place for effective community engagement when preparing plans and assessing planning applications.

## **1.2 The joint SCI (March 2014)**

In recent years, changes to the planning system and service integration between Babergh (BDC) and Mid Suffolk (MSDC) District Councils meant both Councils needed to update their Statements of Community Involvement. The Councils took the opportunity to work jointly on combining and revising the SCI to ensure more consistent and efficient ways of involving communities in planning across both Babergh and Mid Suffolk. The joint SCI was adopted in March 2014 and this document brings it up-to-date.

## **1.3 How the joint SCI (March 2014) was prepared**

The adopted joint SCI was prepared through gathering views from the community and others via a questionnaire about how they wanted to be involved in planning in the future. The questionnaire focused on the approach of the SCI and what consultation methods should be used. A draft SCI was then produced for further public consultation before being adopted in March 2014.

## **1.4 2019 Update to the SCI**

The 2014 SCI includes a commitment to review the document to reflect changes in circumstances. The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 have also placed a duty on local planning authorities to review their SCIs every five years. Changes to legislation and to the Councils' arrangements for public access have made it necessary to update the SCI. These changes do not alter the Councils' principles of community engagement as established through the 2014 SCI.

In 2017, Babergh and Mid Suffolk District Councils introduced new ways of working with regards to public access to make it quicker, easier and more convenient for people to contact the Councils at a time of their choosing. Following the closure of the Councils' former headquarters in Hadleigh and Needham Market, customers can contact the Councils in a variety of ways including via the website and via a new, single telephone number. Two new customer service centres have also opened in Stowmarket and Sudbury. In addition, Babergh District Council has explored alternative provision in Hadleigh and Shotley.

The Neighbourhood Planning Act 2017 has introduced a requirement on local planning authorities to include within their SCIs their policies for giving advice or assistance on making and modifying neighbourhood development plans and on making neighbourhood

development orders.

The Neighbourhood Planning Act 2017 also introduces a requirement for a local planning authority's SCI to also include policy on involvement in certain preliminary stages of plan making, including in relation to the production of the Local Development Scheme.

### **1.5 The geographical area covered by the SCI**

This Statement of Community Involvement covers all of the Babergh and the Mid Suffolk Districts.

### **1.6 Reviewing and updating the SCI**

The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 set a requirement to review the SCI every five years. Circumstances are also likely to change further and these may also indicate a need for review and / or revision of the SCI, including:

- The changing relationship between the public sector and communities it serves;
- Technology and preferred methods of communication;
- Legislative and regulatory requirements; and
- The planning system itself.

The Statement of Community Involvement document is next due for review in 2024.

## 2. Key Principles of Community Involvement

### 2.1 Aims

The Councils both wish to pursue the most efficient ways of involving communities in planning across both local authorities. It is therefore necessary for the SCI to provide a framework for community engagement which is flexible, deliverable, effective and provides best value. To do this the Councils have developed the following aims / characteristics for their approach to community engagement:

- Fully inclusive and accessible to all (paper copies will be available on request at a cost, currently 10p per A4 sheet of paper (February 2019)). Any additional costs will be advised of at the point of contact.
- Transparent and accountable.
- Encourage principle of self-service for users and customers of the planning service through the Councils' website / computers available for public use at its customer service centres and similar means.
- Work collaboratively with internal and external parties such as the Councils' Communities Team and a range of partners.
- Dovetail the Councils' communication strategies and various community engagement initiatives to optimise existing communication / making best use of partners' engagement resources.
- Be flexible, adaptable, positive and productive on approach and detail.
- Be proportionate to the community benefit including value for money. Be clear about what, why and when.
- Be legally compliant, whilst remaining proactive on involvement.
- Be affordable, deliverable and sustainable in terms of cost and resource implications. Reflect environmental sustainability considerations (including limiting the use of paper).
- Where practical, the planning service will check submitted statements of community involvement with the community.

### 2.2 The Councils' Commitments

When the Councils involve the community in preparing the Local Plan or consult the community on a planning application, they will<sup>2</sup>:

- Meet the legislative requirements for community engagement as a minimum, whilst considering proactive opportunities to involve the community as set out in the rest of this document.
- Use the Councils' website as the primary hub for publicising consultation, hosting supporting information and providing an up-to-date position, whenever possible.
- Encourage consultation responses to be made electronically, either through the online consultation system or by e-mail, whilst continuing to receive responses by post if that is necessary (note that electronic responses enable much easier sharing / viewing of consultation responses).
- Notify Specific Consultees named in the legislation together with others as appropriate electronically by preference (or otherwise by letter if essential).
- Explore opportunities for innovative methods of engagement including use of social media (or other technology) to reach groups of the community who prefer to engage in this way.

---

<sup>2</sup> Legislative requirements in the box above refers to the Town and Country Planning Act 1990, the Planning and Compulsory Purchase Act 2004 and all other necessary legislation to be complied with.

- Monitor the use of consultation / engagement methods used including innovative methods to ensure they are effective and if necessary, modify them accordingly.
- Make available to view online all relevant information. If appropriate to the consultation make hard copies of relevant information available in community venues.
- Provide a clear indication of what the Councils are committed to do and also be clear on what Councils cannot do, such as accept profanity or derogatory views or guarantee to accept / uphold all views that they receive. Likewise, the Councils cannot always enter into correspondence in relation to pre-application advice due to confidentiality, with respondents on planning applications or on representations in response to (local) Development Plans or other new planning documents (due largely to the volume of these received).
- Ensure all consultation stages and the methods used are fully inclusive and provide all groups with the opportunity to become involved should they wish to.
- Work with and engage town / parish councils, community groups and other local representatives to help the wider community take a more active role in planning.

### 2.3 Who will the Councils Involve?

The Councils want to give everyone the chance to have their say on emerging Local Plan documents and on the planning (and similar consent) applications which affect them. Local people can offer knowledge and understanding of an area, including historic knowledge of towns and villages, and can be aware of important local issues.

A GDPR-compliant<sup>3</sup> database of individuals, groups and stakeholders has been developed and this will continue to be used to contact external parties in the preparation of new planning documents. This database is continually updated and reviewed. If anyone wants their contact details to be added please contact the Planning Policy team (contact details at the end of the document).

Existing partnerships will be made use of that already operate and engage effectively with groups / organisations in the local area. This includes the valuable work of the community and voluntary sector. Prominent local organisations include the Suffolk Association for Local Councils, Community Action Suffolk and a number of local amenity societies.

