
STATEMENT OF COMMUNITY INVOLVEMENT 2022 UPDATE

1 PURPOSE OF REPORT

- 1.1 This report summarises proposed updates to the Council's Statement of Community Involvement (SCI), made to ensure its planning consultation procedures are as representative and transparent as possible, and that the SCI remains relevant in the face of both technological change and the impacts of the Covid-19 pandemic. It also summarises the findings of feedback received during the consultation held on the proposed changes, held at the same time as the New Local Plan: Spatial Options consultation in 2021. It recommends that the Council notes the findings of the feedback report, and resolves to formally adopt the updated SCI.

2 INTRODUCTION

- 2.1 The Council, as the Local Planning Authority, is required to prepare a Statement of Community Involvement (SCI) under Section 18 of the Planning and Compulsory Purchase Act (2004).
- 2.2 The purpose of the SCI 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. They are statutory documents that set out how and when local authorities will involve communities (and other interested persons) in the planning process. SCIs will typically include details of how engagement will be managed in relation to the plan-making development management and planning enforcement processes.
- 2.3 The Town and Country Planning (Local Planning) Regulations 2012 require local planning authorities to review their SCIs every 5 years from the adoption date. It is important that SCIs are kept up to date to ensure effective community involvement at all stages of the planning process and, therefore, to expand on the Council's most recent adopted SCI, dating from 2016. Since the adoption of the first version of the SCI in 2007, the Council has sought to go beyond the minimum regulatory requirements.
- 2.4 The five year review of the Council's SCI has identified a number of minor textual amendments that are required to ensure that the provisions within the SCI remain accurate, appropriate and achievable. Details of the changes proposed and consulted on are set out in Section 3.
- 2.5 At a previous meeting of the Planning Policy Committee, held on 23 June 2021, it was resolved that the SCI be consulted on for a period of six weeks. The consultation was held concurrently with the new Local Plan Spatial Options Consultation, with both electronic and physical copies available for the public to view. Consultees were invited to respond to the SCI consultation as part of the wider Spatial Options consultation. Both consultations ran from 28 July to 21 September 2021, with an extension agreed from the initial

closing date of 6 September to allow residents more time to respond, in light of much of the consultation taking place over the school summer holiday period.

- 2.6 Following the close of the consultation, the feedback received and consequent actions are summarised in Section 3.

3 STATEMENT OF COMMUNITY INVOLVEMENT – 2021 UPDATE AND FEEDBACK REPORT

- 3.1 The majority of the Council's adopted (2016) SCI is considered to remain accurate, appropriate and achievable. However, the proposed update introduces a number of minor additions and amendments, which are generally either additive provisions or factual updates, reflecting any changes to national policy or the Local Development Scheme which have taken place since the adoption of the SCI in 2016. The main amendments are as follows:-

- 3.1.1 In the table under Paragraph 2.23, which sets out opportunities for engagement at each stage of the new Local Plan, there is the addition of wording relating to the Spatial Options stage which has been included in the plan-making process since the last SCI was adopted to allow further consultation on the proposed options for distribution development in the District under the Plan.
- 3.1.2 Changes to the wording for pre-application planning advice in Paragraph 3.3, reflecting that householder and small scale development is currently excluded from this service, whilst it is expected for all major development proposals. It has also been updated to note that historic building advice is available.
- 3.1.3 Additional wording in paragraph 3.12, relating to the public access e-planning system, noting that some older historic applications may not be retrieved using the map search function.
- 3.1.4 Minor changes in Paragraph 3.23 to the process for keeping complainants updated on enforcement cases.

The COVID-19 Pandemic - Implications

- 3.1.5 In addition to the minor amendments described above, the proposed changes to the SCI include provision for the impacts of the COVID-19 pandemic, which is outlined in Paragraphs 2.7-2.11. This includes some wording throughout the document reflecting that public access to Council buildings and libraries, along with their opening hours, may be limited depending on the national restrictions in place at the time.
- 3.2 In addition, a number of minor textual amendments have been made following feedback given by Essex County Council during the consultation. Detail of the proposed amendments as a result are set out below, and also in Section 4 – 'Further Amendments and Next Steps' – in the accompanying SCI Feedback Report.

- 3.3 A copy of the SCI proposed for adoption is included at Appendix B and should be read alongside the accompanying Feedback Report at Appendix A.

The Feedback Report

- 3.4 Twelve direct responses were received to the SCI consultation, with 9 of these consisting of representations from private individuals, 1 from Essex County Council (ECC), 1 from a neighbouring Local Planning Authority (Chelmsford City Council) and 1 from a community group (Hullbridge Residents' Association). It should be noted that all these representations to the SCI consultation were accompanied by larger responses to the Spatial Options consultation.
- 3.5 Only 3 responses directly referred to the SCI consultation, with the remainder being observations and feedback about the consultation process, which were submitted as part of the wider Spatial Options responses. However, these contain relevant content as they provide feedback regarding the Local Plan consultation process governed by the SCI.
- 3.6 Some respondents raised concerns about the wider consultation process, including in the context of technical language, volume of information and timing of events. These comments relate to the practical application of commitments within the SCI and will be considered when preparing consultation strategies in the future. They are not considered to require specific textual changes to the adopted SCI.
- 3.7 The proposed amendments to the SCI were, in general, minor factual changes which attracted no specific comments from a majority of respondents. Requests for further minor amendments were, however, received from Essex County Council and further changes to reflect these requests are proposed. Table 1 below summarises in brief the key themes raised by ECC and others. The full Feedback Report (including all proposed amendments) can be found accompanying this summary report and provides full details and proposed amendments/additions.

Table 1 – Main Themes Raised in Consultation

Area	Detail
Development Plan	ECC flagged Paragraph 2.2, which refers to the main Development Plan documents for the District, to be prepared as set out in the Local Development Scheme, and paragraph 2.39, which refers to the Minerals and Waste Local Plans as the responsibility of the County Council. ECC recommended paragraph 2.2 is amended to include more guidance to clarify what comprises the "Development Plan" for the area, and to clearly recognise and state that the Essex Minerals Local Plan 2014 (MLP) and the Essex

Area	Detail
	and Southend-on-Sea Waste Local Plan 2017 (WLP) also form part of the Development Plan for the area.
Implications of Coronavirus	<p>ECC requested the addition of references to the ECC Statement of Community Involvement (revised July 2020). In revising this, legal advice recommended that a more general paragraph be included within the SCI stating that ECC will follow government guidance regarding engagement and consultation should any pandemic/epidemic occur, but with no specific references to dates or guidance. This allows the SCI to cover both the current pandemic situation and any future situations that may arise impacting upon ECC public engagement processes, with further specific guidance available on ECC's website.</p> <p>ECC noted Rochford's SCI makes reference to the government pandemic guidance and its effects on community engagement and the viewing of consultation documents in paragraph 2.6. ECC suggested consideration should be given to the longevity of the SCI, and that wording similarly provides for similar future situations in the same way as the 2020 ECC SCI revision.</p>
Neighbourhood Planning	ECC recommended that Paragraph 2.3 is expanded to include reference to the ECC Neighbourhood Planning Guide (2019) to assist future communities in preparing a Neighbourhood Plan.
Duty to Cooperate	<p>Referring to the National Planning Policy Framework (NPPF), ECC recommended paragraph 2.19 - 2.20 make specific reference to RDC having a duty to co-operate with ECC, as the upper tier authority, on strategic matters, particularly those that cross administrative boundaries and that strategic policy making authorities should collaborate on to identify the relevant strategic matters which they need to address in their Plans.</p> <p>ECC also recommended this section is expanded to address requirements on joint working between strategic policy making authorities to help determine where additional infrastructure is necessary and the need to prepare and maintain one or more statements of common ground.</p>

