

## REPORTS FROM THE EXECUTIVE, COMMITTEES AND SUB-COMMITTEES TO COUNCIL

### 1 ROCHFORD DISTRICT LOCAL DEVELOPMENT SCHEME 2016

- 1.1 This item of business was referred by the Local Development Framework Sub-Committee on 11 February 2016 to Full Council with a recommendation on the timelines for the preparation through to adoption of the Rochford District Council Local Plan and other associated policy documents. An extract of the key elements of the report of the Assistant Director, Planning Services to the Local Development Framework Sub-Committee is at Appendix A, with the draft Local Development Scheme 2016 at Appendix B.
- 1.2 In response to questions officers advised that the site allocations period would be extended, as part of the process for adoption of the Local Plan. A longer term release of land, beyond 2025, would form part of this process, with current land allocations carried forward. It was also emphasised that there were some allocated sites currently in the planning process, with discussions being held with landowners around potential new sites, for economic development, as well as housing. The timeline was being extended to allow additional time to identify potential new sites and to review sites.
- 1.3 The Sub-Committee emphasised the importance of openness and transparency during this process. It was noted that the consultation period for the draft Statement of Community Involvement would be extended to 9 weeks to allow all interested parties ample opportunity to comment on the document.
- 1.4 It is proposed that Council **RESOLVES** that the content of the draft Local Development Scheme 2016 be agreed.

### 2 LOCAL DEVELOPMENT SCHEME – REVISED DRAFT STATEMENT OF COMMUNITY INVOLVEMENT 2016

- 2.1 This item of business was referred by the Local Development Framework Sub-Committee on 11 February 2016 to Full Council with recommendations relating to the content of the draft Statement of Community Involvement (SCI) and consultation arrangements for the SCI. An extract of the key elements of the report of the Assistant Director, Planning Services to the Local Development Framework Sub-Committee is at Appendix C, with the draft Local Development Scheme 2016 at Appendix D, revised to take account of observations made at the Sub-Committee meeting, and including a brief summary of the methods of consultation to be undertaken, together with the suggested text for consultation leaflets and parish and community newsletters.
- 2.2 The Sub-Committee stressed the importance of obtaining the views of as many residents as possible on the draft document and there was discussion

on the potential different options, including distribution of leaflets at railway stations and schools, public events in schools and with Parish Councils.

- 2.3 It was also emphasised that, with effect from 1 April 2016, *Rochford District Matters* would no longer be circulated to residents in paper format and would only be available online. The Sub-Committee requested that paragraph 2.3 of the draft Statement of Community Involvement be appropriately re-worded to reflect this.
- 2.4 The Sub-Committee questioned the Council's ability to consult with a number of residents who would be unable to access the consultation online. It was therefore deemed appropriate to further amend paragraph 2.3 of the document to include reference to the use of other agencies for distribution of leaflets in order to circulate copies of the consultation document to 'hard to reach' residents.
- 2.5 The Sub-Committee drew particular attention to paragraph 2.7 of the document, emphasising that the Council did not have the necessary resources to provide transcription services. It was therefore noted that paragraph 2.7 would also need to be amended to include provision for copies of the document to be made available in other formats/medium, upon request.
- 2.6 Officers advised, in response to a Member observation that the Council should attempt to identify any residents with equality and diversity considerations who might not be able to access the document online, that this was work that should be undertaken corporately as part of the Council's overarching consultation strategy; this would be checked outside the meeting. It was important that this should not slow down the consultation process for this particular document.
- 2.7 In response to concern raised about the current corporate consultation strategy not taking account of *Rochford District Matters* only being available online from 1 April 2016 officers advised that if the proposed 9-week consultation timetable was not adhered to it was possible that this process could be delayed until the autumn. It was emphasised that the next edition of *Rochford District Matters* was being issued in paper format and would include an article on the SCI consultation. It was further emphasised that the Council was legally obliged to use the 2007 Statement of Community Involvement document as the basis for consultation with residents. Officers further confirmed that they would liaise with the Parishes to include consultation articles in parish and community newsletters. It was also noted that a consultation summary setting out how the Council intended to consult with residents on this document would be appended to the draft SCI document, together with draft text to be included in parish and community newsletters and consultation leaflets, to be agreed by Council.

2.8 It is proposed that Council **RESOLVES**

- (1) That the content of the draft Statement of Community Involvement (SCI) 2016, appended to the report, be agreed.
- (2) That the draft Statement of Community Involvement (SCI) 2016 be approved for 9 weeks' public consultation starting in March/April 2016, subject to the contents of the consultation summary and the text for inclusion in parish and community newsletters and leaflets, as appended to the officer report to the Sub-Committee.

If you would like this report in large print, Braille or another language please contact 01702 318111.

## **ROCHFORD DISTRICT LOCAL DEVELOPMENT SCHEME 2016**

### **1 PURPOSE OF REPORT**

- 1.1 This reports sets out a new (Draft) Local Development Scheme 2016 (LDS) for Rochford District. The LDS sets out a timetable for the preparation of the Council's main planning documents over a three year period. The documents concerned are:-

1. Timetable for the Local Plan Review;
2. Community Infrastructure Levy Charging Schedule (CILCS);
3. Statement of Community Involvement; and
4. other Local Development documents.

### **2 INTRODUCTION**

- 2.1 The preparation of a LDS is a statutory requirement; the document is a timetable for local planning policy production and enables residents and development partners to keep track of our progress. The last version of the LDS was adopted in 2005.

### **3 BACKGROUND**

- 3.1 There is a statutory requirement for each Local Planning Authority to have a Local Development Scheme (LDS) in place and to keep it up-to-date. Subject to Council approval, the LDS will replace the current one, approved in 2005, which is now out of date.

### **4 KEY CONSIDERATIONS**

- 4.1 The LDS includes an updated timetable for the delivery of the Local Plan, Community Infrastructure Levy Charging Schedule and the Statement of Community Involvement. Each of these points is considered in turn below.
- 4.2 The Council committed to an early review of the Core Strategy; this now takes the form of a single document, the Local Plan. This review was commenced with a Call for Sites in 2015. The new timescales for the review are reflected in the revised Draft LDS. The Local Plan is set to be delivered and adopted by Full Council during 2018/19 (dependent on the Planning Inspectorate).
- 4.3 The Statement of Community Involvement was last reviewed in 2007. Since this date there have been considerable changes and challenges to the consultation processes, including the "duty to cooperate". These changes and expectations are addressed within the new document, which is intended for adoption by the Council in late summer 2016, following a formal consultation process.

- 4.4 The Community Infrastructure Levy Charging Schedule has been committed to be established within the District and work commenced on this during 2014/15. Acknowledging the changes to development viability and the need to deliver infrastructure across the District commensurate with planned growth, the Charging Schedule is timetabled to be brought forward with an updated evidence base preparation commencing in summer/autumn 2016 with adoption by Full Council in 2019.

- 4.5 Impact Assessments are not required for the LDS as it does not include strategies or policies. The timetabled documents within the LDS will be subject to an Integrated Impact Assessment (incorporating Habitats Regulations Assessment, Equalities Impact Assessment and Sustainability Appraisal).

## **5 OUTCOMES**

- 5.1 The LDS is a statutory requirement setting out the timetable for local planning policy production so that residents and development partners are aware of the Council's timetable for bringing forward Local Plan documents.

## **6 SERVICE DELIVERY AND PERFORMANCE ISSUES**

- 6.1 Agreement on the proposed LDS will ensure that the Council will meet the relevant statutory requirements. It will facilitate service delivery through timetabling Local Plan production.

## **7 CONSULTATION**

- 7.1 Public consultation on the LDS is not required.

## **8 RISK IMPLICATIONS**

- 8.1 It is important for the LDS to be updated to ensure progress on the review of the Core Strategy and to ensure the Council's Planning Service can continue to be effectively delivered. The need for a LDS is a statutory requirement for the Council.