**Town and Parish Councils** are considered to be key partners in the planning process and co-operation with these bodies represents a fundamental element to the community involvement approach. Babergh and Mid Suffolk together cover a large rural area (over 500 square miles) with 200 Town and Parish Councils who will play an important role in the future planning / development of the district. The role of Town and Parish Councils is becoming increasingly important in the planning process through Neighbourhood Planning. If a community elects to produce a Neighbourhood Development Plan then this work will be led by the Town or Parish Council, with the District Council involved at certain statutory stages. For further details on Neighbourhood Planning please see below.

**Government Regulations** require that certain groups are consulted at key stages in the preparation of Local Plan documents; these include statutory consultees such as the Environment Agency, Historic England and Natural England. A fuller list of those who will be consulted during the process is available in Appendix 2.

The Councils' approach to **Equality and Diversity** is explained on the Councils' websites. The Councils are committed to offering the opportunity for all sections of the community to become involved in the planning process and, consequently, the methods used in reaching out to various groups will vary, which is to eliminate discrimination, advance

<sup>3</sup> General Data Protection Regulation

equality of opportunity and foster good relations between different people.

There are often barriers that prevent people from taking part in public consultation and there are some sections of the community that may be difficult to reach using standard consultation methods. Electronic methods are considered to significantly help with barriers, for example mobility, access and engage generations more familiar with social media / digital methods.

'Hard to reach' groups can include young people, minority groups, those with disabilities and the business community. However, given the nature of the districts this also includes people in remote rural areas with limited access to services and facilities, including electronic communications (with identified deficiencies in both Broadband internet coverage and mobile telecommunications locally).

Sometimes barriers relate to issues of language and understanding. Documents may therefore be made available in alternative formats on request including large print, Braille and alternative languages. An Equality Analysis Assessment screening has been undertaken to ensure that the process is open to all in the community. For further assistance please contact the Councils using the details provided at the end of this document (the BDC and MSDC websites are convenient in this regard).

As a consequence of these policies, and continued commitment to inclusivity through planned processes, involvement will aim to be open to all those who want to be involved regardless of gender, race, disability, sexuality, age, rural isolation and social deprivation.

## **2.4 Duty to Co-operate**

The Localism Act 2011 sets out a new 'duty to co-operate' for local planning authorities, county councils, and a number of other public organisations to engage with one another and deal with cross-boundary, strategic planning issues in particular. Babergh and Mid Suffolk District Councils have met and will continue to adhere to the duty to co-operate and work closely with partner organisations, using long developed / evolving methods to deliver sustainable growth in the Babergh and Mid Suffolk areas. The Councils are working collaboratively with appropriate bodies to develop a shared / agreed approach on strategic issues where significant impacts occur as set out in legislation and the National Planning Policy Framework (NPPF, February 2019) (section 3, paragraphs 20-27).

The Government has introduced a requirement for local planning authorities to produce a Statement of Common Ground where planning issues need to be addressed by more than one local planning authority.

## **2.5 Local Development Scheme**

The Council's Local Development Scheme sets out the programme and timetable for the production of local plans. Whilst consultation is not required, or appropriate, in relation to the production or review of the Local Development Scheme, should it be necessary to engage with other bodies in relation to the Councils' programme or timetable, the Statement of Common Ground (or other Duty to Co-operate mechanism) would most likely be the appropriate means.

### 3. Plan-making

#### 3.1 The role of Babergh and Mid Suffolk in preparing plans

As local planning authorities, Babergh and Mid Suffolk are required to produce local plans about what new development is needed, where it should go, and how it fits in with its surroundings along with its delivery. This includes deciding what facilities are needed (such as schools, public transport and hospitals), how much new housing is required and ensuring land is available to provide local jobs to minimise commuting. Involving communities in making these plans is very important in ensuring locally identified needs and priorities shape the plan. The Councils are keen to remain pro-active in involving the community and make the best use of their resources, producing master plans with the local community for key development areas. Such exercises help the local community to become involved in shaping the development that will have a significant impact on their local areas. However, these pro-active exercises are very resource intensive and have relied on resources and work from the developers of the sites. In addition, the plan preparation stages and processes to be followed, including consultation exercises and their duration, need to be considered carefully and kept under review. In this context, the National Planning Policy Framework (NPPF, February 2019) confirms that the planning system remains a Plan-led system and therefore relies upon the production of up-to-date Local Plans in a prompt and timely way. Such Plans are also important to ensure an appropriate basis for the successful planning and delivery of growth.

#### 3.2 The different types of plans that can be prepared

There are a number of different types of plans that can be prepared. These can be grouped into three broad categories:

##### **Local Plans**

These documents set out policies about what types of development will be allowed and to make proposals about future development. These documents have to be prepared with involvement from the community and others. They must be examined by an Independent Inspector and found 'sound' before they can be adopted by the Councils. Local Plans must be taken through distinct stages of production and engagement (see section 3.3).

##### **Supplementary Planning Documents (SPDs)**

These documents can take the form of issue-based or site-specific documents, which add detail to policies or proposals in a Local Plan such as affordable housing. These documents will also be prepared with the involvement of the community and others. They are not subject to examination by an Independent Inspector but are adopted following formal agreement by the Councils.

##### **Neighbourhood, Community and Parish Planning**

The Localism Act makes provision for communities to prepare their own Neighbourhood Development Plans. These plans can set planning policies to guide future development in the parish (or a different local area). They must be in conformity with national policy as well as any Development Plans that have been adopted by the local authority.

Both Babergh and Mid Suffolk District Councils are working with local communities to enable them to prepare Neighbourhood Development Plans or other forms of community and parish plans.

Neighbourhood Development Plans must be subject to a local referendum and examined by an Independent Examiner.

In addition, the Councils may also prepare other types of informal planning documents to support the above plans, such as development briefs or concept statements / plans for particular sites and work with partners to bring forward master plans for sites.

