

Forest Heath District Council

Statement of Community Involvement (SCI)

Consultation Document

2012



Forest Heath
District Council

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1. List of Acronyms

AMR	Authorities Monitoring Report
DM	Development Management
DMPO	Development Management Procedure Order
DPD	Development Plan Document
EC	European Commission
EiP	Examination in Public
GDPO	General Development Procedure Order
GPDO	General Permitted Development Order
LPWG	Local Plan Working Group
LGO	Local Government Ombudsman
LPA	Local Planning Authority
LDS	Local Development Scheme
NDO	Neighbourhood Development Order
NPPF	National Planning Policy Framework
PLUG	Planning Service User Group
RTPI	Royal Town Planning Institute
SA	Sustainability Appraisal
SEA	Strategic Environmental Assessment
SEBC	St Edmundsbury Borough Council
SoS	Secretary of State
SPD	Supplementary Planning Document

2. Glossary

Authorities Monitoring Report (AMR) – Tool that Local Planning Authorities use to monitor and review progress towards the delivery of their Local Development Scheme.

Core Strategy – Outlines the key principles regarding the development and use of land in a Local Planning Authority's area.

Development Management Policies Document – This document contains criteria based policies which will be applied to ensure that all development meets the overall vision and strategic policies as set out within the overarching Core Strategy. To a greater or lesser extent these policies will need to be taken into account in the determination of the majority of planning applications.

Development Plan - This includes adopted Local Plans, neighbourhood plans and the London Plan, and is defined in section 38 of the Planning and Compulsory Purchase Act 2004. Regional strategies remain part of the development plan until they are abolished by Order using powers taken in the Localism Act.

Listed Buildings and Conservation Area consent – There is a requirement for separate permission or consent for applications which are either within a conservation area or which affect a listed building. There are also different publicity requirements for such applications.

Local Development Scheme (LDS) – This sets out a programme for the preparation of Local Plan documents. It is a project management tool that identifies which documents are to be prepared, the various stages required in their production together with a detailed timetable.

Localism Act – An Act of Parliament to change the powers of local government in England. The official summary of the Act is: 'To make provision about the functions and procedures of local and certain other authorities; to make provision about the functions of the Local Commission for Administration in England; to enable the recovery of financial sanctions imposed by the Court of Justice of the European Union on the United Kingdom from local and public authorities; to make provision about local government finance; to make provision about town and country planning, the Community Infrastructure Levy and the authorisation of nationally significant infrastructure projects; to make provision about social and other housing; to make provision about regeneration in London; and for connected purposes.'

Local Plan – The plan for the future development of the local area, drawn up by the local planning authority in consultation with the community. In law this is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004. Current core strategies or other planning policies, which under the regulations would be considered to be development plan documents, form part of the Local Plan. The term includes old policies which have been saved under the 2004 Act.

Local Planning Authority - The public authority whose duty it is to carry out specific planning functions for a particular area.

National Planning Policy Framework, (NPPF) - Designed to consolidate all policy statements, circulars and guidance documents into a single, simpler National Planning Policy Framework. The new Framework is intended to be user-friendly and accessible with clear policies for making robust local and neighbourhood plans and development management decisions.

Neighbourhood Development Orders, (NDO) - An Order made by a Local Planning Authority, (under the Town and Country Planning Act 1990), through which Parish Councils and neighbourhood forums can grant planning permission for a specific development proposal or classes of development.

Neighbourhood Plans – A plan prepared by a Parish Council or Neighbourhood Forum for a particular neighbourhood area, (made under the Planning and Compulsory Purchase Act 2004).

Planning Service User Group (PLUG) - PLUG was set up in 2002 to represent the interests of all users of the FHDC Planning Service. Its main aims are to advise and recommend how service improvements can be made and to help develop new ways of meeting our customer requirements. External members of the Group include Town/Parish councillors, Parish clerks, local architects and agents, journalists, various interest groups and local residents.

Pre-application stage – Discussions may take place and in many cases are welcomed, between the Local Planning Authority and potential applicants before a planning application is submitted. Pre-application discussions can help to clarify the nature of the proposal and can point to the need for additional material to accompany a planning application, when it is finally made.

Proposals Map – This is a set of maps illustrating where in the District certain policies and proposals apply.

Site Specific Allocation Policies – Policies that relate to the allocation of land for development.

Supplementary Planning Documents (SPD) – Documents which add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the formal development plan.

Sustainability Appraisal (SA) – This is a tool for appraising policies to ensure that they reflect sustainable development objectives. An appraisal is required by legislation for all Local Plans and many SPDs.