Area	Detail
New Local Plan – Who, How, When	<p>ECC suggested additional detail is provided in the table within paragraph 2.22, which sets out the opportunities for engagement at each stage of Plan preparation. Concerning engagement opportunities, only the Evidence Base stage states <i>“Targeted involvement of organisations and service providers”</i>. For completeness, ECC recommended the sentence is expanded to read <i>“infrastructure and service providers”</i>; and that this sentence is repeated within the subsequent Plan stages within the table (including Independent Examination) to recognise the ongoing engagement with key stakeholders under the Duty to Cooperate and to agree any proposed modifications.</p> <p>In respect of the “Independent Examination” stage and the reference to “hearing sessions” for completeness, ECC recommended that this should make reference to ‘discussion at each hearing session’ to inform the Inspector’s judgment.</p>
Community Infrastructure Levy Charging Schedule – Who, How, When	<p>Regarding Paragraph 2.24, which sets out the table for engagement at each stage in preparing a Charging Schedule, ECC welcomed the reference at the “Evidence Base preparation” stage to <i>“Informal engagement with Essex County Council”</i> (and others); however, recommend that this (and the targeted engagement) are repeated at the subsequent stages, for transparency, to recognise the ongoing engagement in the preparation of the Draft Charging Schedule.</p>
Pre-Application Consultation	<p>ECC supported paragraph 3.2 and the undertaking of pre-application discussion and welcomed the reference in paragraph 3.9 for developers to consult other parties including ECC. Recommended the paragraph is amended to refer to ECC undertaking (chargeable) pre-application advice for minerals and waste; highway matters; community infrastructure (including education); sustainable drainage and sustainable travel. Referred to the ECC <i>Developers’ Guide to Infrastructure Contributions (2020)</i>.</p>
Planning Performance Agreement (PPA)	<p>ECC supported the use of PPAs as referenced in paragraph 3.10 to provide a project management framework for handling major planning applications. ECC highlighted their role in providing pre-application advice which would, in many circumstances, be accompanied by an approved PPA. ECC recommended that paragraph 3.10 is expanded to recognise their</p>

Area	Detail
	approach to PPAs, including links to their webpage on this to assist developers.
Planning Application Process	Regarding Paragraph 3.18 (on the communication and progress of planning applications), ECC noted there is no reference to the role of S106 legal agreements in making a development proposal acceptable in planning terms, that would not otherwise be acceptable. They recommended reference should be made to both S106 legal agreements and to securing highway measures through Section 278 measures (s278). Stated it is generally accepted and preferred that highway mitigation is delivered by s278 agreements with ECC (as local highway authority), enabling it to be funded and delivered directly by the developer.
General (Not Attached to a Specific Section)	<p>Chelmsford City Council (CCC) considered the SCI Review to be generally clear and comprehensive, and supported the consultation methods proposed for involving the community and stakeholders in the planning process. CCC noted recognition of the statutory requirement to consult neighbouring councils and other relevant organisations under the Duty to Cooperate.</p> <p>Hullbridge Residents' Association (HRA) viewed the SCI Review as an opportunity for the Council to demonstrate genuine consultation, rather than a 'tick box exercise', which they viewed previous iterations of the SCI as being. HRA was disappointed with the level of engagement they had experienced to date, having expected to be consulted on documents such as Sustainability Appraisal Scoping Report.</p> <p>HRA did not consider that their views had been sufficiently considered in the Local Plan process to date, and that this would need to be demonstrated through amendments. They wanted to see greater transparency and evidence that views were being taken on board by the Council.</p> <p>HRA noted only one drop-in engagement session for the Spatial Options consultation was held in Hullbridge, with low attendance.</p> <p>HRA expressed a desire for development of a Neighbourhood Plan for Hullbridge, something which could be progressed in conjunction with Hullbridge Parish Council.</p>

Area	Detail
General comments on communication to residents and display of information	<p>A number of comments considered both communications and the display of information to be too focused on 'online' and digital methods, with those who did not have access to a computer, or skills to send emails, marginalised or treated as an 'afterthought'. Question raised as to whether the consultation was fair, and whether residents had been reached in every possible way.</p> <p>It was also suggested that the information was presented online in a way which was difficult to navigate, even for those who were computer-literate.</p>
General comments on technical language	<p>Several responses observed that planning documents often use complex, confusing or technical language, much of which would not be easily comprehensible to the average resident. This was suggested to be something that discouraged feedback.</p>
General comments on size of consultation/volume of information	<p>Some respondents considered the breadth of supporting documents and evidence to be excessive. Comments felt this would discourage many people from both fully engaging with the document and expressing their views in a succinct manner.</p>
General comments on engagement events	<p>One remarked that a local engagement event had not been well attended.</p>

Further Amendments and Next Steps

- 3.8 The proposed amendments to the SCI were, in general, minor factual changes which attracted no specific comments from a majority of respondents. Requests for further minor amendments were, however, received from Essex County Council and further amendments to reflect these requests are proposed, as summarised in Table 2 below, indicated in red text.
- 3.9 It is recognised that some respondents raised concerns about the wider consultation process, including in the context of technical language, volume of information and timing of events. Much of this was associated with the consultation arrangements for the Spatial Options consultation. These comments relate to the practical application of commitments within the SCI and will be considered when preparing consultation strategies in the future.

They are not considered to require specific textual changes to the adopted SCI.

- 3.10 The SCI published for consultation, subject to the further amendments below, is before Full Council for adoption, at which point it will replace the existing adopted SCI. It should be noted that the Council previously adopted an addendum to its SCI, in 2019, which provided more information on how communities would be involved in the preparation of the South Essex Plan. This addendum is not proposed for amendment or deletion and will therefore remain part of the Council's adopted SCI.

Paragraph	Text Proposed in Consultation Version	Text Proposed in Adoption Version
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.	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. The Development Plan for Rochford District also comprises the Minerals Local Plan and Waste Local Plan. These are prepared by Essex County Council and information on how communities will be involved in the preparation and reviews of those plans can be found in Essex County Council's adopted Statement of Community Involvement.
2.19 – 2.20	The Council is required by the <u>Localism Act 2011</u> to effectively and constructively engage with relevant partners on strategic cross boundary matters on an ongoing basis – the Duty to Cooperate. This includes	The Council is required by the <u>Localism Act 2011</u> to effectively and constructively engage with relevant partners on strategic cross boundary matters on an ongoing basis – the Duty to Cooperate. This includes Essex County Council, as upper tier

Paragraph	Text Proposed in Consultation Version	Text Proposed in Adoption Version
	<p>neighbouring local authorities and other statutory bodies. Consideration should be given to joint working and the preparation of shared Evidence Base work.</p> <p>The Council is committed to continuing to work in conjunction with relevant partners throughout the plan-making process on strategic cross boundary issues.</p>	<p>authority for the District, neighbouring local authorities and other statutory bodies. Consideration should be given to joint working and the preparation of shared Evidence Base work.</p> <p>The Council is committed to continuing to work in conjunction with relevant partners throughout the plan-making process on strategic cross boundary issues. This includes collaboration to identify the relevant strategic matters which they need to address in their Plans and where additional infrastructure is required pursuant to the requirements of the National Planning Policy Framework.</p>
2.22 (selected)	<p>Engagement Opportunities</p> <p>Targeted involvement of organisations and service providers.</p>	<p>Engagement Opportunities</p> <p>Targeted involvement of organisations including infrastructure and service providers.</p>
2.24 (selected)	<p>Single reference to following paragraph:</p> <p>“Informal engagement with Essex County Council and other service providers in the preparation of the Infrastructure Funding Gap Assessment.”</p>	<p>Paragraph to be repeated in every section under Paragraph 2.24</p> <p>“Formal engagement with Essex County Council and other service providers in the preparation of the Infrastructure Funding Gap Assessment.”</p>