## **9 CRIME AND DISORDER IMPLICATIONS**

- 9.1 The report does not have any direct impact on the tackling of crime and disorder. Whilst the Local Plan documents do not directly cover these issues, planning policy documents set out in the LDS seek to create a safe and secure environment by reducing anti-social behaviour and promoting public safety

## **10 ENVIRONMENTAL IMPLICATIONS**

- 10.1 The report does not have any direct impact or implications on the environment. The Local Plan documents will themselves cover these issues,

planning policy documents set out in the LDS seek to improve the environmental quality of the District.

## **11 RESOURCE IMPLICATIONS**

- 11.1 The approval of the revised LDS provides a framework for how the local planning authority will maintain and update Rochford's Local Plan. The anticipated costs of managing the service are to be met from investments in the existing budget provision for the production of Rochford's Local Plan for completion during 2018/19.
- 11.2 Enabling a robust planning framework facilitates the delivery of growth in the District. The planning system directly contributes income to the Council through Section 106 agreements, CIL (with the intention to bring this forward and New Homes Bonus to enable infrastructure and service delivery District wide.

## **12 LEGAL IMPLICATIONS**

- 12.1 Under section 15 of the Planning and Compulsory Purchase Act 2004 (PCPA), as amended, the Council is required to prepare and maintain the Local Development Scheme (LDS). This report correctly sets out the documents that are to be prepared as planning policy documents for the Council.

## **13 PARISH IMPLICATIONS**

- 13.1 The purpose of the LDS is provide a timeline for the Local Plan review and this will enable the Parishes to have a clear understanding of the process and relevant timescales.

## **14 EQUALITY AND DIVERSITY IMPLICATIONS**

- 14.1 The timetabled documents within the LDS will be subject to an Integrated Impact Assessment (incorporating Habitats Regulation Assessment, Equalities Impact Assessment and Sustainability Appraisal).

**1 Introduction**

- 1.1 The Council is required to prepare a Local Development Scheme under Section 15 of the Planning and Compulsory Purchase Act 2004. The purpose of the Local Development Scheme is to set out the programme for the preparation of the Council's planning policy documents. The Council's first Local Development Scheme was adopted in 2005 and has since been subject to a number of updates, the most recent of which was April 2013. This revised Local Development Scheme covers 2016 to 2019, and will be reviewed regularly to ensure that there continues to be a realistic and achievable programme for the preparation of the Council's planning policy documents.
- 1.2 Community and stakeholder involvement is a key component of the planning system. Public participation will take place at an early stage in the preparation of the Council's planning policy documents. The Local Development Scheme is the document which the public can use to find out what the Local Planning Authority is proposing to do and when, and at what stage they can expect to be involved in the planning process.

**2 Current Local Development Documents**

- 2.1 The current Local Development Plan (as at 11 January 2016) consists of seven Development Plan Documents and a number of supporting Supplementary Planning Documents. These documents were produced under the previous Local Development Framework (LDF) system, which has since been superseded by the reintroduction of single Local Plans through the Localism Act (2011).
- 2.2 These documents were prepared in accordance with the Council's Statement of Community Involvement, which was adopted January 2007. The Statement of Community Involvement sets out how the Council intends to involve the community, as well as other stakeholders, in the preparation of local development documents, the consideration of planning applications and enforcement action.

**Adopted Development Plan Documents**

- 2.3 Since the last full review of the Local Development Scheme in April 2013 the Council has produced and adopted six Development Plan Documents, which together form the statutory Local Development Plan for the District. Development Plan Documents set out the planning policies which planning applications are assessed against. These documents, detailed below, have been adopted following independent examination by a Planning Inspector:
- Core Strategy (adopted December 2011) sets out the spatial vision, strategic objectives and core policies up to 2025;

- Allocations Plan (adopted February 2014) sets out site specific policies and land use allocations over the plan period;
- Development Management Plan (adopted December 2014) sets out detailed policies for managing development across the District;
- London Southend Airport and Environs Joint Area Action Plan (adopted December 2014), produced in conjunction with Southend Borough Council, sets out detailed policies for managing growth and change at the airport and in the surrounding area;
- Hockley Area Action Plan (adopted February 2014) sets out detailed policies for managing development in the centre of Hockley;
- Rochford Town Centre Area Action Plan (adopted April 2015) sets out detailed policies for managing development in and around Rochford town centre;
- Rayleigh Centre Area Action Plan (adopted October 2015) sets out detailed policies for managing development in the centre of Rayleigh.

**Adopted Supplementary Planning Documents**

- 2.4 Supplementary Planning Documents are non-statutory documents that give further guidance on the policies and proposals set out in Development Plan Documents. Whilst Supplementary Planning Documents must be in conformity with Development Plan Documents and subject to public consultation, they do not have go through independent examination.
- 2.5 The Council has adopted a number of such guidance documents including:
- Educational Contributions (adopted January 2007);
  - Housing Design (adopted January 2007);
  - Shop Fronts - Security and Design (adopted January 2007);
  - Design Guidelines for Conservation Areas (adopted January 2007);
  - Design, Landscaping and Access Statements (adopted January 2007);
  - Parking Standards Design and Good Practice (adopted December 2010);
  - Playing Pitch Strategy (adopted April 2012);
  - Local List (adopted December 2013).



### 3 Proposed Local Development Documents

- 3.1 The Council is looking to prepare three local development documents including a revised Statement of Community Involvement, new Local Plan and Community Infrastructure Levy (CIL) Charging Schedule.

#### Statement of Community Involvement

- 3.2 The level of participation in the preparation of the Council's local development documents has dramatically increased since the Statement of Community Involvement came into effect in 2007. However, there have been a number of legislative changes on community engagement since its adoption and, taking into consideration the Council's more recent consultation and engagement experience, it is appropriate that it be reviewed and updated where necessary.
- 3.3 The Statement of Community Involvement will set out how the Council will engage with the community and other stakeholders throughout the preparation of the new Local Plan and Community Infrastructure Levy (CIL) Charging Schedule in particular. The document itself will be formally consulted upon but it will not be subject to independent examination. The timetable for the review of this document is set out below:

Stage	Target Date
Public consultation	Spring/Summer 2016
Adoption by Council	Summer/Autumn 2016

#### New Local Plan

- 3.4 The Council is committed to an early review of the Core Strategy. This will take the form of a new single Local Plan, which will become the principal Development Plan Document for the District. It will include the Council's strategy for future development across the District; specific proposals and the allocation of specific sites to realise this strategy; and development management policies to support these. In particular it will ensure that policies are in place to meet development needs for residential and employment use throughout the District going beyond 2025 (the current plan period for the adopted Core Strategy).
- 3.5 The new Local Plan will be part of the Local Development Plan and on its adoption it will supersede a number of policies within the current adopted Local Development Plan (as set out at paragraph 2.3). As to which policies will be superseded, this will be dependent on the outcome of the plan-making process in respect of the new Local Plan, and which policies are ultimately included in the final, adopted version.

- 3.6 Community and stakeholder involvement will be a key element in the preparation of the new Local Plan. As with past Development Plan Documents, the new Local Plan will be produced in stages, with opportunities for the public and other interested parties to participate in the decision-making process on a wide range of planning issues. The Council will also continue to engage with specific prescribed bodies, such as neighbouring Local Authorities, as part of the Duty to Co-operate.
- 3.7 The new Local Plan will need to be supported by an evidence base covering a range of topics which will be prepared and reviewed throughout the preparation of the Plan. Some supporting documents will be available for comment alongside the new Local Plan, including the Sustainability Appraisal/Strategic Environmental Assessment and Habitats Regulations Assessment. The timetable for the new Local Plan is set out below:-

Stage	Target Date
Evidence base preparation	January 2015 onwards
Call for Sites	June 2015 - March 2016
Issues and Options Document public consultation*	Summer/Autumn 2016
Preferred Options Document public consultation*	Spring/Summer 2017
Proposed Pre-Submission Document public consultation*	Winter 2017/Spring 2018
Submission to Secretary of State for independent examination	Spring/Summer 2018
Examination hearings	Summer/Autumn 2018
Inspector's Report expected	Winter 2018
Adoption by Full Council	Spring 2019

- 3.8 The timetable for the preparation of the new Local Plan will be refined further as the document is progressed.