### **3.3 Consultation and engagement for plan preparation**

For plan preparation the following indicative methods of consultation and engagement will be considered and used where appropriate:

- Ensure all consultation stages and the methods used are fully inclusive and provide all groups with the opportunity to become involved should they wish.
- If the views of a specific group are particularly important to a plan proposal, then targeted (or bespoke) engagement with the relevant groups / individuals / bodies may be appropriate.
- Be clear of results / outcomes by producing an outline level summary of feedback on consultation / engagement, typically for both the Councils' Committee reports. In relation to consultation under Regulation 19 (Publication), comments would be submitted to the Secretary of State. Please note that in future, detailed or long schedules of representations or responses will not be produced but instead a summary of main issues raised will be provided for Council members, together with proposed broad / generic, overall responses.
- Maintain and keep up-to-date a consultation database so anyone wishing to register on the database can do this at any time.
- The Councils' website will be used as the primary hub for publicising consultation, hosting supporting information and providing an up-to-date position whenever possible.
- Specific Consultees named in legislation (as appropriate at a given time) together with others as appropriate, will be notified at the relevant stages, by e-mail (or letter if essential).
- Make available hard copies of all appropriate Local Plan information at the Councils' customer service centres. If suitable to the area / the consultation, other locations may also host hard copies including libraries, community centres, shops, and schools. However, cost considerations and volumes of paper need to be considered.
- Explore opportunities for digital methods of engagement including use of social media.
- The media may be used to publicise community engagement opportunities where appropriate. This may include press releases, radio, electronic communications or other media promotional opportunities as appropriate where there is sufficient interest.
- Be clear on how engagement can be taken into account to ensure plans are informed by locally identified needs and priorities, rather than preventing sustainable development.
- Consider using proactive opportunities to involve the community to progress key sites required for the delivery of the Local Plan such as master plan exercises.
- Be clear in consideration of sites for possible allocation from landowners / developers that these need to meet sustainable development principles and be the best option in the circumstances.
- Use Plain English and produce a Glossary for any technical terms used.
- Produce a Newsletter (or other form of update or news item) to update on the progress of Local Plan production.
- The Councils would not usually formally consult on the production of evidence, however the Councils may engage with specific consultees or groups for their input to evidence where appropriate.

### 3.4 Neighbourhood Planning

Neighbourhood planning was introduced by the Localism Act 2011. It is a way for communities to shape the future of the places where they live and work by having more of a say in the development of their local area, along with being able to allocate sites for development.

Neighbourhood Development Plans allow communities to establish planning policies and to allocate land for development for a particular neighbourhood area – typically a single parish or a group of connected parishes who are working together. Once ‘made’ (adopted), a neighbourhood plan becomes part of the statutory development plan. This means that the Councils and Planning Inspectors will need to take the plan into consideration when making planning decisions.

Neighbourhood Development Orders (including community right to build orders) grant planning permission for a specific type of development proposal or classes of development in a particular area.

Like local plans, the preparation of a neighbourhood plan / orders is covered by regulations including consultation requirements. The Councils will meet their statutory responsibilities in relation to the production of Neighbourhood Plans / Neighbourhood Development Orders and are committed to providing ongoing advice and support to groups who wish to prepare neighbourhood plans and orders. The support offered to those producing a neighbourhood plan / order will be tailored to reflect their local circumstances, but as a general guide the Councils will provide:

- Initial advice regarding the suitability of preparing a plan or order and its potential scope.
- Ongoing advice and support throughout the process including technical input into each key stage of the process. This will focus on the conformity of the Neighbourhood Plan / Order with the existing national and local planning framework.
- Guidance on key issues including project management and timetabling, the role of the qualifying body, community engagement, site selection and relevant legislation including Strategic Environmental Assessment.
- Practical assistance such as provision of data to support mapping.
- Examples of best practice.
- Relevant contact information including statutory consultees.

The Councils are responsible for and will undertake consultation on the Submission version of the Neighbourhood Plan and will organise and fund the independent examination and local referendum.

The Councils will offer all groups preparing a Neighbourhood Plan, a Memorandum of Understanding which sets out the respective roles and responsibilities of each party and the support that the Councils will provide at each stage of the process.

The support offered to those producing Neighbourhood Plans / Orders will be kept under review and regard will be had to experience and legislative changes.

The Councils’ website contains further information on Neighbourhood Planning.

### 3.5 Parish and Community Plans

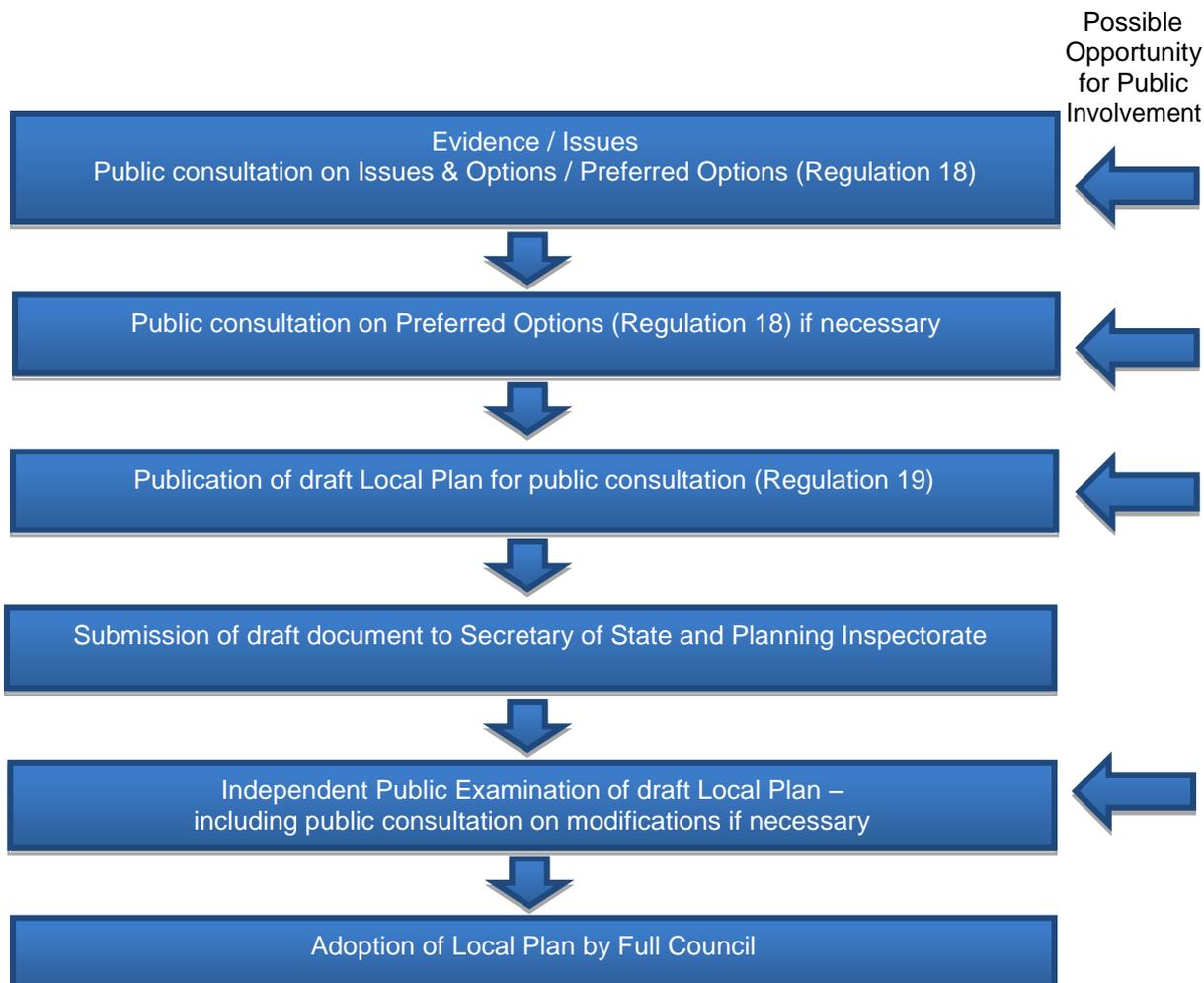
Many of the communities in the districts have now completed a Parish or Town Plan. They can take a variety of different formats depending on the resources available to the community, the scope of objectives and the desired outcomes to be achieved.

