



1	Introduction	2
	Getting involved in planning	2
	Links to other Council strategies	2
	Our community involvement principles	3
2	Community involvement in planning policy	4
	Who will we consult	4
	How we will consult	5
	Consultation on a Local Plan	7
	Strategic Environmental Assessment	10
	Consultation on a Supplementary Planning Document	10
	Consultation on a Community Infrastructure Levy (CIL)	12 14
	Using the results of consultation and feedback Council Committees	14
	Neighbourhood Plans	14
	Other planning documents	15
	Duty to Co-operate	15
	Availability of adopted documents	15
3	Community involvement on planning applications	16
	Pre-application stage	16
	Planning application stage	17
	Appeals	19
	Planning performance agreements	19
	Stakeholder forums	19
4	Monitoring and review	20
	Appendix I	
	Community-Led Planning Guidance	21
	Introduction to Community-Led Planning	21
	Who can prepare a Neighbourhood Plan or Order?	23
	Neighbourhood Plans and Neighbourhood Development Orders	24
	Community Right to Build	28
	Appendix 2	
2	Further information and advice on planning	29
	Glossary of terms	
	Glossary of terms	31

Section 1: Introduction

- 1.1 The Town and Country Planning system seeks to ensure that the community and stakeholders are involved in planning and development matters. Planning affects everyone in some way the homes we live in, the open spaces we enjoy, the leisure facilities we use and the roads we travel on. Therefore, it is important that local people understand the planning process and are given the opportunity to get involved to contribute ideas and influence land use decisions.
- **1.2** In order to achieve this, all local planning authorities produce a Statement of Community Involvement (SCI), which sets out their strategy for effective community participation. The statement includes information on how and when community involvement will take place and what organisations and individuals will be consulted.
- 1.3 This SCI was adopted in March 2016. It has been prepared to take into account new national planning policy and to refresh the information contained within it.

Getting involved in planning

- **1.4** There are two main ways to get involved in local planning matters:
- Making comments on planning applications most types of development from new houses to business parks require a planning application to be submitted and approved, and
- Having your say during public consultation periods on the Local Plan these documents set the policy framework against which development proposals will be assessed.
- **1.5** The starting point for decisions on planning applications are the policies and proposals of the Local Plan so getting involved in the production of these is essential.
- **1.6** There are a number of organisations who provide information and advice on the planning system and how to get more involved. A list of useful contacts is set out in Appendix 2.

Links to other Council strategies

- 1.7 The Council, as a whole, has other policies which guide and promote community engagement. These include the Chelmsford City Council Consultation and Engagement Strategy, Equality Objectives and Development Control Charter. This SCI takes into account other relevant corporate policies and documents. We will also work with other Council departments to ensure that a consistent approach is taken to consultation.
- **1.8** Where appropriate, joint consultations between departments will be considered to share resources and avoid consultation fatigue.

Our community involvement principles

- 1.9 In making planning decisions, the Council will often need to balance differing views and make judgements in the interests of all our communities. Getting local opinions will help us make decisions in the most informed way possible. To achieve this, we will apply some general principles to our planning consultations:
- I. Meet and where practicable exceed the minimum standards for community involvement as set out in legislation
- 2. Ensure consultation is accessible to all regardless of age, gender, faith, race, disability as well as knowledge and experience
- 3. Seek views of interested and affected parties as early as possible and throughout the process where appropriate
- 4. Use suitable consultation methods that relate to the stage of the planning process, issues being discussed, communities involved, resources available and time constraints
- 5. Publish consultation materials that are clear, concise and avoid unnecessary jargon
- 6. In addition to traditional methods of publication, make widespread use of electronic and modern media techniques to make consultation easier, quicker and more cost effective
- 7. Take account of views received and be honest about the scope of consultations from the start.

These principles are discussed further throughout this SCI.

Section 2: Community involvement in planning policy

- 2.1 The Council has adopted a large number of Local Plan documents and Supplementary Planning Documents following extensive community and stakeholder input. These include the Core Strategy, North Chelmsford Area Action Plan, Site Allocations Document and a suite of Supplementary Planning Documents (SPDs). Together these make up the area's current Local Development Framework (LDF). The public consultation activities undertaken during the preparation of these documents has been effective in engaging a wide variety of individuals and organisations and has had a positive impact on the creation of these plans.
- 2.2 The Council commenced work on a new Local Plan in 2014. In the preparation of documents the Council will be consulting and involving others at various stages of plan preparation, from evidence gathering and developing strategic approaches to preparing the Plan for Submission and Public Examination by an Independent Inspector. The methods and techniques used to involve the community will vary depending on the stage of preparation reached and the type of planning document being prepared.
- 2.3 Information on the Council's programme for preparing the Local Plan and revising Supplementary Planning Documents is contained in the latest approved Local Development Scheme (LDS). More regular updates will also be available on our website and those on our consultation database will also be notified of any key changes.
- **2.4** Regardless of the programme all new or updated documents will be prepared in line with legislation and relevant national policy⁽¹⁾. Promoting even greater effective community involvement in plan making is a key objective of the Localism Act, Planning Policy Guidance and National Planning Policy Framework and these aspirations continue to be reflected in this new draft SCI.