### **Community Infrastructure Levy (CIL) Charging Schedule**

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\* The Council is no longer required by legislation to prepare three formal documents for public consultation and engagement, however this is still considered to be the most appropriate approach for the preparation of the new Local Plan

- 3.9 The Council will produce a Community Infrastructure Levy which will detail a schedule of charges to be paid by developers to contribute towards the implementation of infrastructure. The Community Infrastructure Levy will set a charge per square metre of new floorspace which will be levied on new development across the District, where applicable. As with the new Local Plan there is a requirement for consultation and independent examination of the Community Infrastructure Levy.
- 3.10 The Levy will be inherently linked to the preparation of the new Local Plan and will be supported by a robust evidence base, in particular a Viability Assessment to determine what can be charged; as well as an Infrastructure Funding Gap Assessment to identify the funding gap for the delivery of necessary infrastructure. As such it is anticipated that the preparation of the Community Infrastructure Levy will, for the most part, run alongside the new Local Plan. The timetable for the Community Infrastructure Levy is set out below:-

Stage	Target Date
Evidence base preparation	Summer/Autumn 2016
Preliminary Draft Charging Schedule public consultation	Spring/Summer 2017
Draft Charging Schedule public consultation	Winter 2017/Spring 2018
Submission to Secretary of State for independent examination	Spring/Summer 2018
Examination hearings	Summer/Autumn 2018
Inspector's Report expected	Winter 2018
Adoption by Full Council	Spring 2019

- 3.11 The timetable for the preparation of the Community Infrastructure Levy will be refined further as the document is progressed.

#### **4 Other Local Development Documents**

##### **Supplementary Planning Documents**

- 4.1 The Council has adopted a number of Supplementary Planning Documents to date. Whilst it is not anticipated that any additional guidance documents will need to be prepared at present, the Council's adopted documents will be kept under review as the new Local Plan and Community Infrastructure Levy progress. The Local Development Scheme will be updated as necessary.

**Neighbourhood Plans**

- 4.2 Neighbourhood Plans are community-led plans for guiding the future development and growth of a local area introduced by the Localism Act (2011). Such plans must be in general conformity with the strategic policies in the Local Development Plan for the area. They are subject to independent examination and referendum, and once adopted will form part of the statutory Local Development Plan for the area.
- 4.3 In areas with defined parishes, such as Rochford District, these plans can be prepared by the Parish or Town Councils in consultation with the local community. As at 18 January 2016 one formal application had been received by the Council for the designation of Neighbourhood Areas. Details are published on the Council's website.

**Minerals and Waste Local Plans**

- 4.4 Essex County Council is responsible for preparing Minerals and Waste Local Plans, and determining planning applications for minerals and waste uses across Essex (excluding Southend and Thurrock unitary authorities). As at 18 January 2016 the following local development documents had been prepared and adopted by Essex County Council:
- Minerals Local Plan (adopted July 2014)
  - The Essex and Southend Waste Local Plan (adopted September 2001)

**Authority Monitoring Report**

- 4.5 The Annual Monitoring Report is a document prepared by the Council which includes information on progress of Local Development Plan preparation. This report is published on the Council's website at the earliest opportunity.

**5 Monitoring and Review**

- 5.1 The Council's progress in respect of plan production will be monitored through the Annual Monitoring Report. Each year the Annual Monitoring Report will:
- show how the Council is performing against the timescales in the Local Development Scheme for the preparation of Development Plan Documents and Supplementary Planning Documents;
  - consider the effectiveness of extant policies in advance of the adoption of new planning policy documents;
  - monitor Local Development Plan policies against a set of government, regional and local indicators; and

- provide an up to date list of documents in preparation and adopted, and provide details of future reviews of those documents.

5.2 This Local Development Scheme sets out broad timetables for the preparation of the revised Statement of Community Involvement, new Local Plan and Community Infrastructure Levy (CIL) Charging Schedule. These timetables will be reviewed and refined as the document production progresses.

## 6 Risks and Mitigation

6.1 There are a number of key risks which could impact on the delivery of these local development documents by the broad targets that have been identified. The key risks and potential mitigation measures include:

Risk	Level of Risk	Potential Mitigation
Changes to national policy and/or legislation	Medium / High	Keep up to date with national policy and/or legislative changes Make amendments to emerging policies and undertake additional consultation as necessary
Lack of capacity/resources to deliver local development documents by timescales identified	Medium / High	Consider options for increasing capacity/resources, including recruiting temporary staff Timescales may need to be reviewed
Lack of capacity/resources to support preparation of Neighbourhood Plans	Medium / High	Consider options for increasing capacity/resources, including recruiting temporary staff Ongoing engagement with Parish or Town Councils throughout the plan-making process
Lack of capacity/resources within external organisations including Planning Inspectorate	Medium	Early and ongoing engagement with key organisations needed to minimise risk Timescales may need to be reviewed
Legal compliance and soundness tests not met at examination	Medium	Robust, evidence based plan Effective public engagement Ongoing engagement with specific prescribed bodies as part of the Duty to Co-operate

Risk	Level of Risk	Potential Mitigation
Legal challenge to adoption of a local development document	Medium	Impact on resources Seek legal advice as required

## **LOCAL DEVELOPMENT SCHEME – REVISED DRAFT STATEMENT OF COMMUNITY INVOLVEMENT**

### **1 PURPOSE OF REPORT**

- 1.1 The purpose of this report is to seek approval to consult on a revised draft Statement of Community Involvement (SCI). The current adopted SCI needs to be updated to take into account changes in national planning guidance and to help shape consultation on a new Rochford District Local Plan. The consultation is proposed for March/April 2016.

### **2 INTRODUCTION**

- 2.1 The requirement for a Statement of Community Involvement (SCI) is set out in Section 18 of the Planning and Compulsory Purchase Act 2004. The SCI's role is to outline how it will involve the community in plan-making and the consideration of planning applications. The SCI helps to ensure that local communities have greater ownership over local planning decisions and are better able to shape the places where they live.

### **3 THE NEED FOR A NEW DRAFT STATEMENT OF COMMUNITY INVOLVEMENT**

- 3.1 The Council's existing SCI was adopted in January 2007. Whilst parts of the SCI remain largely up-to-date and do not need significant revision, a review of the document is being undertaken to provide an opportunity to ensure our practices remain of the highest standard and remain up-to-date with national planning guidance.

### **4 CONSULTATION ON NEW DRAFT STATEMENT OF COMMUNITY INVOLVEMENT**

- 4.1 The new Draft SCI reflects the latest consultation requirements for both planning policy and development management. It also includes, as an appendix, information on community-led planning guidance.
- 4.2 The proposed programme of consultation will commence in spring 2016, for a nine week period, providing for an additional period over and above the six week statutory minimum. The aim of this consultation will be to seek views from the community and stakeholders on the draft SCI and how it could be improved before adoption.
- 4.3 The consultation will include written notification letters or emails to consultees, a newspaper advert, publicity in Rochford District Matters, a local media release and posters. The document will be made available to view, comment on and download via the District Council's consultation portal. It will also be available on our website and for inspection at local libraries, at the Council offices in South Street and the Civic Suite in Rayleigh. Online

responses are preferred to make the best use of officer resources, but the document will include details for contacting the Council by post, telephone, fax and Minicom.

- 4.4 The consultation responses received will be considered and changes made to the document where necessary. It is intended that these responses and any proposed changes to the SCI will be considered by a meeting of the Local Development Framework Sub-Committee in June/July to enable adoption by the Council before the summer recess.