Paragraph	Text Proposed in Consultation Version	Text Proposed in Adoption Version
2.34 (selected)	<p>The principle of neighbourhood planning is that it should primarily be led and shaped by the local community. For this reason, the Council does not directly oversee or manage the neighbourhood planning process. Instead, the Council will support neighbourhood planning in the following ways:</p> <p>Directing relevant bodies towards information and resources relevant to neighbourhood planning, and any organisations or funding sources which may be able to offer direct or indirect assistance</p>	<p>The principle of neighbourhood planning is that it should primarily be led and shaped by the local community. For this reason, the Council does not directly oversee or manage the neighbourhood planning process. Instead, the Council will support neighbourhood planning in the following ways:</p> <p>Directing relevant bodies towards information and resources relevant to neighbourhood planning, and any organisations or funding sources which may be able to offer direct or indirect assistance. This includes the Essex County Council Neighbourhood Planning Guide (2019) or any successor document which signposts relevant County Council services and information sources for groups preparing Neighbourhood Plans</p>
3.9	<p>Applicants should also consider consulting organisations such as Essex County Council (as the highways and education authority, and urban design adviser to the Council), Heritage England, the Environment Agency and Natural England for advice depending on the development being proposed.</p>	<p>Applicants should also consider consulting organisations such as Essex County Council (as the authority responsible for minerals and waste; highway matters; community infrastructure (including education); sustainable drainage and sustainable travel and as historic buildings and urban design adviser to the Council), Historic England, the Environment Agency and Natural England for advice depending on the development being proposed.</p>

Paragraph	Text Proposed in Consultation Version	Text Proposed in Adoption Version
3.10	<p>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.</p>	<p>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. Essex County Council also supports the use of PPAs and has produced a model PPA.</p>

4 ENVIRONMENTAL IMPLICATIONS

- 4.1 This decision is not considered to have any direct environmental implications.

5 RESOURCE IMPLICATIONS

- 5.1 The commitments within the updated Statement of Community Involvement will be achieved using existing resources and budgets.

6 LEGAL IMPLICATIONS

- 6.1 The Council, as the Local Planning Authority, is required to prepare a Statement of Community Involvement (SCI) under Section 18 of the Planning and Compulsory Purchase Act (2004).

- 6.2 The Town and Country Planning (Local Planning) Regulations 2012 require local planning authorities to review their SCIs every 5 years from the adoption date. It is important that SCIs are kept up to date to ensure effective community involvement at all stages of the planning process and, therefore, to expand on the Council's most recent adopted SCI, dating from 2016.
- 6.3 The five year review of the Council's SCI has identified a number of minor textual amendments that are required to ensure that the provisions within the SCI remain accurate, appropriate and achievable.

7 EQUALITY AND DIVERSITY IMPLICATIONS

- 7.1 An Equality Impact Assessment has been completed and found there to be no impacts (either positive or negative) on protected groups as defined under the Equality Act 2010.

8 RECOMMENDATION

- 8.1 It is proposed that Council **RESOLVES**
- (1) That the contents of the Statement of Community Involvement Feedback Report at Appendix A be noted.
 - (2) That the Statement of Community Involvement at Appendix B be adopted.



Phil Drane
Director of Place

Background Papers:-

None.

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

1 Introduction and Background

- 1.1 The Council, as the Local Planning Authority, is required to prepare a **Statement of Community Involvement** (SCI) under Section 18 of the Planning and Compulsory Purchase Act (2004). The purpose of an SCI 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 (e.g., when the Council writes new planning policy documents, or consults on planning applications for new development).
- 1.2 The Town and Country Planning (Local Planning) Regulations 2012¹ require local planning authorities to review their SCIs every 5 years from the adoption date. It is important that SCIs are kept up-to-date to ensure effective community involvement at all stages of the planning process (Planning Practice Guidance, 2021²).
- 1.3 The Council’s SCI was adopted in 2016 which meant a review was necessary in 2021. This review identified a small number of changes which were required to ensure the document is an effective consultation strategy for the Council’s planning processes. These include the following:
- Changes to rules on how personal data is collected, processed and disposed of, which were updated on 25 May 2018 when the General Data Protection Regulation 2016 (GDPR) and the Data Protection Act 2018 came into force.
 - Advancements in digital technology to publicise and enable the consultation process, e.g., the use of digital consultation platforms and webinars to display information and capture feedback, along with the use of a range of social media platforms to spread awareness.
 - Reflection of the impact of the COVID-19 pandemic on the way in which public engagement events can be carried out, the ability to use public locations (such as libraries and Council offices) as places to view documents and means by which technology can help overcome the challenges presented.
- 1.4 Consultation and engagement on planning matters set out in the SCI seek to go beyond the minimum regulatory requirements for community involvement in the plan making process in particular and are in line with the Council’s corporate Consultation Guide for Staff. For the full details contained in the 2021 update of the SCI, please [click here](#).
- 1.5 Between 28th July 2021 and 21st September 2021, Rochford District Council consulted on its new Local Plan **Spatial Options Document 2021** (‘the Document’) in accordance with the requirements of Regulation 18. Alongside the Document, the Council also consulted on the latest (2019) amendments to the Statement of Community Involvement (SCI), as detailed above.

¹ <https://www.legislation.gov.uk/uksi/2012/767/contents/made>

² <https://www.gov.uk/guidance/plan-making>

- 1.6 Whilst it is not a statutory requirement to consult on a Statement of Community Involvement, or amendments to an existing SCI, the Council opted to consult on proposed changes for consistency with past practice.
- 1.7 This report sets out the findings regarding responses to the SCI consultation, drawing out the main trends and identifying whether any revisions are needed to the proposed amendments to the adopted SCI.

2 Consultation Process

- 2.1 The amended SCI was published for consultation alongside the Spatial Options Document, between 28th July 2021 and 22nd September 2021. In line with the adopted SCI and previous consultation (Issues and Options), a wide variety of methods were used to promote the consultation and engage with interested parties. Delays as a consequence of the COVID-19 pandemic meant that the consultation was to largely coincide with the summary school holiday, and as a result a decision was taken to extend the consultation period from the statutory minimum of 6 weeks to a full 8 weeks.
- 2.2 In addition, hard copies of the SCI, alongside the Spatial Options and IIA Documents, were available for public viewing at all public libraries within the District, along with Council reception desks in Rochford and Rayleigh.
- 2.3 For the full details of the consultation process and public engagement methods, please refer to Section 3 of the accompanying **Spatial Options Consultation Feedback Report**.
- 2.4 The full set of documents, including the SCI, Spatial Options Document, Integrated Impact Assessment (IIA) and 'quick links' to relevant evidence documents, were published online at <https://rochford.oc2.uk/>.
- 2.5 Consultees were invited to respond to the SCI consultation as part of the wider Spatial Options consultation. As with the Spatial Options, responses relating to the SCI were accepted via a range of means, including the JDI consultation portal (where a section relating to the SCI offered a free text box for comment); email; and hard copy (letter). In many instances, views on the SCI or consultation process were embedded within wider representations relating to Spatial Options, requiring Council officers to manually extract the aspects relevant to the SCI consultation and record these.