The production of these plans will continue to be encouraged as part of the range of options available for community-led planning. Parish or Town Plans can be very useful in obtaining the views of the wider community and will be used as part of the evidence base in the preparation of more local, site specific, Local Plan documents. The Councils can, in appropriate circumstances, also use these plans as a consideration in planning decisions but they will not carry as much weight as a Neighbourhood Plan.

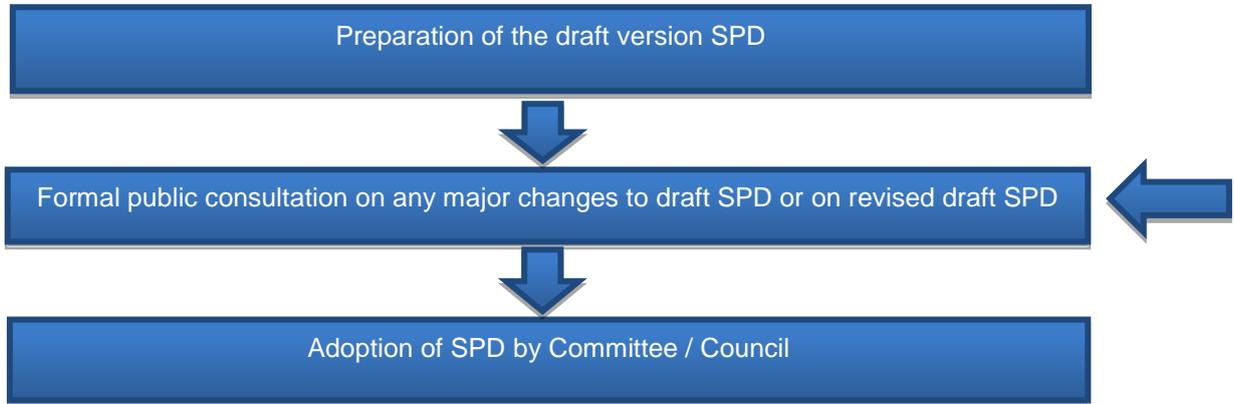
### 3.6 Key Stages of plan production

Local Plans, Supplementary Planning Documents and Neighbourhood Plans are prepared in distinct, sequential stages to enable the public to engage and inform the documents as they develop. Please note that these may vary between different types of planning document and be subject to review or change over time, so the diagrams below reflect the current general position (including the Councils' own internal procedures used for document preparation and adoption). The following diagrams are accordingly indicative in nature and provided as a general outline of processes followed and consultation stages / opportunities.

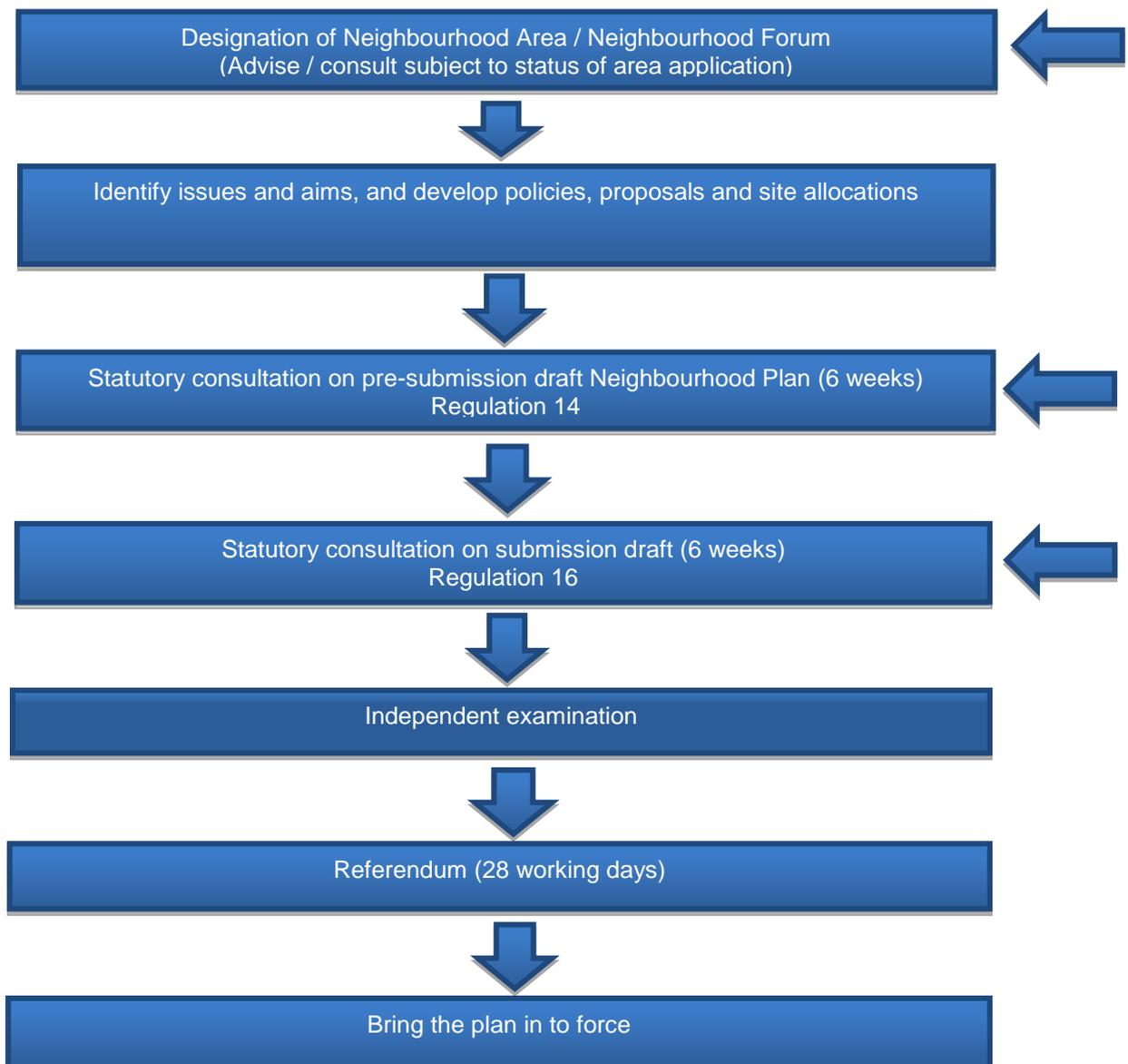
**Figure 1 - Key stages in the production of Local Plan documents**