## **5 CONCLUSION**

- 5.1 The Draft Statement of Community Involvement sets out proposals for involving people in the planning process. It incorporates the District Council's community-led planning guidance and through minor updates it continues to explain to the public how they will be involved in the preparation of the new Local Plan.

## **6 RISK IMPLICATIONS**

- 6.1 A revised Statement of Community Involvement (SCI) will ensure that the document remains up to date with current policies.

## **7 RESOURCE IMPLICATIONS**

This report has no direct implications on resources. The anticipated costs of managing the service are to be met from investments in the existing budget provision for the production of Rochford's Local Plan for completion during 2018/19.

## **8 LEGAL IMPLICATIONS**

- 8.1 The Council has a statutory requirement set out in Section 18 of the Planning and Compulsory Purchase Act 2004 to prepare a Statement of Community Involvement (SCI)

## **9 PARISH IMPLICATIONS**

- 9.1 The purpose of the SCI is to provide a consultation approach for the delivery of the Plan system and this will enable the Parishes to have a clear understanding of the process and relevant timescales.

## **10 EQUALITY AND DIVERSITY IMPLICATIONS**

- 10.1 The SCI will ensure that all planning policy documents involve widespread consultation and the full participation of local stakeholders, residents and businesses. Their views, needs and aspirations can be reflected in plans and policies.



## 1 Introduction

- 1.1 The Council, as the Local Planning Authority, is required to prepare a Statement of Community Involvement under Section 18 of the Planning and Compulsory Purchase Act (2004). The purpose of the Statement of Community Involvement is to set out the principles for engaging and consulting with local communities – including residents, organisations and businesses – and other interested parties on planning matters. Consultation and engagement on planning matters set out in this Statement seek to go beyond the minimum regulatory requirements<sup>1</sup> for community involvement in the plan making process in particular, and are in line with the Council's corporate Consultation Guide for Staff<sup>2</sup>.
- 1.2 The first Statement of Community Involvement was adopted by the Council in 2007 to set out how local communities would be involved throughout the preparation of the Local Development Framework (LDF), and consultation on planning applications and planning enforcement. However, since its adoption there have been a number of legislative changes on how Local Planning Authorities should engage with local communities during plan-making and the planning application process. The 2007 Statement of Community Involvement goes beyond the minimum consultation requirements set out in the legislation, but a review is necessary to ensure that it reflects current best practice and is up-to-date prior to consultation on future local development documents.

## 2 Planning Policy

- 2.1 The National Planning Policy Framework (paragraph 155) reiterates the need for positive and effective engagement with local communities at an early stage throughout the plan-making process to realise the sustainable development of the area. This Statement of Community Involvement will set out how and when local communities will be involved and what organisations and individuals will be consulted.
- 2.2 The Council has significant experience in the preparation of local development documents. As set out in the Local Development Scheme, the Council will prepare a new Local Plan and a Community Infrastructure Levy (CIL) Charging Schedule. Prior to consultation, draft policy documents will be taken to Full Council to be approved for consultation.

### Notification and Engagement Techniques

- 2.3 Anyone may comment on the preparation of a planning policy document; however it is important to ensure inclusivity throughout the plan-making process. A range of notification and engagement techniques will be employed to raise awareness and encourage participation at each stage of plan preparation. The Council recognises that some potential participants in the consultation favour paper methods of communication; electronic media will therefore not be solely relied upon. The scale of techniques used however will be dependent on document stage and may be subject

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<sup>1</sup> The Town and Country Planning (Local Planning) (England) Regulations 2012

<sup>2</sup> [http://www.rochford.gov.uk/community\\_and\\_people/have\\_your\\_say](http://www.rochford.gov.uk/community_and_people/have_your_say)

to time and resource constraints. The following techniques will therefore be employed as appropriate:

- Mailing list – The Council operates a database of individuals and organisations that have expressed an interest in the plan-making process, have previously been actively involved in policy development or are statutory consultees. Those who wish to be involved will be directly notified at each stage either through email or letter of opportunities to comment. Those who are interested in planning policy development and wish to be notified can be included on the Council's mailing list at any time<sup>3</sup>.
- Website – Each consultation stage will feature prominently on the homepage of the Council's website<sup>4</sup>. This will link directly to information on document production, providing access to the consultation material and advice on how and when comments can be made. Articles providing updates on plan production, which may include consultation and engagement opportunities, may be published in Rochford District Matters periodically but it will not be solely relied upon as a means of communication. Articles providing updates on plan production, which may include consultation and engagement opportunities, may be published in the Council's online news section periodically but it will not be solely relied upon as a means of communication.
- Libraries and Council reception areas – Paper copies of consultation material, including comment forms, will be available at local libraries and Council reception areas in Rayleigh and Rochford during normal opening hours.
- Adverts / public notices, and media briefings / press releases – Notices will be placed in a local newspaper advertising consultation and engagement opportunities, where appropriate. Media briefings / press releases will also be issued to local media.
- Parish and Town Council and Community Group publications – These types of publications are distributed to local residents at least quarterly. The Council will work with relevant organisations to utilise these publications to notify residents of consultation and engagement opportunities, where possible. Consideration will need to be given to the timing of the consultation, and the timing and circulation of any publications outside the Council's control.
- Posters – Posters may be sent to relevant Parish and Town Councils to be displayed on notice boards to raise awareness of any public consultation and engagement opportunities. Posters may also be displayed in other appropriate locations across the District.
- Leaflets – Leaflets may be used to gain wider public awareness of a consultation or engagement opportunity, for example leaflets may be

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<sup>3</sup> Interested parties can sign up at <http://rochford.jdi-consult.net/localplan/newuser.php> or those without access to the internet can contact the Council directly for more information

<sup>4</sup> [www.rochford.gov.uk](http://www.rochford.gov.uk)

distributed at key attractors/destinations such as train stations and local schools.

- Social media – Media such as Twitter will be used to highlight public consultations on planning policy documents with direct links to the Council's website and information on how to comment, and any engagement events. Such messages will be retweeted periodically throughout the consultation period ([@RochfordDC](#)). However, comments will not be accepted via social media.
- Events – Such events may include drop-in sessions, public exhibitions and/or targeted workshops. Parish and Town Council meetings will be utilised where possible. The type of event undertaken will be dependent on a number of factors, including the consultation stage, and time and resource constraints. Careful consideration will be given to the timing, venue and format of events to ensure accessibility and inclusivity.

2.4 All consultation materials produced by the Council are prepared in the corporate format (Arial size 12), however to ensure inclusive access during consultations, information can be made available in alternative formats on request, including larger print, braille, audio tape and different languages.

### **Submitting Comments**

2.5 The Council operates an online public consultation system where comments may be made straightforwardly against relevant parts of the document being consulted upon. Electronic media, although the most quick and efficient method for submitting comments, is not the only acceptable method. Comments may be submitted during each stage of formal public consultation in the following ways:

- Online – using the Council's online public consultation system for planning policy available at <http://rochford.jdi-consult.net/localplan>
- Email – [planning.policy@rochford.gov.uk](mailto:planning.policy@rochford.gov.uk)
- Post – Planning Policy, Rochford District Council, Council Offices, South Street, Rochford, Essex. SS4 1BW.
- Fax – 01702 318181

2.6 For less formal public consultations, the Council may utilise a simple webform as an alternative to the online public consultation system.

2.7 The Council cannot take a written record of comments over the telephone as they cannot be verified as a true record of the consultee's opinion. Officers will, however, scribe for people who cannot make comments on their own due to literacy or disability issues.

2.8 Comment forms will normally be provided in paper format on request. Respondents will be encouraged to use these particularly during the pre-submission stage, as this

will assist respondents in structuring their comments around the specific tests (in relation to soundness and legal compliance for the new Local Plan).