3 Key Summary

- 3.1 Twelve direct responses were received to the SCI consultation, with 9 of these consisting of representations from private individuals; 1 from Essex County Council, 1 from a neighbouring Local Planning Authority (Chelmsford City Council); and 1 from a community group (Hullbridge Residents’ Association). It should be noted that all these representations to the SCI consultation were part of larger responses to the Spatial Options consultation.
- 3.2 Of these responses, 10 were received in email format – either as a direct email representation or in the form of an attached report/letter. The remaining 2 were posted to the Council as physical letters. No responses utilised the consultation portal.
- 3.3 Only 3 responses directly referred to the SCI consultation, with the remainder being observations and feedback about the consultation process, which were submitted as part of wider Spatial Options responses. However, these contain relevant content as they provide feedback regarding the Local Plan consultation process governed by the SCI.
- 3.4 Table 1, below, summarises the key themes raised by respondents.

Table 1 – Main Themes Raised in Consultation

Area	Detail
Development Plan	Paragraph 2.2 refers to the main Development Plan documents for the district, to be prepared as set out in the Local Development Scheme, and paragraph 2.39, refers to the Minerals and Waste Local Plans as the responsibility of the County Council. ECC recommend that paragraph 2.2 is amended to include more guidance to clarify what comprises the “Development Plan” for the area, and to clearly recognise and state that the Essex Minerals Local Plan 2014 (MLP) and the Essex and Southend-on-Sea Waste Local Plan 2017 (WLP) also form part of the Development Plan for the area.
Implications of Coronavirus	ECC is the local planning authority for minerals and waste planning, for both policy development and planning applications. Planning legislation (the Planning and Compulsory Purchase Act 2004) requires planning authorities to produce a Statement of Community Involvement (SCI) to support plans. The ECC Statement of Community Involvement (Revised July 2020) sets out how individuals and groups can have their say on planning applications and the development of policy documents for those matters which are the statutory responsibility of ECC. ECC recommend reference is made to this, as the Minerals Local Plan (MLP) and

	<p>Essex and Southend Waste Local Plan (WLP) form part of the Development Plan, but have their own SCI. In revising the ECC Statement Community Involvement (Revised July 2020) legal advice recommended that a more general paragraph be included within the SCI stating that ECC will follow government guidance regarding engagement and consultation should any pandemic/epidemic occur, but with no specific references to dates or guidance.</p> <p>Consequently, the SCI covers both the current pandemic situation and any future situations that may arise impacting upon ECC public engagement processes. Further details on any current detailed government guidance is included on the ECC planning webpages and within consultation letters/publicity rather than within the SCI document itself.</p> <p>The SCI makes reference to the government pandemic guidance and its effects on community engagement and the viewing of consultation documents under 'Implications of Coronavirus pandemic (since March 2020) in paragraph 2.6. ECC acknowledges that it is helpful to include information on this temporary situation, which is scheduled to cease in December 2021, but consideration should be given to the longevity of the SCI and the lengthy and time-consuming process to make amendments to this statutory document.</p>
Neighbourhood Planning	<p>Paragraph 2.3 identifies how RDC will support neighbourhood planning including providing advice and guidance to relevant bodies and directing them towards information available. As a key provider of services and infrastructure ECC has produced a wide range of guidance documents that can help when preparing a Neighbourhood Plan. To assist in the preparation of Neighbourhood Plans ECC has prepared ECC's Neighbourhood Planning Guide (2019) which covers ECC's service areas and contains details of which of our services may need to be considered when carrying out neighbourhood planning; links to ECC policy guidance and advice on how to engage with ECC. ECC recommend that Paragraph 2.3 is expanded to include reference to this Guide to assist future communities in preparing a Neighbourhood Plan. Suggested text for example:</p> <p><i>ECC's 'Neighbourhood Planning Guide: Information, Help and Support' signposts relevant County Council services and information sources for groups preparing Neighbourhood Plans (available here).</i></p>
Duty to Cooperate	<p>ECC recommend paragraph 2.19 - 2.20 make specific reference to RDC having a duty to co-operate with ECC, as the upper tier authority, on strategic matters, particularly those that cross administrative boundaries and that strategic policy making authorities should</p>

	<p>collaborate to identify the relevant strategic matters which they need to address in their Plans (NPPF paragraphs 24 & 25). ECC also recommend that this section is expanded to address the requirements on joint working as set out in NPPF (paragraphs 26 & 27) for joint working between strategic policy making authorities to help determine where additional infrastructure is necessary and the need to prepare and maintain one or more statements of common ground.</p>
<p>New Local Plan – Who, How, When</p>	<p>The table within paragraph 2.22 sets out the opportunities for engagement at each stage of plan preparation. In respect of the engagement opportunities, only the Evidence base stage states “<i>Targeted involvement of organisations and service providers</i>”. For completeness, ECC recommend that this sentence is expanded to read “<i>infrastructure and service providers</i>”; and for transparency, that this sentence is repeated within the subsequent Plan Stages within the table (including Independent Examination) to recognise the ongoing engagement with key stakeholders under the duty to co-operate and as necessary to agree any proposed modifications.</p> <p>In respect of the “Independent Examination” stage and the reference to “hearing sessions” for completeness, ECC recommend that this should make reference to ‘discussion at each hearing session’ to inform the Inspector’s judgement.</p>
<p>Community Infrastructure Levy Charging Schedule – Who, How, When</p>	<p>Paragraph 2.24 sets out the table for engagement at each stage in preparing a Charging Schedule. ECC welcomes the reference at the “Evidence Base preparation” stage to “<i>Informal engagement with Essex County Council</i>” (and others), however ECC recommend that this (and the targeted engagement) are repeated at the subsequent stages, for transparency, to recognise the ongoing engagement in the preparation of the Draft Charging Schedule.</p>
<p>Pre-Application Consultation</p>	<p>ECC supports paragraph 3.2 and the undertaking of pre-application discussion and welcome the reference in paragraph 3.9 for developers to consult other parties including ECC. It is recommended that paragraph 3.9 is amended to make reference to ECC undertaking pre-application advice for minerals and waste; highway matters; community infrastructure (including education); sustainable drainage and sustainable travel with a web link to access ECC’s range of guidance for Developers, which is available here. It would be of assistance to recognise that ECC applies our own pre-application charging.</p> <p>Further details on ECC Pre-application engagement are available within the ECC Developers' Guide for Infrastructure Contributions (2020) (page 8) which identifies that ECC seeks to provide local authority</p>

	<p>partners as well as developers with a co-ordinated corporate single response to development proposals before plans are submitted through the pre-application process; which allows front loading of the planning process to occur, giving applicants clear direction and understanding of their proposals, solving problems and seeking solutions. Or alternatively once plans have been submitted. This will ensure that much needed and necessary infrastructure, services and facilities are delivered by development to create sustainable development and communities.</p>
<p>Planning Performance Agreement</p>	<p>ECC support the use of PPAs as referenced in paragraph 3.10 to provide a project management framework for handling a major planning application. As set out above, ECC provides pre-application advice and as with many local authorities, the aforementioned pre-application engagement would, in most circumstances, be accompanied by an approved PPA. ECC has produced a model PPA, to outline the offer and to assist partners in this process. Further details are available here.</p> <p>ECC recommend that paragraph 3.10 is expanded to recognise ECC’s approach to PPA’s including a the above weblinks to assist developers.</p>
<p>Planning Application Process</p>	<p>It is noted that Paragraph 3.18 sets out the communication and progress of planning applications, however there is no reference to the role of S106 legal agreements in making a development proposal acceptable in planning terms, that would not otherwise be acceptable. ECC recommend that reference should be made to both S106 legal agreements and to securing highway measures through Section 278 measures (s278).</p> <p>It is generally accepted and preferred that highway mitigation is delivered by s278 agreements and enables highway mitigation to be funded and delivered directly by the developer. The developer will be required to enter into a s278 Agreement with ECC, as the local highway authority (HA), to make permanent alterations or improvements to highway, as part of any planning approval (e.g. new/changed access to a development). All work within or affecting highway will be subject to technical approval by the HA prior to commencement on site. Prior to any work affecting highway commencing ECC will require an appropriate surety (either a cash deposit or a bond) that can be called upon to pay for the completion of works in the event that the developer does not complete the highway works to the satisfaction of the HA. In addition, all pre-commencement requirements in the s278 are required to have been met and approved. The ECC Developers’ Guide to Infrastructure Contributions (2020), Section 5.5.3, states that agreements under s278 of the Highways Act 1980</p>