**Figure 2 - Key stages in production of Supplementary Planning Documents (SPDs)**



**Figure 3 - Key stages in production of Neighbourhood Plans**



### **3.7 Sustainability Appraisal**

The Councils must check the Local Plan Documents they prepare to make sure they consider the social, economic and environmental needs of (and effects on) the area. To do this, a Sustainability Appraisal is carried out on these plans. The Sustainability Appraisal assesses the different options for development to make sure the most sustainable proposals are taken forward. The process can also be used to suggest ways for new development to address or limit any negative impacts they might have on sustainability considerations. A Habitats Regulation Assessment may also be required to establish whether the Local Plan document has significant effects on internationally important biodiversity (nature conservation) sites and any possible mitigation to reduce those effects.

The Sustainability Appraisal and Habitats Regulation Assessment will be made available for public comment alongside plans that are published.

### **3.8 Community Infrastructure Levy**

The Community Infrastructure Levy (CIL) is a system of charges that local authorities can choose to collect on new development in their area. The money collected is used to fund infrastructure that has been identified through evidence as necessary, both by the Councils, service providers, or others, to support new development.

Both Councils have been charging and collecting CIL since 11<sup>th</sup> April 2016. In April 2018 both Councils adopted an approach towards the expenditure of CIL through the CIL Expenditure Framework. Further information on CIL is available on the Councils' website. Parish Councils automatically receive 15% of the CIL monies which have been collected (subject to a cap<sup>4</sup>) and where a Neighbourhood Plan is made this figure increases to 25% (with no cap). The CIL Expenditure Framework has been the subject of Parish Briefings in February and October 2018 across both Districts where not only was the detail of the Councils' Expenditure Framework discussed but also the CIL Communications Strategy and the timeline for the launch of the scheme (as approved by both Councils in April 2018). At these Parish workshops (together with supporting e-mail communications sent to all Parish Clerks) Parishes were advised that the CIL expenditure will work on a twice-yearly Bidding round and a document called the Parish Investment Infrastructure Plan was launched to assist with identifying Infrastructure priorities at a Parish level. CIL Bid Application forms and guidance documents together with a flow chart (to explain how the CIL Bid process works) are on the Councils' website as well as copies of the CIL Expenditure Framework, the CIL Communications Strategy (which proposes twice yearly workshops with Parishes on CIL Expenditure), the timeline for the implementation of the scheme and its Review. All necessary statutory consultees are consulted as part of the process. With regard to preparing any revised draft charging regime for CIL the Councils will undertake consultation in accordance with appropriate regulations at the time.

### **3.9 The Roles of Elected Councillors**

Councillors have a key role to play in plan making. In particular, they are:

---

<sup>4</sup> 25% of Neighbourhood CIL is paid where permissions are granted on or after the Neighbourhood Plan is made. 15% Neighbourhood CIL is paid where a Neighbourhood Plan is not made. There is a financial cap which relates to the total amount of the 15% Neighbourhood CIL receipts passed to a parish council. Any payment must not exceed an amount equal to £100 per council tax dwelling in that parish in each financial year. This financial cap does not apply in Parishes where a Neighbourhood Plan is made.

Community representatives: The local community may share views about draft plans directly with their Ward Councillor.

Information providers / local knowledge: Councillors can act as a link between planning officers and people in the community.

Decision-makers: Before any plans are published, Councillors will discuss the plan and decide whether it is ready for wider public consultation. In order for a plan to be submitted to the Secretary of State or adopted, it must be agreed by the Council.

## 4. Planning Applications

### 4.1 Development Management

The submission of a planning application can often be the first time that many people come into contact with the planning system, either as applicants or as affected parties. The Councils' development management function exists to assess applications that are made under the relevant Town and Country Planning and associated Acts. It deals with applications seeking planning permission, listed building and conservation area consents, advertisement consents and other similar forms of permission. The Councils can provide general advice on the development management system and its procedures. The Councils offer a pre-application advice service for which a fee is chargeable. Details of the pre-application service are available on the Councils' website. The Councils offer general planning information through signposting via their website or via the telephone service, and there is a scheme of delegation<sup>5</sup> informing of the formal process. There is also a Planning Charter which for Babergh can be viewed at <http://www.babergh.gov.uk/the-council/constitution-and-charters/> and for Mid Suffolk can be viewed at <http://www.midsuffolk.gov.uk/the-council/constitution-and-charters/>.

### 4.2 Involving the community

The Councils have a number of well-established procedures in place aimed at involving the community in the planning application decision-making process. All planning applications are normally publicised as soon as possible after receipt by undertaking the following, (this is known as the validation and registration process).

- Display of a site notice (discretionary but normal practice).
- Consultation letters to the occupiers of appropriate neighbouring properties (discretionary, and based on the judgement of the planning team).
- Details of planning applications being placed on the Councils' website.
- Those requiring advertisement (for example Development Plan departures) are publicised in a local paper circulating in the locality which covers the relevant part of the Districts.
- Details of the application, which may be provided as a link to the Councils' website is sent to the relevant Town and Parish councils.
- Consultation with relevant statutory consultees, e.g. County Highways, Environment Agency and any relevant non-statutory consultees.
- The Councils take a proportionate approach to consultation and publicity arrangements to suit the application.
- In appropriate cases, an individual or organisation that does not need to be individually consulted on an application may submit their views for consideration if they so wish. Comments may be made using the Councils' websites in appropriate cases.

---

<sup>5</sup> Scheme of delegation decides whether an application is determined by officers or Planning Committee.

Where a proposal is the subject of pre-application dialogue before a planning application is made and is considered to be controversial, or of public interest, the Councils may ask the developer to consider holding a public meeting or engaging in appropriate publicity to gather community views which may include staging an exhibition to enable pre-application community involvement to take place.