Strategic Environment Assessment (SEA) – the European Strategic Environment Assessment Directive, (2001/42/EC), requires an assessment of certain plans and programmes including those related to planning and land-use.

The Planning (Listed buildings and Conservation Areas) (Amendment) (England) Regulations 2010 – Contains amendments made to the original 1990 order, (below).

The Planning (Listed buildings and Conservation Areas) Regulations 1990 – This document specifies our statutory requirements as they relate to publicising applications for development in a Conservation Area or that affect a Listed Building.

The Town and Country Planning and Compulsory Purchase Act (2004) (as Amended 2008) – These are the regulations which govern the preparation of development plan documents and include detail on how we must undertake consultation with the general public and our stakeholders.

The Town and Country Planning (Development Management Procedure) (England) Order 2010 (DMPO) - A consolidated version of the Town and Country Planning (General Development Procedure) Order 1995 (GDPO). This consolidated Order includes the original Order and all amendments made to it up until 6 April 2010.

The Town and Country Planning (General Development Procedure) Order 1995 (GDPO) – This was the order that laid down the guidelines that Local Planning Authorities needed to follow in terms of advertising and determining planning applications and appeals procedures etc.

The Town and Country Planning (General Permitted Development) Order 1995 (GPDO) - Has been subject to subsequent amendments but is the principal order setting out classes of development for which a grant of planning permission is automatically given.

The Town and Country Planning (Local Planning) (England) Regulations 2012 – Came into force on 6th April 2012. These regulations govern the process by which Local Planning Authorities prepare their development plans and associated documents.

3. Introduction

Local Planning Authorities are required to prepare a Statement of Community Involvement, (SCI). The SCI is intended to set out a vision and strategy for involving the community in the preparation of the documents that make up the development plan, in addition to identifying how the community can become more involved in the assessment of planning applications. Therefore, the SCI sets out how and when the Council will seek to engage with the local communities with regard to planning matters.

In preparing the SCI, the Local Planning Authority is recommended to consult on a draft version and take into account any recommendations made on it when finalising the document and prior to seeking its formal adoption. In the case of Forest Heath, a 'Preferred Option' version of the SCI was prepared and consulted upon in June 2005. A final version of the document was not produced and as a consequence, the Council does not currently have an adopted version of the SCI. This draft consultation document has taken into consideration responses to the consultation held in 2005 and seeks to finalise the SCI in readiness for adoption.

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4. Producing our Local Plan

Government guidance states that each Local Planning Authority, (LPA), should produce a Local Plan for their area. These Local Plans can be reviewed in whole or in part to respond flexibly to changing circumstances.

Local Plans are seen as the key to delivering development that reflects the vision and aspirations of local communities. For this reason, a wide section of the community will be proactively engaged in their preparation. The preparation of our Local Plan will also involve co-operation and consultation with neighbouring Local Authority areas and the County Council to ensure that strategic and cross-boundary issues have been identified and the unmet needs of neighbouring authorities and their residents have been considered where practical.

A number of documents form our Local Plan including the Core Strategy, adopted in May 2010, which is the basis of the District's development planning framework. The Council are seeking to bring forward a joint Development Management Policies document with St Edmundsbury BC and eventually a Site Specific Allocations document. All documents we produce must accord with the provisions of the NPPF.

All documents that form our Development Plan will be prepared in accordance with current legislation as identified within the Town and Country Planning (Local Planning) (England) Regulations 2012.

4.1 The Process for producing our Local Plan documents

- We will consult and seek comment on the 'issues and options' in the early stages of document preparation. We will advise all of the specific consultation bodies that we consider may have an interest in the subject of the Local Plan document that we intend to produce and all others that we deem appropriate, (including all of those appearing on our Development Plan mailing list), of the key principles and the evidence required in a simple manner in order to build understanding and encourage wide-ranging debate on its content. In preparing the Local Plan documents we must take into account any representations made to us at this 'Issues and Options Stage'.
- Following consideration of comments a complete draft Local Plan document will be published for a statutory and formal consultation period of at least 6 weeks. The Council will make the Local Plan document and a statement of representations procedure available for inspection at our principal offices in the District and on the Council's website. We will also send a statement of representations procedure to each of the statutory consultation bodies and other 'general' consultees that the Council consulted at the 'Issues and Options' stage.
- Following consideration of representations made, the Council will submit the Local Plan document, (including requisite SA/SEA), to the Secretary of State for independent inspection/examination, together with a consultation statement, (summarising the representations made to the previous rounds of consultation). As soon as is reasonably practicable following submission we will make the submission version of the Local Plan document and associated documents available for

inspection at our principal offices within the District and on our website and we will notify our statutory and 'general' consultation bodies of this fact. We will also give notice to those persons who specifically requested to be notified of the submission of the Local Plan document to the Secretary of State.