	<p>are an essential tool used by the HA to secure highway related infrastructure improvements necessary to make development acceptable.</p>
<p>General (Not Attached to a Specific Section)</p>	<p>Chelmsford City Council (CCC) considered the SCI Review to be generally clear and comprehensive, and supported the consultation methods proposed for involving the community and stakeholders in the planning process. CCC noted recognition of the statutory requirement to consult neighbouring councils and other relevant organisations under the Duty to Cooperate.</p> <p>Hullbridge Residents' Association (HRA) viewed the SCI Review as an opportunity for the Council to demonstrate genuine consultation, rather than a 'tick box exercise', which they viewed previous iterations of the SCI as being. HRA were disappointed with the level of engagement they had experienced to date, having expected to be consulted on documents such as Sustainability Appraisal Scoping Report.</p> <p>HRA did not consider that their views had been taken into account sufficiently in the Local Plan process to date, and that this would need to be demonstrated through amendments. They wanted to see greater transparency and evidence that views were being taken on board by the Council.</p> <p>HRA noted only one drop-in engagement session was held in Hullbridge, with low attendance.</p> <p>HRA expressed desire for development of a Neighbourhood Plan for Hullbridge, something which could be progressed in conjunction with Hullbridge Parish Council.</p>
<p>General comments on communication to residents and display of information</p>	<p>A number of comments considered both communications and the display of information to be too focused on 'online' and digital methods, with those who did not have access to a computer, or skills to send emails, marginalised or treated as an 'afterthought'. Question raised as to whether the consultation was fair, and whether residents had been reached in every possible way.</p> <p>It was also suggested that the information was presented online in a way which was difficult to navigate, even for those who were computer-literate.</p>
<p>General comments on technical language</p>	<p>Several responses observed that planning documents often use complex, confusing or technical language, much of which would not be easily comprehensible to</p>

	the average resident. This was suggested to be something that discouraged feedback.
General comments on size of consultation/volume of information	Some respondents considered the breadth of supporting documents and evidence to be excessive. Comments felt this would discourage many people from both fully engaging with the document and expressing their views in a succinct manner.
General comments on engagement events	One remark that a local engagement event had not been well-attended.

4 Further Amendments and Next Steps

- 4.1 The proposed amendments to the SCI were, in general, minor factual changes which attracted no specific comments from a majority of respondents. Requests for further minor amendments were however received from Essex County Council and further amendments to reflect these requests are proposed as summarised in Table 2 below, indicated in red text.
- 4.2 It is recognised that some respondents raised concerns about the wider consultation process, including in the context of technical language, volume of information and timing of events. These comments relate to the practical application of commitments within the SCI and will be considered when preparing consultation strategies in the future. They are not considered to require specific textual changes to the adopted SCI.
- 4.3 The SCI published for consultation subject to the further amendments below will be taken forward to Full Council for adoption, at which point it will replace the existing adopted SCI. It should be noted that the Council previously adopted an addendum to its SCI, in 2019, which provided more information on how communities would be involved in the preparation of the South Essex Plan. This addendum is not proposed for amendment or deletion and will therefore remain part of the Council’s adopted SCI.

Table 2 – Further Amendments Proposed

Paragraph	Text Proposed in Consultation Version	Text Proposed in Adoption Version
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.	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. The development plan for Rochford District also comprises the Minerals Local Plan and Waste Local Plan. These are prepared by Essex County Council and information on how communities will be involved in the preparation and reviews of those plans can be found in Essex County Council’s adopted Statement of Community Involvement.

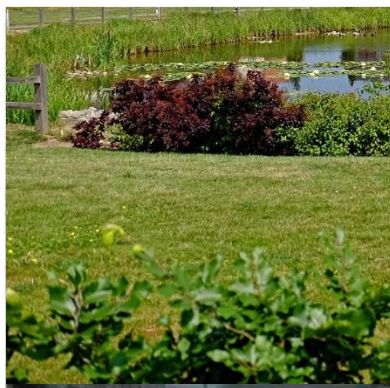
<p>2.19 – 2.20</p>	<p>The Council is required by the <u>Localism Act 2011</u> to effectively and constructively engage with relevant partners on strategic cross boundary matters on an ongoing basis – the Duty to Co-operate. This includes neighbouring local authorities and other statutory bodies. Consideration should be given to joint working and the preparation of shared evidence base work.</p> <p>The Council is committed to continuing to work in conjunction with relevant partners throughout the plan making process on strategic cross-boundary issues.</p>	<p>The Council is required by the <u>Localism Act 2011</u> to effectively and constructively engage with relevant partners on strategic cross boundary matters on an ongoing basis – the Duty to Co-operate. This includes Essex County Council, as upper tier authority for the District, neighbouring local authorities and other statutory bodies. Consideration should be given to joint working and the preparation of shared evidence base work.</p> <p>The Council is committed to continuing to work in conjunction with relevant partners throughout the plan making process on strategic cross-boundary issues. This includes collaboration to identify the relevant strategic matters which they need to address in their Plans and where additional infrastructure is required pursuant to the requirements of the National Planning Policy Framework.</p>
<p>2.22 (selected)</p>	<p>Engagement Opportunities</p> <p>Targeted involvement of organisations and service providers.</p>	<p>Engagement Opportunities</p> <p>Targeted involvement of organisations including infrastructure and service providers.</p>
<p>2.24 (selected)</p>	<p>Single reference to following paragraph:</p> <p>“Informal engagement with Essex County Council and other service providers in the</p>	<p>Paragraph to be repeated in every section under Paragraph 2.24</p> <p>“Formal engagement with Essex County Council and other service providers in the preparation of the</p>

	preparation of the Infrastructure Funding Gap Assessment.”	Infrastructure Funding Gap Assessment.”
2.34 (selected)	<p>The principle of neighbourhood planning is that it should primarily be led and shaped by the local community. For this reason, the Council does not directly oversee or manage the neighbourhood planning process. Instead, the Council will support neighbourhood planning in the following ways:</p> <p>Directing relevant bodies towards information and resources relevant to neighbourhood planning, and any organisations or funding sources which may be able to offer direct or indirect assistance</p>	<p>The principle of neighbourhood planning is that it should primarily be led and shaped by the local community. For this reason, the Council does not directly oversee or manage the neighbourhood planning process. Instead, the Council will support neighbourhood planning in the following ways:</p> <p>Directing relevant bodies towards information and resources relevant to neighbourhood planning, and any organisations or funding sources which may be able to offer direct or indirect assistance. This includes the Essex County Council Neighbourhood Planning Guide (2019) or any successor document which signposts relevant County Council services and information sources for groups preparing Neighbourhood Plans</p>
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.	Applicants should also consider consulting organisations such as Essex County Council (as the authority responsible for minerals and waste; highway matters; community infrastructure (including education); sustainable drainage and sustainable travel and as historic buildings and urban design advisor to the Council), Historic England, the Environment Agency and Natural England for advice depending on the development being proposed.