The Councils strongly encourage applicants to openly discuss their proposals through the pre-application process with planning officers before submission. Since July 2017, the Councils' offer a chargeable pre-application service. Further details are available on the Councils' website. Formal publicity by the Council is not normally undertaken at the pre-application stage and the manner and method of engagement are the responsibility of the applicant with advice from the planning team.

The minimum requirements for dealing with planning applications are set out in the Town and Country Planning (Development Management Procedure) Order 2010 (as amended).

### **4.3 Comments**

Comments on planning applications either direct via the Councils' websites, in writing or by e-mail, should be submitted during the statutory publicity / consultation period. They can be considered up to the time of the decision being made. Comments will be filed with the application and made available for public inspection as they cannot be treated as confidential. Respondents will usually be expected to include their name and address details when commenting to ensure they are attributed and not anonymous (anonymous comments are given no weight in decision-making). Due to the large numbers of applications and comments received, individual acknowledgement is not possible. Similarly, the Councils cannot normally enter into correspondence with respondents on planning applications or respond to questions or enquiries, but aim to assist as best as possible and address concerns as part of the application process. The majority of planning applications (approximately 90%) are determined by the Assistant Director under delegated authority and after full consideration of all relevant comments. Whilst the normal period for response comment is 21 days, consultees may exceptionally be allowed a longer period of time to comment on applications where it is proportionate to the case and acceptable to do so, for example the timeframe allows.

### **4.4 Decision making**

In addition to details of planning applications, Planning Committee reports, minutes, and decision notices can normally be viewed on the Councils' website at: [www.babergh.gov.uk](http://www.babergh.gov.uk) and [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk) (see "Search the Planning application database"). Information on the dates of Planning Committee meetings, together with the agenda, can also be found on the websites under The Council and Democratic Services.

Applications that are referred to Planning / Development Committee will be debated in public where applicants and objectors have the opportunity to speak under an ordered procedure. The Councils publish information in respect of public speaking at Planning Committee and other information about the Committee on their website.

Planning Committee reports are made available at least five clear working days before the date of the meeting, and in addition are posted on the Councils' website. This is a legal requirement. If an agenda is not published under these terms (which applies to all committees), then the meeting would not be able to go ahead in any case. The Councils endeavor to publish the committee agendas as early as practicable to allow the public and councilors more time to view the reports.

As an application to make a non-material amendment is not an application for a planning permission, local planning authorities have discretion in whether and how they choose to inform other interested parties or seek their views as identified in the Government's [Planning Practice Guidance](#) (PPG). The Flexible Options for Planning Permissions guidance goes onto state:

As by definition the changes sought will be non-material, consultation or publicity are unlikely to be necessary, and there are unlikely to be effects which would need to be addressed under the [Environmental Impact Assessment Regulations 2011](#) (PPG, Paragraph: 005 Reference ID: 17a-005-20140306).

#### 4.5 The Development Management Service - process for different types of applications

The tables below provide advice to applicants on how different types of applications can be progressed and advises how the Councils will normally publicise them. Where charged pre-application advice has been sought the Councils will aim to agree pre-application engagement and publicity steps tailored to the proposal (where necessary and in accordance with the pre-application process).

##### Major Planning Applications – Pre-application stage

Type of application	Suggested action by applicants	Action by Council
<p><b>These can include:</b></p> <ul style="list-style-type: none"> <li>A range of large scale applications that can relate to residential, commercial and any other major scheme that is above 10 dwelling or is above a certain threshold.</li> </ul>	<ul style="list-style-type: none"> <li>Engage in charged pre-application discussions as early as possible with the Councils, and check if master plan or development brief is likely to be needed.</li> <li>Discuss with development management service and stakeholders to identify likely levels of planning obligations or contributions for infrastructure provision.</li> <li>Consider pre-application publicity and engagement with local communities.</li> <li>Enter appropriate Planning Performance Agreement or agree timeline and programme to promote collaborative working.</li> <li>Agree appropriate validation requirements.</li> </ul>	<ul style="list-style-type: none"> <li>Proportionate advice through charged pre-application service and self-directed, online use of Councils' website.</li> <li>Enter appropriate Planning Performance Agreement or agree timeline and programme to promote collaborative working.</li> <li>Establish project team in appropriate strategic cases including relevant internal or external stakeholders.</li> <li>Agree appropriate validation requirements.</li> <li>Agree pre-application publicity and engagement with local communities / parish &amp; town councils.</li> </ul>

\*In general standard terms a formal major planning application constitutes 10 or more dwellings. However, for the purpose of planning committee the scheme of delegation should be referred to for the Councils, to know whether the application is to be a delegated decision or committee decision. Equally, the website can be viewed for progress and the case officer can be contacted to know the progress of an application.

## Major Planning Applications – Application stage

Type of application	Suggested action by applicants	Action by Council
<p><b>These can include:</b></p> <ul style="list-style-type: none"> <li>A range of large scale applications that can relate to residential, commercial and any other major scheme that is above 10 dwelling or is above a certain threshold.</li> </ul>	<ul style="list-style-type: none"> <li>Agree and comply with validation requirements in submitting the application and related paperwork.</li> <li>Include a statement summarising the results of the pre-application publicity / consultation undertaken.</li> </ul>	<ul style="list-style-type: none"> <li>Consultation letter to adjoining neighbours.</li> <li>Consultation letter / e-mail to statutory consultees.</li> <li>Site notice.</li> <li>Statutory notice in newspaper.</li> <li>Applications and self-serve access to updates available on website.</li> <li>Applications available to view electronically at Council Customer Access Points.</li> <li>Applications available for inspection through Town / Parish Councils (by agreement).</li> <li>Consider press release if appropriate.</li> </ul>

## Minor and other planning and related applications – Pre-application stage

Type of application	Suggested action by applicants	Action by Council
<p><b>These can include:</b></p> <ul style="list-style-type: none"> <li>A range of minor scale applications that can relate to residential, commercial and any other minor scheme that is 9 or less dwellings or is below a certain site area including Prior Notification applications.</li> </ul>	<ul style="list-style-type: none"> <li>Engage in proportionate charged pre-application discussions with development management service as early as possible.</li> <li>Householders recommended to discuss proposal with neighbours before submitting application.</li> <li>Agree validation requirements with Council.</li> </ul>	<ul style="list-style-type: none"> <li>Proportionate pre-application advice and website information together with telephone or e-mail support.</li> <li>Agree appropriate validation requirements.</li> </ul>