- The Independent Inspector will decide on the arrangements for examining the Local Plan document. At least 6 weeks before the opening of the independent examination we will make available for inspection at our principal Offices and on our website details of the date, time and place of the examination and the name of the person appointed to carry out the examination.
- Following the examination and receipt of the Inspectors report we will make their recommendations and their reasons for making those recommendations available for inspection at our principal offices and on our website. We will also notify those who specifically asked to be notified that the report is available for inspection.
- As soon as is reasonable practicable after the Council adopt the Local Plan document, we will make available for inspection within our principal offices and on our website the Local Plan document itself, an adoption statement, the SA/SEA and a statement detailing where the Local Plan document is available for inspection and the places and times at which the Local Plan document can be inspected. We will also send the adoption statement to any persons who specifically asked to be notified of the adoption of the Local Plan document in addition to sending the adoption statement to the Secretary of State.

5. Producing our Supplementary Planning Documents

Supplementary Planning Documents or SPDs add further detail to the policies contained in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. SPDs are capable of being a material consideration in planning decisions but are not part of the formal 'Development Plan' for the District.

In accordance with the regulations, before the adoption of an SPD, a minimum four week public consultation period must be adhered to on the draft SPD and we will make copies of the SPD documents and details of when and how representations can be made available for inspection within our principal offices and on our website.

Once we have considered the representations on the draft SPD, and made any consequential amendments, we will seek to formally adopt the document. We will prepare a statement setting out the persons whom we consulted when preparing the SPD, a summary of the main issues raised by those persons and how these issues have been addressed in the final version of the SPD. As soon as reasonably practicable following adoption we will:

- Make available for inspection at our principal offices and on our website the adopted SPD and adoption statement.
- Send a copy of the adoption statement to any person who has been asked to be notified of the adoption of the SPD.

6. Planning Strategically across Local Boundaries

We have a duty to co-operate on planning issues that cross administrative boundaries. The government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities. As part of such working arrangements we may consider producing joint planning policies and documents on strategic matters and we have already commenced development on a joint Development Management Policies Local Plan document with one of our neighbouring authorities, namely St Edmundsbury Borough Council.

There is a requirement to consult and work collaboratively with all of our partners, including private sector bodies, utility and infrastructure providers, across all administrative boundaries, to enable sustainable development objectives are met in the preparation of our Local Plan documents. Indeed, we will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when our Local Plan documents are submitted for examination.

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7. Resourcing our Development Plan and our community engagement strategy

Some of the ways in which we intend to engage with people and organisations are identified in table 1 below. These methods of community engagement are considered to be the most appropriate given our budget whilst ensuring that the Local Plan documents and SPDs reflect our community's priorities and aspirations and are ultimately deliverable.

Specifically, groups we will be engaging with include:

- a) all of our statutory consultees – those bodies which the government asks us to keep informed with progress we make with the Local Plan documents and SPDs, such as various Government departments and statutory undertakers,
- b) the Parish Councils,
- c) local bodies and organisations, e.g. business forums,
- d) individuals and organisations who have expressed an interest in or a willingness to be involved in the plan making process, such as interested members of the public, landowners and developers.

We hold a 'Development Plan mailing list' with contact details for all of these individuals and organisations. This mailing list also contains the details of organisations that act in the interests of a number of harder to reach groups including:

- Racing Welfare,
- The Disability Access Group,
- The Equal Opportunities Commission,
- The Commission for Racial Equality,
- The East Anglian Gypsy Council,
- The West Suffolk Borders Primary Care Group,
- The West Suffolk Disability Resource Centre,
- Suffolk Primary Care Trust.

Community engagement work for the Development Plan will be carried out primarily by the existing members of staff within the Planning Team that specialise in policy work. The Development Plan budget takes account of the need to fund the community and stakeholder involvement as set out in this SCI. Evolution of the SCI and the Development Plan is being co-ordinated by the Head of Planning Service who is also the relevant budget holders and can therefore ensure that the SCI and the Development Plan processes can be resourced and managed effectively. The Planning Team has and will continue to make use of the Council's Communications Team, a resource that is shared with St Edmundsbury BC, in order to publicise consultation periods and keep residents and stakeholders engaged in the progress of the Local Development Scheme and Development Plan on an ongoing basis.

Table 1: Methods of engagement in the production of the Development Plan

At various stages in the production of our various Local Plan documents we may utilise some of the following methods of community engagement.