- 2.9 Comments must be made during the prescribed consultation period. Anonymous or confidential comments cannot be accepted. Late comments may be accepted in exceptional circumstances at the Council's discretion but may not be formally logged on the Council's consultation database. Any comments that are offensive, threatening, obscene, racist or illegal in any other way will not be accepted.
- 2.10 All comments accepted as duly-made will be logged on the Council's online public consultation system and will be available to view at the earliest opportunity.

### **Consultation Feedback**

- 2.11 A key aspect of community involvement in plan-making is providing feedback on how comments made have been taken into account in the development of a Plan or document. A report will be prepared following each consultation stage setting out the notification and engagement techniques employed, a summary of the main issues raised, officer's response to these issues and information on how these have been taken into account as appropriate. Such reports will be published on the Council's website. Following the final consultation on a Plan or document, the Council will prepare a Consultation Statement setting out which individuals and organisations have been consulted throughout the documents preparation, how they have been consulted, the main issues that were raised and how these issues have been addressed. The Plan or document and Consultation Statement will then be submitted to the Secretary of State, alongside other evidence, for independent examination.

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

- 2.12 The Council is required by the Localism Act 2011 to effectively and constructively engage with relevant partners on strategic cross boundary matters on an ongoing basis – the Duty to Co-operate. This includes neighbouring local authorities and other statutory bodies. Consideration should be given to joint working and the preparation of shared evidence base work.
- 2.13 The Council is committed to continuing to work in conjunction with relevant partners throughout the plan making process on strategic cross-boundary issues.

### **New Local Plan – Who, How and When**

- 2.14 The new Local Plan will set out the Council's strategy for future development across the District; specific proposals and the allocation of specific sites to realise this strategy; and development management policies to support these. This document will be prepared in accordance with The Town and Country Planning (Local Planning) (England) Regulations 2012. The timetable for the preparation of the new Local Plan is set out in the Local Development Scheme.
- 2.15 Opportunities for engagement at each stage of plan preparation are set out in the table below.

Plan Stage	Assessment Stage <sup>5</sup>	Engagement Opportunities
<b>Evidence Base preparation – ongoing (Regulation 18)</b>		
Gathering and reviewing background information. Preparation of technical studies and topic papers.	Collate and review baseline social, economic and environmental data.  Draft and publish SA/SEA Scoping Report.	Targeted involvement of organisations and service providers.  Informal consultation with key stakeholders, such as Parish and Town Councils, relevant interest groups, landowners and developers, as appropriate.  Formal consultation with Natural England, Heritage England and the Environment Agency on the SEA/SA Scoping Report.
<b>Issues and Options Document<sup>6</sup></b>		
Draft Plan considering a wide range of topics and issues, and different options to address these.	Initial draft SA/SEA Report – assessing each of the options, including reasonable alternatives, included in draft Plan.	Formal public consultation on the scope and content of the Issues and Options Document for a minimum of six weeks.  Formal public consultation on initial draft SA/SEA Report alongside Issues and Options Document.  Consultation and engagement techniques including public notices/adverts, posters, email and letter notifications, website, social media and availability of paper documentation in libraries and Council reception areas. Events including drop-in sessions and public exhibitions may be

<sup>5</sup> Each published stage of a development plan document is required to be accompanied by a technical Sustainability Appraisal /Strategic Environmental Assessment (SA/SEA) legislation. A Habitats Regulations Assessment (HRA) will be undertaken in accordance with the HRA legislation, including an Appropriate Assessment as necessary

<sup>6</sup> The Council is no longer required by legislation to prepare three formal documents for public consultation and engagement, however this is still considered to be the most appropriate approach for the preparation of the new Local Plan

Plan Stage	Assessment Stage <sup>5</sup>	Engagement Opportunities
		undertaken.
<b>Preferred Options Document (Regulation 18)</b>		
Revised draft Plan setting out preferred options for each topic and reasonable alternatives.	Revised draft SA/SEA Report – assessing each of the preferred options and reasonable alternatives included in revised draft Plan.  Draft HRA – screening for likely significant effects on European sites.	Formal public consultation on the scope and content of the Preferred Options Document for a minimum of six weeks.  Formal public consultation on revised draft SA/SEA Report alongside Preferred Options Document.  Consultation with Natural England on the scope and content of the HRA.  Publicity and engagement techniques including public notices/adverts, posters, email and letter notifications, website, social media and availability of paper documentation in libraries and Council reception areas. Events including drop-in sessions and public exhibitions may be undertaken.
<b>Proposed Pre-Submission Document (Regulation 19)</b>		
Comments from previous stage informs final draft Plan – the Proposed Pre-Submission Document.  Responses to comments made are contained in a separate Interim Consultation Statement.	Final SA/SEA Report – taking into account comments received at previous stage and any amendments to draft Plan following consultation.  Final HRA – reassessing likely significant effects on European sites; undertaking an Appropriate Assessment as	Formal public consultation on the Proposed Pre-Submission Document for a minimum of six weeks.  At this stage representations must relate to specific tests of soundness and legal compliance to be considered by an Inspector during independent examination. However anyone may make representations (Regulation 20).  Formal public consultation on

Plan Stage	Assessment Stage <sup>5</sup>	Engagement Opportunities
	necessary.	<p>final SA/SEA Report alongside Proposed Pre-Submission Document.</p> <p>Consultation with Natural England on the scope and content of the final HRA.</p> <p>Publicity and engagement techniques including public notices/adverts, posters, email and letter notifications, website, social media and availability of paper documentation in libraries and Council reception areas.</p>
<b>Independent Examination (Regulations 22, 23 and 24)</b>		
Submission of Proposed Pre-Submission Document and supporting documents, including SA/SEA Report and Consultation Statement, to Secretary of State for independent examination.		<p>Public examination by Planning Inspector, considering all representations received during pre-submission consultation. Hearing sessions, as necessary.</p> <p>Written submissions carry the same weight to those presented at hearings.</p>



Plan Stage	Assessment Stage <sup>5</sup>	Engagement Opportunities
Potential for Inspector to recommend modifications to make Plan sound ('Main Modifications' – those matters that materially affect the interpretation of policies in the draft Plan).	Addendum to submitted SA/SEA Report.	Public consultation on any proposed Main Modifications and, if needed, any addendum to the SA/SEA Report.
<b>Inspector's Report and Adoption (Regulations 25 and 26)</b>		
Publication of Inspector's Report, including recommendations of any proposed modifications to the submitted draft Plan.  If found sound and legally compliant (subject to modifications), the Council may adopt the Plan.  Preparation of Adoption Statement.	Preparation of SA/SEA Adoption Statement.	Six week period for legal challenge following adoption of the Plan.

### Community Infrastructure Levy (CIL) Charging Schedule – Who, How and When

- 2.17 The Community Infrastructure Levy will set a charge per square metre of new floorspace which will be levied on new development across the District, where applicable. The Levy will be prepared in accordance with The Community Infrastructure Levy Regulations 2010 (as amended). The timetable for the preparation of the Community Infrastructure Levy is set out in the Local Development Scheme.
- 2.18 Opportunities for engagement at each stage of document preparation are set out in the table below.