## Minor and other planning and related applications – Application stage

Type of application	Suggested action by applicants	Action by Council
<p><b>These can include:</b></p> <ul style="list-style-type: none"> <li>• A range of minor scale applications that can relate to residential, commercial and any other minor scheme that is 9 or less dwellings or is below a certain site area including Prior Notification applications.</li> </ul>	<ul style="list-style-type: none"> <li>• Engage in proportionate charged pre-application discussions with development management service as early as possible.</li> <li>• Householders recommended to discuss proposal with neighbours before submitting application.</li> <li>• Agree validation requirements with Council.</li> </ul>	<ul style="list-style-type: none"> <li>• Consultation letter to adjoining neighbours.</li> <li>• Consultation letter to statutory consultees.</li> <li>• Site notice.</li> <li>• Statutory notice in newspaper, where necessary.</li> <li>• Applications and self-serve access to updates available on website</li> <li>• Applications available to view electronically at Council Customer Access Points</li> <li>• Applications available for inspection through Town / Parish Councils (by agreement).</li> </ul>

### 4.6 Neighbour consultation scheme

The neighbour consultation scheme (notification for prior approval for a proposed larger home extension) applies to larger single-storey rear extensions. This means that extensions of between four and eight metres for detached houses and between three and six metres for all other houses are permitted development subject to a notification process. The Local Planning Authority is responsible for notifying adjoining neighbours who share a boundary (including the rear) and subject to receiving no objections, the development will be permitted. If any adjoining neighbour raises an objection within the 21-day period, the local authority will take this into account and make a decision about whether the impact on the amenity of all adjoining properties is acceptable. No other issues will be considered. (Further information and guidance can be found on the Planning Portal<sup>6</sup>).

### 4.7 Post-decision

Once a decision has been made on a planning application the Town / Parish Council is notified of the decision electronically. Neighbours and interested parties are able to track the progress of a planning application on the Council's website and can sign-up to an e-mail alert of the decision. All the decisions are posted on the Councils' website.

<sup>6</sup> Such as restrictions, exemptions, Article 4 directions etc.

## FINAL JOINT STATEMENT OF COMMUNITY INVOLVEMENT – CONSULTATION FOR 2019 SCI

This SCI was formally consulted on between the period 29<sup>th</sup> June to 30<sup>th</sup> July 2018. All consultation responses have been fully considered, summarised and amendments to the draft Joint SCI document have been made accordingly and where necessary before being finalised and published.

The SCI common themes from the consultation responses are summarised as follows:

Section of SCI Draft Document 2019	Common Theme	Response
General	<ul style="list-style-type: none"> <li>Concern as to how small parishes can be recognised and make views known without Neighbourhood Development Plan.</li> <li>Disappointment that Council does not live up to aims and commitments.</li> <li>No mitigation for concerns / issues put in place – does not encourage community involvement.</li> <li>Public access to planning process an issue.</li> </ul>	The document has been amended to increase use of plain English to ensure the document can be understood by all. Also, necessary changes have been made to ensure the document reflects appropriate up to date legislation. All consultation processes have been reviewed and are appropriate for the future.
1. Introduction	<ul style="list-style-type: none"> <li>Concern about inaccessibility of Council services (Customer Access points, telephone system etc.).</li> <li>Hard copy documents to be improved in formatting and inclusion of information.</li> <li>Minimum Service Level Agreement to speak to an employee for relevant officer call-back.</li> </ul>	All requested changes considered. Requested changes cannot always be accommodated in all situations as the Councils have to become more efficient and flexible by responding to the challenges facing the economic climate.
2. Key Community Involvement	<ul style="list-style-type: none"> <li>Age and rural isolation - restricted in community involvement by push for digital.</li> <li>Hard copy documents need to be available to communities with low / no costs.</li> <li>Emphasis on Town / Parish Councils as key partners, higher weighting and active co-operation.</li> <li>Disregard for community input / concerns.</li> <li>Lack of content on how border communities affected will be consulted.</li> <li>Lack of engagement and transparency, especially with Parish Councils.</li> </ul>	Necessary wording amended to better reflect local community engagement. Noting the importance of the duty to cooperate. Some requests cannot be accommodated in all situations. The document explains community involvement practices and is compliant with legislation. Some matters raised are not relevant to the SCI document.
3. Plan-Making	<ul style="list-style-type: none"> <li>Lack of community engagement, disregard for input / concern.</li> <li>Effective engagement and communication with the public and oversight methods.</li> </ul>	Emphases to local knowledge and community engagement is made within the document.  The stages of Local Plan and

	<ul style="list-style-type: none"> <li>• Hard copy documents to be made available to Customer Service centres and Parish Councils.</li> <li>• More inclusive methods of communication.</li> <li>• More detail needed on Neighbourhood Plans and support given.</li> <li>• Not enough Neighbourhood Plan resources.</li> </ul>	<p>Neighbourhood Plan preparation have been clarified further for the consultation process.</p> <p>The level of consultation within the local plan process is compliant with legislation and appropriate.</p>
4. Planning Applications	<ul style="list-style-type: none"> <li>• Extend period for notice and consultation, not sufficient to review documents.</li> <li>• Mandatory for developers to consult with Parish Councils.</li> <li>• More education / training to be offered to Parish Councils and local communities to allow for more relevant comments.</li> <li>• Restrict meetings between local planning authority and developers.</li> <li>• Social media not appropriate – improve publicity / communication means.</li> <li>• Time allocation for speaking should be extended on major applications.</li> <li>• Ensure Councillors can attend committee meetings.</li> <li>• More weight to be given to local knowledge.</li> <li>• Highlight reasons why specific concerns dismissed / not used in final decision.</li> <li>• Address issues with Planning online (e.g. notifying users of application updates, non-availability).</li> <li>• Improve data input consistency online.</li> <li>• Officer’s report to be published at least 15 working days before committee meeting.</li> <li>• Site notice and letters to affected neighbours mandatory.</li> </ul>	<p>The document is in accordance with statutory consultation timeframes and legislative requirements.</p> <p>Further clarity on statutory consultees and non-statutory consultees.</p> <p>The SCI cannot accommodate all requests and specific complaints or issues identified with the Development Management process should be directed to the relevant department.</p> <p>The use of electronic methods within the consultation process is encouraged to ensure a more efficient and flexible process responding to the challenges facing the economic climate.</p>
5. Appendix	<ul style="list-style-type: none"> <li>• Better identification and emphasis of statutory consultees.</li> </ul>	Amendments made.
6. Glossary	<ul style="list-style-type: none"> <li>• Addition of ‘examination’ and ‘referendum’ to Glossary of Terms.</li> </ul>	Amendments made.