3.10	<p>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.</p>	<p>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. Essex County Council also supports the use of PPAs and has produced a model PPA.</p>
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Statement of Community Involvement



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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 requirements¹ for community involvement in the plan making process in particular and are in line with the Council's corporate Consultation Guide for Staff².
- 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.
- 1.3 The Town and Country Planning (Local Planning) Regulations 2012 require local planning authorities to review their Statements of Community Involvement every 5 years from the adoption date. It is important that Statements of Community Involvement are kept up-to-date to ensure effective community involvement at all stages of the planning process (Planning Practice Guidance, 2019). This document contains amendments made as part of a 2021 review of the Council's 2016 Statement of Community Involvement.
- 1.4 The rules on how personal data is collected, processed and disposed of were updated on 25 May 2018 when the General Data Protection Regulation 2016 (GDPR) and the Data Protection Act 2018 came into force. Rochford District Council has a Data Protection Policy in place, and there are measures being applied to protect personal data in line with the GDPR. The Council stores and processes personal data for planning policy consultations in line with the relevant Privacy Notice.

2 Planning Policy

- 2.1 The National Planning Policy Framework 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.

¹ The Town and Country Planning (Local Planning) (England) Regulations 2012

² http://www.rochford.gov.uk/community_and_people/have_your_say

- 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.
- 2.3 The development plan for Rochford District also comprises the Minerals Local Plan and Waste Local Plan. These are prepared by Essex County Council and information on how communities will be involved in the preparation and reviews of those plans can be found in Essex County Council's adopted Statement of Community Involvement.

Notification and Engagement Techniques

- 2.4 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 every 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 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 time³.
 - **Website** – Each consultation stage will feature prominently on the homepage of the Council's website⁴. 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 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** – Subject to Coronavirus restrictions, 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

³ 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

⁴ www.rochford.gov.uk

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 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. This will include promoted and targeted posts where appropriate. 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.

2.5 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.

2.6 Consultation techniques used to notify local communities and other interested stakeholders shall be reviewed for effectiveness to ensure that the correct type of consultation is being implemented. Where necessary a reminder or repeat notification shall be issued to the public and stakeholders to reinforce awareness of the active consultation period.

Implications of Coronavirus pandemic (since March 2020)

2.7 The ongoing Covid-19 pandemic (in line with government regulations) and to ensure maximum safety of both the public and the Council's frontline staff may mean that public engagement events, as detailed above, may not be possible for a temporary period. Depending on restrictions in place at the time of the community engagement opportunity, it may also mean that the placing of hard copies of the consultation

documents in council offices and local libraries may be limited. In light of Coronavirus restrictions, the legal requirement to do so has been relaxed until December 2021, however the Council will look to resume this activity sooner if compatible with Coronavirus restrictions in place at the time.

- 2.8 Updates to the Planning Practice Guidance in March 2020 directly addressed the impacts of Coronavirus on engagement in the planning process. In particular, Paragraph 76 states:

The government has been clear that all members of society are required to adhere to guidance to help combat the spread of coronavirus (COVID-19). The guidance has implications for local authorities and local plan-making, including how the public are engaged and the ability of authorities to comply with policies set out in their Statements of Community Involvement. This planning guidance focuses on how local authorities can review and update their Statements of Community Involvement and should be read in parallel with existing guidance on Plan-making, including paragraphs 34, 35 and 71. If there is any conflict, this guidance supersedes current Plan-making guidance until further notice.

- 2.9 Where any of the policies in the Statement of Community Involvement cannot be complied with due to current guidance to help combat the spread of Coronavirus, local planning authorities are encouraged to undertake a review and update the policies where necessary so that plan-making can continue. This revision of the Statement of Community Involvement has been prepared to support this requirement.
- 2.10 The Planning Practice Guidance goes on to list a range of engagement activities that could be undertaken to ensure effective community involvement where Coronavirus restrictions are in place.
- 2.11 In light of ongoing Coronavirus restrictions, the Council will take reasonable steps to adapt its engagement activities to ensure effective community involvement can continue. Where public events would have been held for an engagement opportunity but are unable to lawfully take place, the Council will offer alternative digital events, such as online webinars. The Council will also ensure all consultation material is available online, making best use of digital interactive tools, including spatial mapping where appropriate. Subject to Coronavirus restrictions, the Council may also offer appointment-only or limited capacity public events, provided doing so would be compatible with public health and legal guidance in place at that time.
- 2.12 For residents without internet access or difficulties accessing online resources, the Council will take reasonable steps to involve these individuals for example, through local representative groups, telephone or in writing and through appointment-only at the Council offices where requested and possible.

Submitting Comments

- 2.13 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 <https://rochford.oc2.uk/>
- Email – planning.policy@rochford.gov.uk
- Post – Planning Policy, Rochford District Council, Council Offices, South Street, Rochford, Essex. SS4 1BW.

- 2.14 For less formal public consultations, the Council may utilise a simple webform as an alternative to the online public consultation system.
- 2.15 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.
- 2.16 Comment forms will normally be provided in paper or Word document 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).
- 2.17 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.
- 2.18 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

- 2.19 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, officers’ 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 document’s 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

- 2.20 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 Essex County Council, as upper tier authority for the District, neighbouring local authorities and other statutory bodies. Consideration should be given to joint working and the preparation of shared evidence base work.
- 2.21 The Council is committed to continuing to work in conjunction with relevant partners throughout the plan making process on strategic cross-boundary issues. This includes collaboration to identify the relevant strategic matters which they need to address in their Plans and where additional infrastructure is required pursuant to the requirements of the National Planning Policy Framework.

New Local Plan – Who, How and When

- 2.22 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.
- 2.23 Opportunities for engagement at each stage of plan preparation are set out in the table below.

Plan Stage	Assessment Stage⁵	Engagement Opportunities
Evidence Base preparation – ongoing (Regulation 18)		
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 including infrastructure service providers. Informal consultation with key stakeholders, such as Parish and Town Councils, relevant interest groups, landowners and developers, as appropriate.

⁵ 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

Plan Stage	Assessment Stage ⁵	Engagement Opportunities
		Formal consultation with Natural England, Heritage England and the Environment Agency on the SEA/SA Scoping Report.
Issues and Options Document⁶		
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.	<p>Targeted involvement of organisations including infrastructure service providers.</p> <p>Formal public consultation on the scope and content of the Issues and Options Document for a minimum of six weeks.</p> <p>Formal public consultation on initial draft SA/SEA Report alongside Issues and Options Document.</p> <p>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 undertaken.</p>
Spatial Options Document (Regulation 18)		
Revised draft Plan setting out spatial options for the distribution of growth and delivery of sustainable communities..	Revised draft SA/SEA Report – assessing each of the preferred options and reasonable alternatives included in revised draft Plan.	<p>Targeted involvement of organisations including infrastructure service providers.</p> <p>Formal public consultation on the scope and content of the Spatial Options Document for a minimum of six weeks.</p>

Plan Stage	Assessment Stage ⁵	Engagement Opportunities
		<p>Formal public consultation on revised draft SA/SEA Report alongside Spatial Options Document..</p> <p>Publicity and engagement techniques including public notices/adverts, posters, email and letter notifications, website and social media. Online engagement events, such as webinars and “Q&As” may be undertaken. In-person drop-in sessions and public exhibitions may be undertaken subject to Coronavirus restrictions.</p>
Preferred Options Document (Regulation 18)		
<p>Revised draft Plan setting out preferred options for each topic and reasonable alternatives.</p>	<p>Revised draft SA/SEA Report – assessing each of the preferred options and reasonable alternatives included in revised draft Plan.</p> <p>Draft HRA – screening for likely significant effects on European sites.</p>	<p>Targeted involvement of organisations including infrastructure service providers.</p> <p>Formal public consultation on the scope and content of the Preferred Options Document for a minimum of six weeks.</p> <p>Formal public consultation on revised draft SA/SEA Report alongside Preferred Options Document.</p> <p>Consultation with Natural England on the scope and content of the HRA.</p>