Plan Stage	Assessment Stage	Engagement Opportunities
<b>Evidence Base preparation</b>		
Prepare key background documents, including Viability Assessment and Infrastructure Funding Gap Assessment.		Informal targeted engagement with agents and developers in relation to the Viability Assessment.  Informal engagement with Essex County Council and other service providers in the



Plan Stage	Assessment Stage	Engagement Opportunities
		preparation of the Infrastructure Funding Gap Assessment.
<b>Preliminary Draft Charging Schedule (Regulation 15)</b>		
<p>Publication of Preliminary Draft Charging Schedule setting out the proposed charge to be levied.</p> <p>Publication of draft Regulation 123 list detailing proposed infrastructure projects to be funded through S106 Agreements and the Levy.</p>	Draft Viability Assessment.	<p>Formal public consultation on content of Preliminary Draft Charging Schedule for a minimum of four weeks.</p> <p>Publicity and engagement techniques including public notices/adverts, email and letter notifications, website, social media and availability of paper documentation in libraries and Council reception areas.</p>
<b>Draft Charging Schedule (Regulation 16)</b>		
<p>Comments from previous stage inform Draft Charging Schedule.</p> <p>Responses to comments made are contained in a separate Consultation Statement.</p>	Viability Assessment – updated as necessary.	<p>Formal public consultation on content of Draft Charging Schedule for a minimum of four weeks.</p> <p>Publicity and engagement techniques including public notices/adverts, email and letter notifications, website and availability of paper documentation in libraries and Council reception areas.</p>
<b>Independent Examination (Regulations 19 and 20)</b>		
Submission of Draft Charging Schedule and supporting documents to the Secretary of State for independent examination.		<p>Public examination by Examiner (usually an Inspector), considering all representations. Hearing sessions, as necessary.</p> <p>Written submissions carry the same weight to those presented at hearings.</p>

Plan Stage	Assessment Stage	Engagement Opportunities
<b>Examiner's Report and Publication (Regulations 23 and 25)</b>		
Publication of Examiner's Report setting out recommendations and reasons.  If approved, the Council may adopt and publish the Charging Schedule.		

### Supplementary Planning Documents – Who, How and When

- 2.22 Supplementary Planning Documents are non-statutory documents that give further advice and guidance on the interpretation of policies and proposals set out in Development Plan Documents. These documents will be prepared in accordance with The Town and Country Planning (Local Planning) (England) Regulations 2012. The timetable for the preparation of any Supplementary Planning Documents is set out in the Local Development Scheme.
- 2.23 Opportunities for engagement at each stage of document preparation are set out in the table below.

Document Stage	Assessment Stage <sup>7</sup>	Engagement Opportunities
<b>Evidence Base preparation</b>		
Gathering and reviewing baseline information.  Preparation of technical studies, as necessary.	Screening to determine whether a SA/SEA is required.  Draft and publish SA/SEA Scoping Report, if necessary.	Informal targeted involvement of organisations and service providers.  Informal consultation with key stakeholders, such as Parish Councils, relevant interest groups, landowners and developers.  Formal consultation with Natural England, Heritage England and the Environment Agency on the SEA/SA Scoping Report, if necessary.

<sup>7</sup> Each published stage will be accompanied by a technical Sustainability Appraisal / Strategic Environmental Assessment (SA/SEA) legislation, where required

Document Stage	Assessment Stage <sup>7</sup>	Engagement Opportunities
<b>Draft Supplementary Planning Document (Regulation 13)</b>		
Draft document setting out preferred options.	Draft SA/SEA Report – if required in exceptional circumstances.	<p>Formal public consultation on the scope and content of the Draft Supplementary Planning Document for a minimum of six weeks.</p> <p>Formal public consultation on initial draft SEA/SA Report alongside draft document – if required.</p> <p>Publicity and engagement techniques including public notices/adverts, email and letter notifications, website, social media and availability of paper documentation in libraries and Council reception areas. Events may be undertaken, as appropriate.</p>
<b>Adopt Supplementary Planning Document (Regulations 12 and 14)</b>		
Publication of final document taking account of consultation responses.	Publication of SA/SEA Report (if required, in exceptional circumstances).	

## Neighbourhood Planning

- 2.24 Neighbourhood Plans are plans for guiding the future development and growth of a local area which can be produced – in the case of Rochford District – by Parish or Town Councils. The preparation of, and consultation on, Neighbourhood Plans is governed by the Neighbourhood Planning (General) Regulations 2012 (as amended). The Parish or Town Council is responsible for undertaking consultation and engagement during the preparation stage of Neighbourhood Plans in accordance with the relevant legislation and guidance. The District Council's role is to provide advice and support to the Parish or Town Council during Plan preparation and provide assistance during examination and referendum. The progress of any Neighbourhood Plans can be found on the Council's website<sup>8</sup>.

<sup>8</sup> <http://www.rochford.gov.uk/planning/policy/neighbourhood-planning>

### Minerals and Waste Local Plans

- 2.25 The preparation and review of Minerals and Waste Local Plans is the responsibility of Essex County Council. The District Council is, and will continue to be, a consultee on such plans. The progress of the County Council's Minerals and Waste Local Plans and their Statement of Community Involvement, can be found on the County Council's website<sup>9</sup>.

## 3 Planning Applications

- 3.1 A planning application must be submitted to the Local Planning Authority – Rochford District Council – before development takes places. The exception to this is where certain types of development is automatically permitted by legislation, referred to as permitted development. An applicant can apply to the Council for a Lawful Development Certificate to determine whether a proposal is permitted development or not; more information on this process is available on the Planning Portal website<sup>10</sup>.

### Pre-Application Advice

- 3.2 The Council offers a chargeable pre-application advice service. This service enables applicants to discuss their proposals with officers, understand how policies and guidance would be applied, and identify where any specialist input would be required early on in the process before submitting a formal planning application. The aim of this service is to ensure that valid, better quality applications are submitted to the Council which are more likely to have a greater chance of a positive outcome.
- 3.3 Pre-application advice is available for all types of development including householder applications; however it is particularly encouraged for major development proposals. This service includes options for a written generic response from officers to proposals, a meeting with written advice and a follow up meeting. Additional urban design advice is also available. Members can be involved in pre-application discussions for minor, major or strategic development proposals. More information on pre-application advice is available on the Council's website<sup>11</sup>.
- 3.4 Such advice will be based on the case officer's professional judgement and will not constitute a formal response or decision of the Council with regard to any future planning applications. Any views or opinions expressed, are given without prejudice to the consideration by the Council of any formal planning application, which will be subject to wider consultation and publicity. Although the case officer may indicate the likely outcome of a formal planning application, no guarantees can or will be given about the decision that will be made on any such application.
- 3.5 The Council will not normally undertake any public consultation for applicants that have sought pre-application advice for a proposal. This avoids unproductive involvement for local communities as no formal planning application has been submitted at this stage.

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<sup>9</sup> <http://www.essex.gov.uk>

<sup>10</sup> [www.planningportal.gov.uk/permission/next/lawfuldevelopmentcertificate](http://www.planningportal.gov.uk/permission/next/lawfuldevelopmentcertificate)

<sup>11</sup> [www.rochford.gov.uk/planning/planning\\_applications/planning\\_pre-application\\_advice](http://www.rochford.gov.uk/planning/planning_applications/planning_pre-application_advice)

**Pre-Application Consultation**

- 3.6 Consultation with local communities is encouraged for applicants seeking permission for major development in particular. When such engagement takes place it is at the discretion of the applicant and can take place prior to seeking pre-application advice, if sought, or prior to submission of a planning application. The results of any public consultation should be provided to the Local Planning Authority with a planning application.
- 3.7 There are a number of benefits for consulting affected communities prior to the submission of a planning application, including:
- Providing local communities with accurate information on a proposal before a formal application is submitted;
  - Enabling local concerns and objections to be identified early in the process and be addressed, where possible;
  - Providing an opportunity for local communities to discuss proposals with the applicant (for example at public meetings);
  - Potentially avoiding the need to revise and / or resubmit proposals at an advanced stage;
  - Encouraging a transparent and inclusive application process;
  - Assisting in the submission of better quality applications.
- 3.8 The Council supports pre-application consultation with local communities but will not normally be involved in this process. However, the applicant may wish to seek advice on effective engagement techniques prior to submission of a formal application – such techniques may include; public meetings, public exhibitions, workshops, notices/articles in local media, and consultation letters.
- 3.9 Applicants should also consider consulting organisations such as Essex County Council (as the highways and education authority, and urban design advisor to the Council), Heritage England, the Environment Agency and Natural England for advice depending on the development being proposed.