Who will we consult

- **2.5** The Council is required by legislation to consult certain bodies which it considers may have an interest in or be affected by a document. These bodies include:
- Essex County Council
- Neighbouring Councils
- Local Parish and Town Councils
- Utility companies
- NHS England Clinical Commissioning Group
- Network Rail Infrastructure Ltd

For example, The Town and Country Planning (Local Planning) (England) Regulations 2012, The Localism Act 2011 and The Community Infrastructure Levy Regulations 2010 (as amended)

- Local Policing body
- Government bodies like Highways England and Natural England.
- **2.6** In addition to meeting its statutory obligations, the Council will also seek to ensure a wide range of other stakeholders and individuals have opportunities to become involved at any stage if they wish or where their input will be useful. These include:
- Organisations that represent specific communities or interests such as, Chelmsford Business Forum, Essex Racial Equality Council, and Sport England
- Developers, landowners and planning professionals like the House Builders Federation
- Local businesses, voluntary and community groups including Chelmsford Centre Supporting Voluntary Action (CVS) and Chelmsford Area Access Group
- Others who have expressed an interest in the plan or subject matter
- The general public including members of the Council's Citizens' Panel and Youth Panel
- Council elected members who provide important channels of communication to and advocates for their local communities especially in unparished areas.
- **2.7** The Council maintains a database of people and organisations who want to be kept informed and have responded to consultation documents. This database is used to keep registered individuals, organisations and groups informed on the production of any Local Plan documents. New consultees can be added to the consultation database at any time. Anyone who wishes to be added can do so at http://consult.chelmsford.gov.uk or contact the planning policy team.

How we will consult

- 2.8 Where a formal consultation is carried out, this will be for a minimum of six weeks for Local Plans and four weeks for Supplementary Planning Documents (SPD's). Where a consultation falls within a holiday period, where possible, the consultation period will be extended to accommodate members of the public who may be away at these times.
- 2.9 Legislation sets out the minimum requirements for public participation when preparing a Local Plan and Supplementary Planning Documents. This includes making information available on our website. Where possible and appropriate, the Council will go beyond these requirements to promote greater community participation and to meet the needs of our different communities. Therefore, a variety of methods are likely to be used at various stages of the plan making process. These include, but are not limited to:

- **Direct notifications to appropriate organisations and individuals** emails or letters (where no email) will be sent to statutory bodies, relevant groups and to those who have requested to be contacted on our consultation database
- Website and Consultation Portal progress on our planning documents will be publicised on the Council's website. This will also be the place to download evidence base documents and feedback reports. People will be able to view and make comments on consultation documents through our consultation portal: http://consult.chelmsford.gov.uk
- ▶ Deposit venues During consultation periods, documents will be made available for inspection at our Customer Service Centre, Duke Street, Chelmsford; Customer Service Centre, Chandlers Way, South Woodham Ferrers and local libraries (at the discretion of Essex County Council)
 - **Social networking sites** where it would be appropriate, consultation events will be advertised on the City Council's Corporate Facebook and Twitter pages and RSS feeds at http://www.chelmsford.gov.uk/rss
 - Local media we may place a public notice in a local newspaper to advertise formal periods of consultation. These will include detail on when and where planning documents can be inspected, how copies can be obtained, the closing date for representations and where to send them. Press releases to local newspapers and radio stations may also be issued to promote consultations and latest news
 - **Life** regular updates will appear in our civic newspaper which is distributed to homes and organisations across the City several times a year
 - **Presentations and forums** to appropriate groups, organisations and stakeholders to target particular people in the community who may be interested in specific issues. For example, when dealing with children and young people, we will try to involve local schools and colleges as well as work with bodies such as the YMCA
 - Leaflets, posters and flyers these may be distributed to promote consultations and summarise information on consultations. Information may also be circulated to Parish/Town Councils and residents associations for display on community notice boards or in community newsletters
 - Interactive workshops discussions of topics and documents in groups using plans, models and other visual materials. This format may be more appealing to some people than traditional methods of consultation. Workshops are particularly useful at issues and options stages of consultation and the Council may use consultants to support it with this engagement. Information on workshops being held will be advertised on our website
 - Exhibitions and road shows displaying information and proposals in a public exhibition at
 for example, libraries, community centres and shopping centres. These are useful in promoting
 consultations and engaging those who may not get involved in more formal methods. Exhibitions

can be staffed to enable face-to-face discussion. Where possible, these will be held in partnership with the Council's Mobile Information Service which focuses on reaching people in rural or remote parts of the City

- Citizens' Panel and Youth Panel where appropriate, we will seek views from these groups through questionnaires and presentations
- **Council meetings** where appropriate, we will take our plans to relevant Council meetings for feedback and approval from elected local members, and
- **Surveys and questionnaires** surveys and questionnaires may be used to canvass views on key issues, options, proposals and documents.
- **2.10** In line with the principles of community involvement in paragraph 2.9, the Council will do its best to ensure that documents are written clearly and concisely and avoid technical language whilst remaining fit for their purpose. Documents can also be made available in different languages and formats on request.
- **2.11** We will choose accessible consultation venues and hold events at convenient times of the day and week. We will also be clear about the aims and scope of engagement so that people understand when they can participate and the rules for doing so. This will help to manage expectations.