Plan Stage	Assessment Stage ⁵	Engagement Opportunities
		<p>Publicity and engagement techniques including public notices/adverts, posters, email and letter notifications, website and social media. Online engagement events, such as webinars and “Q&As” may be undertaken. In-person drop-in sessions and public exhibitions may be undertaken subject to Coronavirus restrictions.</p>
Proposed Pre-Submission Document (Regulation 19)		
<p>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.</p>	<p>Final SA/SEA Report – taking into account comments received at previous stage and any amendments to draft Plan following consultation.</p> <p>Final HRA – reassessing likely significant effects on European sites; undertaking an Appropriate Assessment, as necessary.</p>	<p>Targeted involvement of organisations including infrastructure service providers.</p> <p>Formal public consultation on the Proposed Pre-Submission Document for a minimum of six weeks.</p> <p>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).</p>

Plan Stage	Assessment Stage ⁵	Engagement Opportunities
		<p>Formal public consultation on 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>
Independent Examination (Regulations 22, 23 and 24)		
<p>Submission of Proposed Pre-Submission Document and supporting documents, including SA/SEA Report and Consultation Statement, to Secretary of State for independent examination.</p> <p>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).</p>	<p>Addendum to submitted SA/SEA Report.</p>	<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> <p>Public consultation on any proposed Main Modifications and, if needed, any addendum to the SA/SEA Report.</p>

Plan Stage	Assessment Stage ⁵	Engagement Opportunities
Inspector's Report and Adoption (Regulations 25 and 26)		
<p>Publication of Inspector's Report, including recommendations of any proposed modifications to the submitted draft Plan.</p> <p>If found sound and legally compliant (subject to modifications), the Council may adopt the Plan.</p> <p>Preparation of Adoption Statement.</p>	<p>Preparation of SA/SEA Adoption Statement.</p>	<p>Six week period for legal challenge following adoption of the Plan.</p>

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

- 2.24 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.
- 2.25 Opportunities for engagement at each stage of document preparation are set out in the table below.

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

Plan Stage	Assessment Stage	Engagement Opportunities
Preliminary Draft Charging Schedule (Regulation 15)		
<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>	<p>Draft Viability Assessment.</p>	<p>Formal engagement with Essex County Council and other service providers in the preparation of the Infrastructure Funding Gap Assessment.</p> <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>
Draft Charging Schedule (Regulation 16)		
<p>Comments from previous stage inform Draft Charging Schedule.</p> <p>Responses to comments made are contained in a separate Consultation Statement.</p>	<p>Viability Assessment – updated, as necessary.</p>	<p>Formal engagement with Essex County Council and other service providers in the preparation of the Infrastructure Funding Gap Assessment.</p> <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>
Independent Examination (Regulations 19 and 20)		

Plan Stage	Assessment Stage	Engagement Opportunities
Submission of Draft Charging Schedule and supporting documents to the Secretary of State for independent examination.		Public examination by Examiner (usually an Inspector), considering all representations. Hearing sessions, as necessary. Written submissions carry the same weight to those presented at hearings.
Examiner's Report and Publication (Regulations 23 and 25)		
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

- 2.26 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.
- 2.27 Opportunities for engagement at each stage of document preparation are set out in the table below.

Document Stage	Assessment Stage ⁷	Engagement Opportunities
Evidence Base preparation		
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, Schools, relevant interest groups, landowners and developers.

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

Document Stage	Assessment Stage ⁷	Engagement Opportunities
		Formal consultation with Essex Highways, Hospital Trusts, Doctors Practises, Utilities, Natural England, Heritage England and the Environment Agency on the SEA/SA Scoping Report, if necessary.
Draft Supplementary Planning Document (Regulation 13)		
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 / Exhibitions may be undertaken, as appropriate.</p>
Adopt Supplementary Planning Document (Regulations 12 and 14)		
Publication of final document taking account of consultation responses.	Publication of SA/SEA Report (if required, in exceptional circumstances).	


Neighbourhood Planning

2.28 Neighbourhood planning was introduced by the Localism Act in 2011 and gives local communities new powers to take decisions to help shape and drive the development that takes place in their area. There are three main types of neighbourhood planning available to communities:

- **Neighbourhood Plan** – A neighbourhood plan is a statutory planning document that sets planning policies for a defined neighbourhood area. A neighbourhood plan can allocate land for development, including new homes and employment, as well as setting policies on design and uses. Once adopted, a neighbourhood plan will form part of the Council's local development plan, against which all planning applications and proposals will be determined.
- **Neighbourhood Development Order** – A neighbourhood development order allows communities to grant planning permission for specific types of development their area.
- **Community Right to Build Order** – A community right to build order is a form of a neighbourhood development order which allows communities to grant planning permission for local small-scale developments that would be of community benefit.

- 2.29 Whilst the Local Plan usually sets policies that apply to the authority area as a whole, neighbourhood plans typically set policies that will only apply to a smaller 'neighbourhood area'. In practice, these neighbourhood areas often align with parish boundaries.
- 2.30 Neighbourhood planning is community-led, as opposed to being led strictly by the Council as local planning authority. Neighbourhood plans and development orders can only be prepared by a defined 'neighbourhood forum' whilst community right to build orders can be prepared by any community organisation with 10 or more members resident in the area. Whilst a neighbourhood forum will often be a Parish or Town Council, they may also be led by other community groups, and crucially should be open and accessible to all in the local community.
- 2.31 Neighbourhood plans and orders must accord with both the Council's local development plan and national planning policy. They must also acknowledge and take account of International, European and national designations and laws (including historic and environmental designations, and human rights laws). A neighbourhood plan or development order can propose additional development to what is set out in the Council's local development plan but cannot propose less or seek to block development that has already been approved.
- 2.32 The procedural requirements governing neighbourhood planning – including consultation and engagement requirements – are set out in the Neighbourhood Planning (General) Regulations 2012, as amended. Where the SCI is silent, or amendments are made to these regulations that make the SCI non-compliant, the regulations will take precedence.

2.33 The main stages in neighbourhood planning are set out below:

- 
- Step 1: Designating the neighbourhood area and, if appropriate, neighbourhood forum
 - Step 2: Preparing a draft neighbourhood plan or Order
 - Step 3: Pre-submission publicity and consultation
 - Step 4: Submission of a neighbourhood plan or Order proposal to a local planning authority
 - Step 5: Independent Examination
 - Step 6: Community Referendum
 - Step 7: Bringing the neighbourhood plan or Order into force

2.34 The Town and Country Planning Act 1990 (as amended) places a statutory responsibility on the Council as local planning authority to assist communities in its area in the preparation of neighbourhood plans and orders. The Council is also expected to assist in the management of the examination and referendum stages of neighbourhood planning, where applicable.

2.35 The principle of neighbourhood planning is that it should primarily be led and shaped by the local community. For this reason, the Council does not directly oversee or manage the neighbourhood planning process. Instead, the Council will support neighbourhood planning in the following ways:

- Providing advice and guidance to relevant bodies, as necessary. This includes aiding in understanding the procedural and regulatory requirements of neighbourhood planning.
- Directing relevant bodies towards information and resources relevant to neighbourhood planning, and any organisations or funding sources which may be able to offer direct or indirect assistance, This includes the Essex County Council Neighbourhood Planning Guide (2019) or any successor document which signposts relevant County Council services and information sources for groups preparing Neighbourhood Plans.
- Attending meetings on occasion to provide updates on local, regional and national plan-making, and highlighting the potential implications on neighbourhood planning.
- Making relevant information and evidence available to the relevant body for their consideration and aiding in its interpretation.