Method	Comments
Newspaper articles and press releases	We may produce articles for newspapers and press releases at key stages as these are a good method of summarising topics and issues in a user friendly manner, with the added benefit of reaching a potentially large audience.
Exhibitions	We may facilitate exhibitions that can provide a visual rather than a written means of putting across ideas and concepts.
Website	We will make use of the Council's website which is a useful virtual notice board for the community to engage in their own time and at their own pace. The website also has advantages of online interaction, (including an online representation facility for the statutory consultation stages). We are obliged to use the website under the Regulations.
Leaflets and Newsletters	We may circulate leaflets and newsletters as they are a good means of distilling information to a large number of people. Distribution may be targeted at particular groups.
Dissemination of information via Councillors	The role of councillors is important as a means of cascading information to both the community at large and to groups on which they sit.
Parish/Town Council Workshops	We may utilise workshops as they are a useful means of engaging with Parish/Town councils in the development of Local Plan documents and in establishing local opinion on various issues and options. Parish Councils can also undertake local surveys and produce Parish Plans.
Consultation with specific groups and stakeholders	Sharing information through stakeholder groups can be an effective way of disseminating information to a wide range of people.
Public meetings	We may make use of public meetings which tend to be more formal in approach, but can be an effective and constructive way of dealing with a controversial issue in a structured way. Such meetings can be used for general interest purposes or to address particular 'local' issues.

8. Neighbourhood Plans and Neighbourhood Development Orders

Under the provisions of the Localism Act, communities have new powers to produce Neighbourhood Plans and/or Neighbourhood Development Orders that can become part of the statutory development plan for an area, (should they be successful in passing the examination and referendum stages). The LPA has a role in assisting the communities in the delivery of these 'Plans' and 'Orders', which may include organising the referendums, (thus ensuring that the whole community is engaged in the process), and any examinations into the 'soundness' or otherwise of the 'Plans' and/or 'Orders'.

The extent of the Authority's involvement and its financial obligations in regard to this are yet to be firmly established. It is understood that there may be some financial assistance available from Central Government to facilitate the production of the Neighbourhood Plans and Orders.

As will be explained in the proceeding sections, LPAs are already required to keep a planning register setting out certain information about planning applications which have been submitted for determination and on the decisions made on those applications. To ensure an equal level of transparency, the LPA is now additionally required to add information on each Neighbourhood Development Order, (NDO), proposal which is submitted to them and on what subsequently happens to that proposal, (i.e. if it is withdrawn or refused or if, following a referendum, it is supported and so made – or not supported and so not made).

9. Community Involvement in the Planning Application Process

This section sets out our service standards and statutory requirements as they relate to the administering and assessment of our planning applications and making contact with Planning Officers. The role and function of Delegation Panels and Planning Committees are also explained.

9.1 The Pre-application stage

We actively encourage applicants, especially for major applications or those which involve a degree of sensitivity, to engage in pre-application discussions with a Planning Officer. The object is to discuss whether the principle of development is acceptable and to clarify the format, type and level of information required for submission with the Planning Application itself. Forest Heath District Council does not currently charge for the dispensing of pre-application advice.

We also encourage the applicant to carry out pre-application consultations with other interested/relevant bodies such as the Highways Authority, Natural England or the Environment Agency. We trust that this process will result in the receipt of better applications where all appropriate information is readily available for assessment by the Planning Officer once validation had taken place. The obvious benefit for the applicant is that the application can be processed effectively and efficiently in the time allowed.

Developers are also encouraged to engage with the community, (including interested groups), for major or particularly sensitive proposals. The form and extent of such engagement will vary depending on the particular proposal but may include one or more of the following;

- Public exhibitions,
- Workshops,
- Provision of a scale model or computer generated image of the proposal showing how it impacts on the surrounding area,
- Public Meetings,
- Presentations to Town / Parish Councils,
- Surveys of local residents / businesses,
- Use of local media,
- Use of Planning Aid.

Whilst encouraging this approach, it must be recognised that there is a need for the Council to maintain probity, transparency and impartiality. Should any Planning Officer be invited to attend any of the above meetings, exhibitions or workshops, it must only be on the basis of a detached observer. For smaller proposals, the applicant will be encouraged to engage with neighbours so that any concerns can be addressed prior to the planning application being submitted.

Under the provision of the Localism Act there is a new power to require pre-application consultation on certain larger developments. In other words the pre-application consultation duty in the Planning Act will be extended to some types of 'ordinary' planning applications. This change requires the applicant to bring their planning application to the attention of a 'majority' of those living in the vicinity and give them an opportunity to

comment on it. The applicant will then have the opportunity to resolve any issues, or provide mitigation if necessary to make the scheme more acceptable to local people.