**Planning Performance Agreements**

- 3.10 The Council will, for some types of applications, enter into a Planning Performance Agreement (PPA) with an applicant. A PPA is an agreement between the Council and an applicant setting out the process and timescales for considering some larger and more complex proposals from the pre-application stage through to the submission and determination of a full application. A PPA can include information on community involvement such as techniques for engaging with affected communities and how their views will be incorporated. Once a PPA has been entered into, the statutory time limit for the determination of the planning application no longer applies.

### Planning Applications

- 3.11 Copies of all valid planning applications are published on the Council's website<sup>12</sup> and are available to view at the Council offices in Rayleigh and Rochford during normal opening hours.
- 3.12 The Council will advertise planning applications in the following ways, depending on the type of application in accordance with, and where possible beyond, the requirements of the relevant legislation:
- Neighbour notification – Occupiers of properties most likely to be affected by a proposal will be notified by letter that an application has been received. Written comments will be invited and should be received within 21 days of the date of the letter. The extent of the neighbour notification process will vary depending on the type of proposal for which permission is being sought. This will be at or beyond the level specified by the legislation.
  - Site notices – These yellow notices will be displayed in the vicinity of the site where a planning application has been made. The site notice will list details of the application together with information on how plans and supporting information can be viewed and how comments can be made on the application. Site notices will be displayed for all major applications, and applications that are considered likely to affect a Listed Building or a Conservation Area. However, not all planning applications will be publicised with the use of a site notice.
  - Statutory consultees – The Council seeks to engage with a number of organisations who may have an interest in the planning process; including Essex County Council Highways and education departments, English Heritage, Natural England and the Environment Agency. However, not all such organisations are consulted on each application – this will depend on the location, scale and type of planning application under consideration. Consultees are notified in writing and, as with local residents, have 21 days in which to respond. In addition bodies such as Natural England will be allowed a longer period of time to comment on applications where this is prescribed by legislation.
  - Website – Major residential planning applications are publicised on the Council's home page. This will link to a dedicated page for each application providing more detailed information on the proposals, easy access to key plans and supporting documents and information on how comments can be made.
  - Public Access – All planning applications are available to view on the Council's e-planning system<sup>13</sup>. Planning applications can be searched by address, application reference number or geographically using the map of the District

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<sup>12</sup> [www.rochford.gov.uk](http://www.rochford.gov.uk)

<sup>13</sup> <http://maps.rochford.gov.uk/DevelopmentControl.aspx?RequestType=ParseTemplate&Template=DevelopmentControlSearch.tmpl>

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provided. This system provides access to submitted plans, supporting documents and statements, comments received, the officer's report and decision notice (depending on the status of the application).

- Social media – Planning applications may feature on the Council's Twitter feed for planning applications which are automatically tweeted from the Council's planning management system ([@RDCplanningapps](#)).
- Local media – Applications classified as being major applications or those which could affect the character or appearance of a Conservation Area or Listed Building will be advertised in a local newspaper.

3.13 All planning applications can be examined on the Council's Public Access site. For those without access to the internet, all relevant information is available to view at the Council offices in Rochford and Rayleigh, during normal opening hours.

3.14 Anyone can comment on a planning application. Comments can be made in writing to the Council in the following ways:

- Online – via the webform or planning application system following the instructions available at:  
[http://www.rochford.gov.uk/planning/planning\\_applications/comment\\_on\\_a\\_planning\\_app](http://www.rochford.gov.uk/planning/planning_applications/comment_on_a_planning_app)
- Email – [planning.applications@rochford.gov.uk](mailto:planning.applications@rochford.gov.uk)
- Post – Planning Applications, Rochford District Council, Council Offices, South Street, Rochford, Essex. SS4 1BW.
- Fax – 01702 318181

3.15 The Council cannot take a written record of comments over the telephone as they cannot be verified as a true record of the consultee's opinion. Officers will, however, scribe for people who cannot make comments on their own due to literacy or disability issues.

3.16 Those commenting on a planning application are encouraged to provide contact details, however anonymous comments will be accepted in most circumstances at the discretion of the case officer, but may be given less weight as the context within which the comments have been made (i.e. if the person commenting is neighbours the application site or not) may be less obvious. All comments received will be considered by the case officer and included in the officer's report; comments will also be redacted and published on the Council's Public Access site.

3.17 Comments must be made during the prescribed consultation period. Late comments may be accepted in exceptional circumstances at the case officer's discretion. Any comments that are offensive, threatening, obscene, racist or illegal in any other way will not be accepted.



- 3.18 Communication will not generally be entered into with objectors or supporters of an application once the comments have been submitted. However, the Council will endeavour to update those who have submitted comments on a planning application at several stages either through direct correspondence, the Council's website or other media, as appropriate:
- Mid-application – In the event that the application will be determined at Development Committee, members of the public who have commented on the application will be informed of this. They will be provided with the date, time and venue of the relevant Committee. This information will be updated on the Council's website.
  - Alterations – When an applicant makes changes to a proposal mid-application, depending on the scale of such changes, the Local Planning Authority will usually write to those who have commented previously inviting further comment. This information will also be updated on the Council's website.
  - Post-application – Once the application has been determined the Council will update the Public Access site, and the website if applicable, detailing the outcome of the application and how to get further information if required. The agent (or applicant where there is no agent) will be sent the decision notice by email or post on the day of issue or the first working day following date of issue.
  - Appeals – When an applicant appeals against the decision of the Council to refuse their proposal or against non-determination of an application, those that have contributed along with other neighbours who adjoin the site, will be informed that an appeal has been made. This will be done in writing and will include details on how to comment on the appeal application.
- 3.19 In addition to the Public Access site being updated following the determination of a planning application, the Council also publishes a monthly decisions register on its website<sup>14</sup>.

### **Planning Enforcement**

- 3.20 The Council's planning enforcement service investigates alleged breaches of planning control. Such alleged breaches may be reported by Members, other Council departments, other organisations or members of the public. The Council's Enforcement Policy is available to view on the Council's website<sup>15</sup>.
- 3.21 Alleged breaches of planning control can be reported in any of the following ways:
- Online – using the webform available at:  
[www.rochford.gov.uk/planning/enforcement](http://www.rochford.gov.uk/planning/enforcement)
  - Email – [planning.enforcement@rochford.gov.uk](mailto:planning.enforcement@rochford.gov.uk)

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<sup>14</sup> [http://www.rochford.gov.uk/planning/planning\\_applications/monthly-applications-decisions-register](http://www.rochford.gov.uk/planning/planning_applications/monthly-applications-decisions-register)

<sup>15</sup> [www.rochford.gov.uk/planning/enforcement](http://www.rochford.gov.uk/planning/enforcement)



- Post – Planning Enforcement, Rochford District Council, Council Offices, South Street, Rochford, Essex. SS4 1BW.
- In person – at the Council offices in Rochford or Rayleigh during normal opening hours
- Phone – 01702 318191
- Fax – 01702 318181

- 3.22 The Council does not accept anonymous enforcement complaints. Anonymous complaints will only be registered where the breach is extremely serious and/or can be readily detected. The identity of complainants is kept confidential.
- 3.23 Consultation is not undertaken for enforcement cases; however the Council will endeavour to update the complainant with all relevant details, including notification of any relevant planning applications submitted. The Council will, in most circumstances, do this over the phone or by writing to the complainant via email or post.

### **Appeals**

- 3.24 An applicant can appeal to the Planning Inspectorate against the decision of the Council where an application has been refused permission, or where a proposal has been granted consent with conditions that are considered to be unacceptable to the applicant. An applicant can also appeal against non-determination of an application within the statutory time limit, or the revised timescales if an extension of time has been agreed. Appeals can also be made against enforcements notices.
- 3.25 Those who were consulted on the original planning application, as well as those who made comments on the proposal, will be notified of the appeal. In the case of enforcement notices, it is the responsibility of the Council to notify everyone who it thinks is affected about the appeal. The Council may also publicise an appeal on the Council's website or in local media if considered necessary. Depending on the type of application and the reason(s) for the appeal, different appeal procedures may be followed; through written representations, a hearing or a public inquiry.
- 3.26 The Council will send the Planning Inspectorate copies of any comments received during consultation on the planning application. These comments will be considered by the Inspector who determines the appeal. Further written comments can be made, except in the case of Householder Appeals. Those who did not comment at the application stage can still comment on an appeal. Interested parties can also present their views verbally before a Planning Inspector during appeals that are decided by an informal hearing or public inquiry. More information on planning appeals can be found on the Council's website<sup>16</sup>.