Please note: Above are general themes that have come out of the responses to the SCI consultation. Any comment relating to the editing of the document (e.g. spelling errors, corrections to grammar or addition of bullet points in tables) have not been included in the common themes.

### Local Plan Consultees

The list below sets out the organisations and bodies that the Councils are legal obliged to consult in the preparation of planning documents as a requirement of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). These regulations and requirements are likely to be reviewed and may change over the course of time.

The following are statutory consultees:

- The Coal Authority
- Historic England
- Environment Agency
- Highways England
- Highways Authority
- Homes England (formerly the Homes and Communities Agency)
- Marine Management Organisation
- Natural England
- Network Rail
- Ipswich and East Suffolk Clinical Commissioning Group
- West Suffolk Clinical Commissioning Group
- Suffolk Police
- Relevant authorities within, or adjacent to, the district
- Town and Parish Councils
- Telecommunications companies
- Electricity and gas companies
- Sewerage and water companies

The Regulations also require that the Council consult 'general consultation bodies'. Five types representing certain groups within the community, and relating to voluntary organisations, are identified:

- Voluntary bodies whose activities benefit any part of the authority's area
- Bodies that represent the interests of different racial, ethnic or national groups
- Bodies that represent the interests of different religious groups
- Bodies that represent the interests of disabled persons
- Bodies that represent the interests of businesses in the area

Where appropriate the Council will consult with a range of other organisations when the scope of the issue relates to their role or area of interest. Examples of such agencies and organisations may include:

- National controllers of waterways and navigation authorities
- Other transport related bodies / airport operators
- Government departments
- Ecology / biodiversity interests
- Sport, leisure & recreation interests
- Fire & rescue authorities
- HM Prison Service
- Land owners
- House builders and developers

This list is not exhaustive and consultees will be updated whenever necessary including taking account of successor bodies as reorganisation and restructuring of organisations occur.

As part of the 'duty to co-operate' the Council will identify relevant partners, who are felt to be important for the planning process to be as effective as possible, and will explore further opportunities for joint working at a variety of levels.

### Development Management Consultees

The list below sets out the majority of main organisations and bodies that the Councils are legal obliged to consult for planning applications appropriately and proportionately according to the planning application in question. The list below also incorporates some general common local statutory consultees relevant to Babergh and Mid Suffolk Districts. These regulations and requirements are likely to be reviewed and may change over the course of time.

- Parish / Town Councils
- Local Councillors / MP (where necessary)
- Neighbouring local authority areas (where necessary)
- Health and Safety Executive
- Highways Authority
- Highways England
- The Coal Authority
- Environment Agency
- Historic England
- Heritage Officer
- Natural England
- The Theatres Trust
- Suffolk County Council (all relevant departments)
- Anglian Water
- Essex & Suffolk Water
- DEFRA
- Utility companies
- District Valuer and Valuation Office
- NHS
- Ecology and Landscape
- Suffolk Fire & Rescue Service
- Forestry Commission
- National Grid
- Network Rail
- Sport England
- Suffolk Wildlife Trust

This is not an exhaustive list and these consultees are not necessary for every planning application consultation. This list provides a good indication of some main statutory consultees that can be consulted on a formal planning application where necessary within the Babergh and Mid Suffolk Districts. In addition, the Councils also have a local list of standard consultees that are often consulted for specific local areas where necessary and relevant, which have not been included within this list.

## GLOSSARY OF TERMS

<b>Appeal</b>	Process by which a planning applicant can challenge an adverse decision made by the Local Planning Authority.
<b>Equality Analysis Assessment</b>	An evaluation tool which analyses the effect that a policy will have on a particular group of people to highlight whether their needs are being met. The tool promotes equality and aims to ensure there are no discriminatory effects.
<b>Examination</b>	Involves the appointment of an Independent Inspector to assess and decide whether a plan is sound before the Council can adopt (also known as final document). The plan must be taken through distinct stages of production and engagement before the examination process can happen.
<b>Habitats Regulation Assessment (HRA)</b>	A requirement under the Habitats Regulation 2007 (as amended) to assess the possible effects of a plan on European-protected areas.
<b>Informal Hearing</b>	A planning appeal hearing undertaken in a structured way but without the full formality of a local inquiry.
<b>Legislation</b>	The laws made by the government such as Acts of Parliament. Planning law comprises primary legislation such as the Planning and Localism Acts and more detailed secondary legislation such as Planning Regulations.
<b>Local Planning Authority</b>	The Council responsible under legislation for dealing with local planning issues within an area.
<b>National Planning Policy Framework</b>	The National Planning Policy Framework provides the Government's planning policies for England and how these are expected to be carried out.
<b>Public Inquiry</b>	An independent inquiry carried out by the Planning Inspectorate assessing planning decisions made by the local planning authority allowing applicants the right to appeal against the refusal of permission / consent / enforcement proceedings. The inspector produces a decision after hearing evidence in person. This can be overturned by the Secretary of State or challenged on legal grounds through judicial review.
<b>Public Register</b>	Contains information that the Council has a legal duty to make publicly available.
<b>Planning Inspectorate</b>	The Planning Inspectorate is responsible for processing planning and enforcement appeals and conducts examinations into local plans.
<b>Referendum</b>	As part of the Neighbourhood Planning process, distinct stages of production and engagement must take place which involves a referendum after an independent examiner has checked the neighbourhood plan meets the right standards. The referendum is to ensure the community has the final say on whether a neighbourhood plan comes into force.
<b>Statement of Community Involvement (SCI)</b>	A document that sets out how and when communities will be involved in preparing development plans and processing planning applications.

<b>Sustainability</b>	Development that meets the needs of the present without compromising the ability of future generations to meet their own needs.
<b>Sustainability Appraisal (SA)</b>	Sustainability Appraisal is mandatory under the Planning and Compulsory Purchase Act 2004 and helps to fulfil the objective of achieving sustainable development in preparing projects, policies and plans. The purpose of the Sustainability Appraisal / Strategic Environmental Assessment is to appraise the social, environmental and economic effects of policies and proposals in Local Development Documents.

Babergh District Council and Mid Suffolk District Council are committed to acknowledging the full diversity of their communities and to promoting equality of opportunity for everyone.

This document can be made available in large print, Braille, tape format or in any other language on request.

For further information please contact:

**Babergh District Council & Mid Suffolk District Council**

Planning Policy Team

E-mail: [planningpolicy@baberghmidsuffolk.gov.uk](mailto:planningpolicy@baberghmidsuffolk.gov.uk)

Development Management Team

E-mail: [planning@baberghmidsuffolk.gov.uk](mailto:planning@baberghmidsuffolk.gov.uk)

Tel: 0300 123 4000