9.2 Publicising our Applications

Article 13 of the Town & Country Planning, (Development Management Procedure), (England), Order 2010 lays down the statutory requirements for publicising applications for planning permission. These are as follows:

In the case of an application for planning permission for a development which:

- a) Is the subject of an Environmental Impact Assessment accompanied by an Environmental Statement,
- b) Does not accord with the provisions of the development plan in force in the area in which the land to which the applicant relates or is situated, or,
- c) Would affect a right of way to which Part III of the Wildlife and Countryside Act 1981, (public rights of way), applies,

We publicise the application:

- By giving requisite notification by a site notice in at least one place on or near the land to which the application relates for not less than 21 days and,
- By publication of the notice in a newspaper circulating in the locality in which the land to which the application relates is situated,
- By publication of the application details on our web-pages.

Major Developments

In the case of a planning application that is not in accordance with the above, if the development proposed is 'major development', we publicise the application:

- By site display notice placed on or nearby the site for at least 21 days or by serving the notice on any adjoining owner or occupier,
- By publication of the notice in a newspaper circulating in the locality in which the land to which the application relates is situated,
- By publication of the application details on our web-pages.

Article 2 of the DMPO 2010 defines 'major development' as development involving one or more of the following:

- a) The winning and working of minerals or the use of land for mineral-working deposits,
- b) Waste development,
- c) The provision of dwellinghouses where:
 - (i) The number of dwellinghouses to be provided is 10 or more, or,

(ii) The development is to be carried out on a site having an area of 0.5 hectare or more and it is not known whether the development falls within (c) (i),

(d) The provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more, or,

(e) Development carried out on a site having an area of 1 hectare or more.

Other Cases

For cases falling outside of the above definitions, we publicise planning applications:

- By giving requisite notice by site display in at least one place on or near the land to which the application relates for not less than 21 days or by serving the notice on any adjoining owner or occupier.
- By publication of the application details on our web-pages.

Listed Buildings and Conservation Areas

With respect of applications for Listed Building or Conservation Area Consent, we are obliged by the regulations to:

(a) Publish details in the local newspaper, (Bury Free Press and/or Newmarket/Mildenhall Journals), a notice indicating the nature of the works which are the subject of the application and naming the places where a copy of the application, and of all plans and other documents submitted with it, will be open to inspection by the public during a period of 21 days beginning with the date of publication of the notice, and,

(b) For not less than 21 days display on or near the building a notice containing the same particulars as are required to be contained in the notice to be published in accordance with (a) above,

(c) For not less than 21 days, publish on our website the following information:

- The address or location of the proposed works,
- the nature of the proposed works,
- the date by which any representations about the application must be made, (which must not be before the last day of the period of 21 days beginning with the date on which the information is published),
- where and when the application may be inspected, and,
- how representations may be made about the application.

9.3 How do we make information available

The Weekly Planning List

A weekly list of all planning applications received within the previous seven days is produced every Thursday. The list is sent to all Town and Parish Councils, all District councillors, the local press in addition to selected consultees including Suffolk County

Council. Copies of all applications relevant to their area are sent to the Parish and Town Councils. The latest validated applications can also be viewed online by visiting the Council's web-pages found at www.forest-heath.gov.uk and using the Planning Explorer.

Site Notices

As mentioned above, the Council uses site notices to advertise all of its planning applications. The site notice includes the date on which the notice was displayed and gives interested parties 21 days from the date of the notice being displayed within which to submit their comments. The notice also specifies the application site address, a description of the proposal, the planning application number and details of where the application can be inspected. It also advises that any representations should be made in writing.

Neighbour Notification

Upon receipt of a valid planning application all occupiers/owners of buildings opposite and adjacent to the application site will be sent a letter notifying them of the application. This is irrespective of the land-use and whether or not the owners/occupiers are separated by a road/track or an area of undeveloped land.

If, within a period of 12 months from the date of issue of a decision, or withdrawal of an application, a further application is received relating to the same site, or part thereof, then all persons who made written representations in respect of the original application will be notified in writing of the new application, and invited to comment on it.

Local Advertisement

As mentioned above, in order to fulfil our statutory requirements, we will place an advert in one or both of the local newspapers, the Newmarket/Mildenhall Journal and the Bury Free Press. Members of the public are advised that they have 21 days from the date of the advert to submit their comments.

Viewing of Planning Applications

All planning applications are available for public inspection at the Council Offices on College Heath Road in Mildenhall from Monday to Friday between 8:30am and 5pm, (4:30pm on Fridays). It is also possible to view planning applications submitted within Newmarket at the offices of Newmarket Town Council. Such viewings are by appointment only and you are therefore advised to call them on 01638 667227 beforehand. Newmarket Town Council is based at the King Edward VII Memorial Hall, High Street, Newmarket, CB8 8JP. All planning applications are also available to view on the Council's website by visiting www.forest-heath.gov.uk and following the links to the Planning Explorer pages.