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<sup>16</sup> [www.rochford.gov.uk/planning/planning\\_applications/planning\\_appeal\\_information](http://www.rochford.gov.uk/planning/planning_applications/planning_appeal_information)

## 4 Resourcing, Monitoring and Review

- 4.1 The implementation of the Statement of Community Involvement will require the use of the Council's resources – including finances and officer time.
- 4.2 Public consultation and engagement on the Council's planning policies will be undertaken primarily by planning officers, in conjunction with other departments where relevant. The Council will allocate money from its budget towards the preparation of the new Local Plan and Community Infrastructure Levy, taking into account the cost of implementing the requirements set out in the Statement of Community Involvement. The Local Development Scheme sets out the timescale for the production of these documents. This timetable factors in the time required for public consultation and engagement to be carried out at various stages.
- 4.3 The Council's approach for consulting on planning applications have allowed for the timescales in which applications are required to be determined in accordance with the legislation.
- 4.4 The Council will monitor the effectiveness of the Statement of Community Involvement, through considering:
- The level of community participation that it generates, particularly from groups that may have found themselves excluded from the process in the past;
  - The degree to which the views of those participating translate into actual planning outcomes;
  - The level of feedback received by those participating from the Council
- 4.5 The Statement of Community Involvement does not specify in detail all the community participation activities that will be carried out in order to maintain a flexible approach. It is intended, however, that the level of engagement will be beyond the minimum level required by legislation, wherever possible.

**Draft Statement of Community Involvement: Consultation Note February 2016****What is the draft Statement of Community Involvement?**

- 1.1 The draft Statement of Community Involvement sets out how the Council proposes to notify and engage with residents, organisations, statutory consultees and other interested parties throughout the plan-making process (beyond the minimum statutory requirements) and in the determination of planning applications. The draft Statement of Community Involvement builds on, and will eventually replace, the current version which dates back to 2007.
- 1.2 The draft Statement needs to be consulted on; the results of the consultation will then be carefully considered and a revised Statement, along with the comments received, will be taken to Full Council for approval to adopt.

**What is the purpose of the Consultation Note?**

- 1.3 Given the changes in national planning legislation, policy and guidance since the adoption of the 2007 Statement of Community Involvement, this Consultation Note seeks to clarify how the Council will consult and engage with a wide range of individuals and organisations on the draft Statement.

**How will interested parties be notified?**

- 1.4 The minimum statutory consultation period for planning policy documents is six weeks. The Council will however consult on the draft Statement of Community Involvement for nine weeks to provide sufficient opportunity for individuals and organisations to express their views on how they should be consulted on and engaged with, particularly in relation to plan-making.
- 1.5 A wide range of notification and engagement techniques will be utilised, including:
  - Mailing list – Those individuals and organisations currently on the Council's database will be directly notified of the consultation either through email or letter, and provided with information on how to submit their views<sup>1</sup>.
  - Website – The consultation will feature prominently on the homepage of the Council's website as a rolling banner. This will link directly to information on the document, providing access to the consultation material and advice on how and when comments can be made.
  - Libraries and Council reception areas – Paper copies of the consultation material, including comment forms, will be available at local libraries and Council reception areas in Rayleigh and Rochford during normal opening hours.

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<sup>1</sup> Those who are interested in planning policy development and wish to be notified can be included on the Council's mailing list at any time through signing up at <http://rochford.jdi-consult.net/localplan/newuser.php> or those without access to the internet can contact the Council directly for more information

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- Adverts / public notices and media briefing / press releases – A notice will be placed in a local newspaper advertising the consultation, subject to resources. A media briefing / press release will also be issued to local media.
- Parish and Town Council and Community Group publications – Officers will work with relevant organisations to utilise these publications to notify residents of the consultation, where possible. Consideration will need to be given to the timing of the consultation, and the timing and circulation of any publications outside the Council's control.
- Posters – Posters will be sent to relevant Parish and Town Councils to be displayed on notice boards to raise awareness of the consultation. Posters may also be displayed in other appropriate locations across the District.
- Leaflets – Leaflets may be distributed to gain wider public awareness of the consultation, subject to resources.
- Social media – Twitter will be used to highlight the consultation and any specific engagement events (see below) during the consultation. The tweet will provide a direct link to the consultation page on the Council's website, providing access to the consultation material and information on how to comment. Such messages will be retweeted periodically throughout the consultation period ([@RochfordDC](#)). However, comments will not be accepted via social media.
- Events – Officers will be attending the RRAVS Health and Wellbeing Event on 3 March 2016 to raise awareness of the consultation and provide information on how to comment. Other events such as drop-in sessions may be utilised during the consultation period, subject to resources.
- Rochford District Matters – An article highlighting the consultation will feature in the final Spring 2016 paper version of Rochford District Matters which will be sent to all households in the District. This edition will also be available electronically on the Council's website<sup>2</sup>.

#### How can interested parties submit their views?

1.6 Comments may be submitted during the consultation in the following ways:

- Online – using the Council's online public consultation system for planning policy available at <http://rochford.jdi-consult.net/localplan>
- Email – [planning.policy@rochford.gov.uk](mailto:planning.policy@rochford.gov.uk)
- Post – Planning Policy, Rochford District Council, Council Offices, South Street, Rochford, Essex. SS4 1BW.
- Fax – 01702 318181

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<sup>2</sup> [www.rochford.gov.uk/rochford-district-matters](http://www.rochford.gov.uk/rochford-district-matters)

- 1.7 The Council cannot take a written record of comments over the telephone as they cannot be verified as a true record of the consultee's opinion. Officers will, however, scribe for people who cannot make comments on their own due to literacy or disability issues.
- 1.8 Comments must be made during the prescribed consultation period. Anonymous or confidential comments cannot be accepted. Late comments may be accepted in exceptional circumstances at the Council's discretion but may not be formally logged on the Council's consultation database. Any comments that are offensive, threatening, obscene, racist or illegal in any other way will not be accepted.

**Next Steps**

- 1.9 All comments submitted during the consultation will be considered by officers and a response to the key issues raised will be set out in a Consultation Statement. The draft Statement of Community Involvement will be reviewed and updated as appropriate. The revised Statement, and accompanying Consultation Statement, will then be taken to Full Council to be considered for adoption. Once adopted, all future consultations, particularly with regard to planning policy consultations, will be undertaken in accordance with the revised Statement of Community Involvement.

## **Suggested text for Consultation Leaflets and Parish and Community Newsletters**

### **Council strives to maintain high planning standards**

Rochford District Council is at the early stages of reviewing its policies which planning applications are determined against. The Statement of Community Involvement is a planning document which sets out how the Council will involve the community in plan-making and the consideration of planning applications. As part of the wider review of planning policies, the Statement of Community Involvement is being updated to ensure the Council's practices remain of the highest standard and are up-to-date with national planning guidance. This document will be publicly consulted on and available on the Council's website at [www.rochford.gov.uk/SCI](http://www.rochford.gov.uk/SCI) in due course. Paper copies will also be available in Rochford and Rayleigh reception areas and in libraries during normal opening hours.

If you would like to be kept up to date on future planning policy consultations and opportunities to be involved in plan-making, please join Rochford District Council's Planning Policy mailing list in one of the following ways:

Online: <http://rochford.jdi-consult.net/localplan/newuser.php>

Post: Planning Policy, Rochford District Council, Council Offices, South Street, Rochford, Essex. SS4 1BW.

Phone: 01702 318191