- Reviewing documents and drafts and offering feedback, including on potential issues around accordance with the local development plan and national planning policy.
- Fulfilling the Council's obligations to consult, as set out in the Neighbourhood Planning Regulations 2012, as amended; and
- Making arrangements and managing the examination and referendum processes.

2.36 The primary community engagement supporting the preparation of a neighbourhood plan, neighbourhood development order or community right to build order should be carried out by the relevant neighbourhood forum or community organisation. The Neighbourhood Planning Regulations 2012, as amended, set out the detailed engagement requirements that relevant bodies will be expected to fulfil as they prepare a neighbourhood plan or order. A statement will accompany any draft neighbourhood plan indicating what consultation took place and how it has informed the preparation of the plan.

2.37 The Council will ensure that statutory consultees are engaged in the preparation of neighbourhood plans at the appropriate stages

2.38 The Neighbourhood Planning Regulations 2012, as amended, do, however, also define specific consultation requirements that the Council is expected to undertake at key stages.

2.39 These key stages, and the consultation that the Council will undertake at these stages, are set out in the table below:

Plan Stage	Engagement Opportunities
Neighbourhood Area designation consultation	<p>The Council is required to hold a public consultation on any area application it receives. The date by which representations must be received will be no less than six weeks from the date the consultation commences.</p> <p>The area application, details on how to make representations, and the date by which representations must be received will all be publicised on the Council's website and in all consultation and engagement material.</p> <p>Consultation and engagement techniques may include public notices/adverts, posters, email and letter notifications, social media and availability of paper documentation in libraries and Council reception areas.</p> <p>As soon as possible after designating a neighbourhood area, the Council will publicise on its website, and any other mediums deemed appropriate, information including the name of the neighbourhood area, a map which identifies the area, and the name of the relevant body who applied for the designated. Where an</p>

Plan Stage	Engagement Opportunities
	<p>application is refused, the Council will instead publicise the reasons for that decision.</p>
<p>Neighbourhood Forum designation consultation</p>	<p>The Council is required to hold a public consultation on any forum application it receives. The date by which representations must be received will be no less than six weeks from the date the consultation commences.</p> <p>The forum application, details on how to make representations, and the date by which representations must be received will all be publicised on the Council's website and in all consultation and engagement material.</p> <p>Consultation and engagement techniques may include public notices/adverts, posters, email and letter notifications, social media and availability of paper documentation in libraries and Council reception areas.</p> <p>As soon as possible after designating a neighbourhood forum, the Council will publicise on its website, and any other mediums deemed appropriate, the name of the neighbourhood forum, a copy of the written constitution of the forum, and the name of a contact and neighbourhood area to whom the forum relates. Where an application is refused, the Council will instead publicise the reasons for that decision.</p>
<p>Neighbourhood Plan or Order proposal or modification proposal</p>	<p>The Council is required to hold a public consultation on any proposed neighbourhood plan or order, or proposed modification to a plan or order that it receives. The date by which representations must be received will be no less than six weeks from the date the consultation commences.</p> <p>Details of the proposal, how to inspect the proposal, details of how to make representations and the date by which those representations must be received will be publicised on the Council's website and in all consultation and engagement material.</p> <p>Consultation and engagement techniques may include public notices/adverts, posters, email and letter notifications, website, social media and availability of paper documentation in libraries and Council reception areas. In the case where an order proposal triggers the requirements of Regulation 33 of the EIA Regulations, the Council will also place details of the proposal on a site notice on or near the land in question, and a notice in a newspaper circulating in the locality.</p> <p>As soon as possible after making a decision under Regulations 18 or 25 of the Neighbourhood Planning Regulations 2015, the Council will publish its decision statement and the examiner's report, including details of</p>

Plan Stage	Engagement Opportunities
	where that statement can be inspected, on its website and by any other mediums deemed appropriate.
Community Referendum	The Council will organise a referendum on any plan that has been considered at examination to meet the basic standards. People living the neighbourhood area who are registered to vote in local elections will be entitled to vote in this referendum. The Council will organise and publicise the referendum as it would for any local election.
Decision to make, or refuse to make, a neighbourhood plan or order	<p>The Council will publicise its decision statement, the made neighbourhood plan or order (if applicable), and details of how to inspect both documents on its website and through any other medium deemed appropriate.</p> <p>This information may be publicised by email and letter notifications, social media and availability of paper documentation in libraries and Council reception areas. The Council will directly contact the relevant body and any other individuals who asked to be notified of the making of the neighbourhood plan or order, as required by the Neighbourhood Planning Regulations 2012, as amended.</p>
Modifications to or revocation of a neighbourhood plan or order	<p>The Council will publish a statement setting out the reasons for modifications or revocations, and details of how to inspect this statement, on its website and through any other medium deemed appropriate.</p> <p>This information may be publicised by email and letter notifications, social media and availability of paper documentation in libraries and Council reception areas. The Council will directly contact the relevant body and any other individuals who asked to be notified of the making of the neighbourhood plan or order, as required by the Neighbourhood Planning Regulations 2012, as amended.</p>

Minerals and Waste Local Plans

2.40 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 website⁸.

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 website⁹.

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 excluding householder applications and applications for small scale development such as one house., Pre-application advice is expected for all 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 or historic building 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 website¹⁰.
- 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.

⁸ <http://www.essex.gov.uk>

⁹ www.planningportal.gov.uk/permission/next/lawfuldevelopmentcertificate

¹⁰ www.rochford.gov.uk/planning/planning_applications/planning_pre-application_advic

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 authority responsible for minerals and waste; highway matters; community infrastructure (including education); sustainable drainage and sustainable travel and as historic buildings 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. Essex County Council also supports the use of PPAs and has produced a model PPA.

Planning Applications

- 3.11 Copies of all valid planning applications are published on the Council's website¹¹ and are available to view at the Council offices in Rochford during normal opening hours, subject to any restrictions on opening hours being in place..
- 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 – Some 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 system¹². Planning applications can be searched by address, application reference number or geographically using the map of the District provided. This system provides access to submitted plans, supporting documents and statements, comments received, the officer's report and

¹¹ www.rochford.gov.uk

¹² <http://maps.rochford.gov.uk/DevelopmentControl.aspx?RequestType=ParseTemplate&Template=DevelopmentControlSearch.tmpl>

decision notice (depending on the status of the application). Please note some older historic applications may not be retrieved using the map search function.

- 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.
- Consultation with Parish / Town Councils.

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, during normal opening hours and subject to Covid-19 pandemic government regulations and restrictions.

3.14 Anyone can comment on a planning application. Comments need to 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
- Email – planning.applications@rochford.gov.uk
- Post – Planning Applications, Rochford District Council, Council Offices, South Street, Rochford, Essex. SS4 1BW.

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 progress of the application can be viewed on 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. . 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 website¹³.

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 Plan is available to view on the Council's website¹⁴.

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 or via the Live Chat function
- Email – planning.enforcement@rochford.gov.uk
- Post – Planning Enforcement, Rochford District Council, Council Offices, South Street, Rochford, Essex. SS4 1BW.
- In person – at the Council offices in Rochford during normal opening hours and subject to Covid-19 pandemic government regulations and restrictions.
- Phone – 01702 318191

3.22 The Council does not accept anonymous enforcement complaints. Anonymous complaints will only be registered where the breach is extremely serious and 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 provide an update upon request , Complainants will be notified of any

¹³ http://www.rochford.gov.uk/planning/planning_applications/monthly-applications-decisions-register

¹⁴ www.rochford.gov.uk/planning/enforcement

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 the complainants 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 website¹⁵.

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.

¹⁵ www.rochford.gov.uk/planning/planning_applications/planning_appeal_information

- 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.