Access to Planning Officers

Members of the public, applicants, their representatives or other interested parties are able to seek advice from planning officers at our College Heath Road Offices in Mildenhall. A request for advice or information can take the form of letters, emails or through personal visits. Once an application has been submitted, Planning Officers are normally unable to express an opinion as to the likely outcome of an application until all interested parties have had an opportunity to submit their views and information.

Letters – All correspondence should be sent to Planning, FHDC District Council Offices, College Heath Road, Mildenhall, Suffolk, IP28 7EY.

Emails – Individual case officers can be contacted directly via email, with the protocol being firstname.lastname@forest-heath.gov.uk. Alternatively, you can email the planning office at dc@forest-heath.gov.uk.

Direct contact – Planning officers are available to give information or advice at our offices on College Heath Road, Mildenhall. The Planning department operate a 'duty rota' system whereby a planning officer is made available between the hours of 9am and 1pm, (Monday to Friday), to deal with personal callers.

Telephone – All Planning Officers have their own direct dial phone numbers which they will be pleased to pass on to you. In the absence of this information please telephone 01638 719000 and ask to speak to the appropriate Planning or 'duty' Officer.

9.4 How to give us feedback / comment on our Planning Applications

We welcome comments on any planning applications, that either support, object, or simply comment on particular proposals. Any comments received in writing will be used to help inform the decision making process and are a matter of public record. These can be made in writing to the planning officer or can be sent via email. It is also possible to make comments online using Planning Explorer, (following the links from the Planning pages of the council's website found at www.forest-heath.gov.uk). All comments received in this manner will be published on the website.

It is particularly important that you send your written comments to the Planning Officer as the responses received through this process may well help decide how the application is ultimately determined, either by delegated powers or by the Planning Committee. However, for comments to be taken into account they must be a material planning consideration. If it is decided that a planning application will have to go to the Planning Committee for a decision to be made, then there will be the opportunity for an objector and the applicant to present verbal comments to the Committee.

9.5 How we make the decisions on our Planning Applications

Once all relevant information is collated, Planning Officers prepare a recommendation with regard to the specific proposal(s). Where appropriate, these reports are presented in a Planning Committee agenda which is made available at least five working days before the date of the meeting. Agendas and associated papers for Planning Committee meetings are available for inspection at the Council offices in Mildenhall and on the website at www.forest-heath.gov.uk to be found in the Committee Papers section of the site.

Any planning application will be assessed against existing and emerging local and national planning policies, any past planning history relating to the site or similar applications, as well as any other relevant material planning considerations. Not all applications have to be put before Planning Committee for a decision to be made. A scheme of delegation, (Appendix A), has been adopted which means that, in most cases, the decision to refuse or approve a proposal is delegated to Officer level, albeit an Officer report is still prepared

which addresses any comments received, and assesses the planning application, and which is made available, post decision, via the website. The majority of planning applications are determined within an 8 week deadline. Major applications should, wherever possible, be determined within 13 weeks, or 16 weeks in the case of applications accompanied by an Environmental Impact Assessment.

Committee Decision

The planning applications that fall outside the scheme of delegation must be presented to one of the Planning Committees for elected members to make a decision. The Planning Committee meetings are generally held on the last Wednesday of each month and are open for the public to attend as observers.

Members of the public cannot take part in the discussion/debate and cannot answer questions from the Committee or Officers. However, they can address the committee through a scheme of public speaking. Applicants or their agents, objectors, supporters and representatives of Town and Parish Councils/Parish Meetings who have commented in writing on applications for planning permission are all able to speak at Planning Committee meetings. The public can speak on any application that is on the agenda. Those wishing to speak must contact the Committee Section of the District Council by 12 noon on the day before the meeting in order to register. Only one person can speak for or against the proposal so this is usually operated on a 'first come first served' basis, although priority in speaking in support of any proposal is usually given to the applicant.

9.6 The Post Application Stage

Obtaining Information on Delegated Decisions

A weekly list of all planning decisions is produced on a Thursday of every week. The list is sent to all Town and Parish Councils, all District councillors, the local press plus selected consultees including Suffolk County Council. Decisions can also be viewed online by visiting the Council's website at www.forest-heath.gov.uk. A formal decision notice will be sent to the applicant and/or agent within a few days of the decision being made.

Information on decisions made by the Planning Committee

As the Planning Committee meetings are held in public, the quickest way to find out information about a decision on a particular application is to attend the meeting itself. Alternatively, it is possible to obtain an update from the relevant case officer by contacting them directly via telephone or e-mail following the meeting. Again, a formal decision notice will be sent to the applicant and/or agent within a few days of the decision being made.

Committee Papers

Agendas, reports and minutes of each Planning Committee and LDF Working Group meeting are available to view on the Council's website in the 'committee papers' section.

Appeals

If a planning permission contains a condition that an applicant considers unreasonable, if the planning proposal has been refused, or a decision has not been reached within the statutory time period, there is a right of appeal to the Secretary of State.

Should an application be the subject of an appeal or call in involving the Secretary of State, it is expected that we will have already carried out all of the relevant publicity requirements as part of the planning application process. If an appeal is lodged, we will write to any third parties who made written representations on the application stage to inform them. We also write to all Councillors and the relevant Ward Councillors and Parish / Town Councils. We also notify the local press in order to provide information, although there is no obligation for the editors to publish the material. It is the responsibility of those lodging the appeal to obtain a copy of the final appeal decision directly from the Planning Inspectorate.

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10. Monitoring and Reviewing our Statement of Community Involvement

We will review annually whether or not the procedures for involving the community have achieved a representative level of public involvement across all sections of the community as part of our monitoring processes for both the Development Plan and planning applications. The Authority Monitoring Report, (AMR), will include a review of the performance of the SCI, recommending changes where appropriate, to be considered by the existing LPWG and Planning Committee structures. The AMR will be made available to the public for inspection.

It is intended that improved methods for engaging with the community, in the production of the LDS and in the processing of planning applications, will also be identified and developed through the regular Planning Service Users Group, (PLUG), meeting structure

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11. Our Grievance Procedures

Forest Heath District Council has adopted a 3-stage complaints system which aims to minimise the amount of unnecessary contact that a customer has with the Council and should encourage service providers to address customers' concerns fully and robustly without them having to be escalated to the Local Government Ombudsman, (LGO), to resolve. The 3-stage complaints system applies to all of Forest Heath District Council's services and is not exclusive to the planning service and further details can be found at appendix B.

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12. Obtaining Independent Planning Advice

Planning Aid is a voluntary service linked to the RTPI offering free, independent and professional advice on town planning matters to community groups. Planning Aid enables local communities, particularly those with limited resources, to participate effectively in planning matters. Among other activities, Planning Aid:

- provide information and training on the planning system,
- advise and assist groups in playing a part in the development of plans and policies at the national and local level,
- help communities develop their own strategies for their own area, including advice on producing Neighbourhood Plans and Orders,
- organise educational projects for all age groups.

Contact details for Planning Aid are provided below:

East of England Planning Aid

38 Cambridge Place

Cambridge

CB2 1NS

Tel: (01223) 350 850

e-mail: eeadmin@planningaid.rtpi.org.uk

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Appendix A

Our Scheme of Delegation for Planning Applications

The purpose of the Council's Delegation Panel is to advise decisions of the Head of Planning Service regarding whether or not planning applications should be reported to Planning Committee. The scheme will operate under the Council's Constitution and Scheme of Delegation to Officers and shall cover applications for Planning Permission, Listed Building Consent and Conservation Area Consent and Prior Notifications for developments that are:

- Householder,
- Advertisements,
- Change of Use ,
- Minor Residential, (Less than 10 dwellings or, if not known, site area less than 0.5 hectares),
- Minor Commercial, (new floorspace less than 1000m² or site area less than 1 hectare),
- Variation of Conditions,
- Hazardous Substances,
- Prior Notifications, (agricultural and telecommunications),

Any such application for which:

- a. the intended decision of the Head of Planning would conflict with, or would not substantially satisfy, the written representation of the Parish or Town Council, or,
- b. a District Councillor, (being a Member of the Council's Planning Committee or representing the ward in which the application site is located), has requested, (in writing), consideration by Committee.

Will be reported to the delegation panel.

Any proposal judged by the Head of Planning, in consultation with the Chairman and/or Vice-chairman of Planning Committee, to be of district-wide significance, or so contentious that it ought to be considered by Planning Committee in the public interest, and any application proposing major development in respect of which:

- a. The intended decision of the Head of Planning would conflict with, or would not substantially satisfy, the written representation of the Parish or Town Council, or;
- b. a District Councillor, (being a Member of the Council's Planning Committee or representing the ward in which the application site is located), has requested, (in writing), consideration by Committee

shall fall outside this scheme and will automatically be considered by Planning Committee.

The scheme protocol shall be:

- The Delegation Panel will normally meet fortnightly.

- A list of applications to be considered at the Panel will be circulated to all Members. A written briefing report on each case will be prepared and circulated to the Chairman and Vice Chairman of Planning Committee and to any local member(s) who expressed an interest in writing. This will happen at least 4 clear working days in advance of the meeting, with the provision for emergency items at the discretion of the Chairman or Vice-Chairman and the ward Member(s).
- The local member(s) may attend the Panel or submit representations in writing in order to make sure the Panel is clearly aware of their views and reasoning.
- The application Case Officers will present individual applications for discussion and decision, including all representations received and photographs of the site.
- The decision as to whether to refer the application to Planning Committee will be made by the Head of Planning or the Development Control Manager in consultation with the Chairman or Vice Chairman of Planning Committee and any interested local member(s). In the absence of a consensus between the said Officers and the Chairman and/or Vice Chairman the application will be reported to the Planning Committee.
- The Parish Council will be informed of the decision verbally by the Case Officer within 2 days of the Meeting. The reasoning will be fully explained in writing within 10 days, with copies sent to the Chairman, Vice Chairman and local member(s).

Appendix B: Our complaints procedure

Stages of a complaint

Forest Heath District Council has adopted a 3-stage complaints system which aims to minimise the amount of unnecessary contact that a customer has with the Council and should encourage service providers to address customers' concerns fully and robustly without them having to be escalated to the Local Government Ombudsman, (LGO), to resolve. The 3-stage complaints system applies to all of Forest Heath District Council's services and is not exclusive to the planning service.

Stage 1 – Service request

In most cases, our front line staff, particularly the Customer Services team, will be the first point of contact and as such they have a number of crucial roles, including:

- capturing relevant information about the service request,
- dealing with the service request, if appropriate,
- ensuring that the service request(s) are routed to the appropriate service, thereby ensuring that the service request(s) do not escalate to a complaint before the service itself, (whether it be planning or any other), has had the opportunity to address, and potentially resolve, the issue.

Issues that cannot be addressed by the Customer Service team will be referred by them to the relevant Service Manager. Heads of Service will have ensured that their staff are fully prepared to receive, record and to deal appropriately with any issues that they may receive.

The customer may choose to address their service request via email to the relevant service provider, however anonymous emailed service requests will not be accepted. This is to reduce the risk that Council time or resources might be wasted in dealing with bogus or malicious feedback. Anonymous service requests received via telephone may be addressed at the Service's discretion. Whether the request is dealt with by the Customer Service team, or by the Service Manager, the person dealing with the complaint will update the Council's Customer Feedback System, (as a 'Stage 1').

Stage 2 – Service complaint

If a customer is dissatisfied after their initial contact and they issue a 'formal' complaint, this should be dealt with by the Head of Service. The Head of Service will review the information gathered during Stage 1 and provide a full response to the complaint addressing all points raised in the Complainants correspondence. The Head of Service will update the Council's Customer Feedback System, (as a 'Stage 2'). Customers may choose to address their complaint via email to the relevant Head of Service, however anonymous service requests will not be accepted. This is to reduce the risk that Council time or resources might be wasted in dealing with bogus or malicious feedback.

Stage 3 – Corporate Complaint

If a customer remains dissatisfied after their contact with the Head of Service, they should escalate the complaint. The LGO have explicitly emphasised that 'senior management should take real ownership of complaints procedures' and this has been interpreted as at least one of the stages requiring the involvement of the authority's Chief Executive. The Chief Executive has three options on receipt of a Stage 3 complaint, these include:

Responding directly to the complainant themselves and either:

- investigating the complaint, or,
- exercising their discretion not to investigate the complaint, or

delegating the investigation of the complaint and, if he/she considers it appropriate, the response to the complainant to another appropriate officer, including, but not limited to:

- a Strategic Director,
- the Monitoring Officer,
- the Head of Human Resources,
- the Insurance Officer,
- the Internal Audit & Risk Manager.

The delegated officer would be responsible for reporting all findings and recommendations to the Chief Executive, who remains accountable for the investigation. The appropriateness of the delegation should be based on an assessment of the area of expertise required to address it most effectively. If the complaint is to be investigated, whether by the Chief Executive or the delegated officer, they will confirm with the Head of Service whether the complaint has been handled appropriately.

Complaint received via the Ombudsman

It is important to note that the LGO will consider complaints only after Councils' procedures have been completed. Complaints received via the Ombudsman will be dealt with either by the Chief Executive or by a delegated officer, on his behalf, in both cases provided that they were not involved at Stage 3. Complaints received via the Ombudsman will be dealt with within the timescales indicated in their correspondence.

Commenting or making a complaint online

There is an on-line facility available to make complaints about or simply comment on one of the Council's services.