Consultation on a Local Plan

2.12 The process for preparing a Local Plan or its full or partial review will include at least one formal consultation stage before Submission to the Secretary of State for Examination in Public. This is explained further in Figure 1.

Figure I

Local Plan Process

STAGE PREPARATION OF THE EVIDENCE BASE

This stage involves the Council developing a range of evidence to support the Council's Development Plan Documents. This can include information on local population forecasts, housing needs and the environment. Developing the evidence base may include informal engagement with appropriate stakeholders such as Essex County Council, the Homes & Communities Agency, neighbouring authorities, landowners and developers, Duty to Co-operate Bodies and where appropriate the local community.

STAGE 2 PREPARATION OF A LOCAL DEVELOPMENT DOCUMENT (OR LOCAL PLAN)

This stage involves the Council notifying certain consultation bodies, Duty to Co-operate Bodies and others it considers appropriate, that it proposes to prepare or revise a Local Plan. It will also invite them to make comments on what it ought to contain. Local residents, community groups, businesses, landowners and developers may also be informed, and invited to comment. Consultation methods such as interactive workshops, public meetings, stakeholder forums and surveys may also be used to build understanding and encourage a wide range of debate. In doing so, this aims to front load the process by ensuring that the community is engaged earlier on than has traditionally occurred on matters that may affect or concern them.

If appropriate, the Council may publish a first draft consultation version of the document - Issues and Options. This would be used to identify the main issues that the plan needs to deal with and the options that are available in a simple manner. A further preferred Option Stage may also be published to test alternatives. An assessment of the plan's social, economic and environmental impacts would also be produced, in the form of a Sustainability Appraisal (SA/SEA) - see paragraph 3.14. Consultation documents are approved by the Council's Development Policy Committee (see paragraph 3.20).

Local Plan Process (continued)

STAGE 2 PREPARATION OF A LOCAL DEVELOPMENT DOCUMENT (OR LOCAL PLAN) (CONTINUED)

The Council will consider any representations received and produce a consultation feedback report (see paragraph 3.19). This will be reported to the Council's Development Policy Committee (see paragraph 3.20). Comments made at earlier rounds of consultation on a document will not be carried forward. Any outstanding issues must be resubmitted in order to be considered.

STAGE 3 PUBLICATION OF A LOCAL DEVELOPMENT DOCUMENT (OR LOCAL PLAN)

The Council will use any comments received alongside national and local planning policy and other supporting evidence to develop the Local Plan. We will then publish it (subject to Committee approval) in what we think should be the final version. A more detailed assessment of the plan's social, economic and environmental impact (SA/SEA) is also published. As this is a more technical stage, we may make presentations to particular groups and hold public exhibitions.

The Council will consider any points raised by the consultation and produce a consultation statement (see paragraph 3.19). This will be reported to the Council's Development Policy Committee. Minor changes will be made if required. If there are significant issues, we may withdraw the document and reconsult on a revised version. Comments made at earlier rounds of consultation on a document will not be carried forward. Any outstanding issues must be resubmitted in order to be considered.

STAGE 4. EXAMINATION AND ADOPTION

Once the Council is satisfied with the document, it will be sent with relevant supporting information to the Secretary of State to be examined. An Inspector appointed by the Government will carry out an examination in public into its 'soundness'. Objectors to the document may be allowed to appear in front of the Inspector in person.

The Inspector will report back to the Council and may recommend modifications if asked to do so. The Council can also suggest their own modifications to the Inspector during the examination, as well as making minor non-material changes themselves. The Council is then free to choose to accept the Inspector's modifications and adopt the plan, or resubmit a new plan.

2.13 The detailed programme and timetable for the preparation of the Council's Local Plan is contained in the latest approved Local Development Scheme which is available to view on the Council's website.

Strategic Environmental Assessment

2.14 Legislation requires a Local Plan to go through a process of Sustainability Appraisal and Strategic Environmental Assessment (SA/SEA). This assesses a plan's impact on the environment, economy and society and is intended to promote more sustainable development. When required, an SA/SEA will be consulted on throughout the plan-making process, at the same time as the document itself. Relevant stakeholders will also be consulted on the 'scope' of the SA/SEA at the start of the document preparation.

Consultation on a Supplementary Planning Document

2.15 Supplementary Planning Documents add further detail to the policies in a statutory development plan. The Council will prepare or revise SPDs where they help applicants make successful applications or aid infrastructure delivery, and where they will not add unnecessarily to the financial burdens on development. The preparation of a new or revised Supplementary Planning Document will involve the stages in Figure 2:

Figure 2

Supplementary Planning Document (SPD) Process

STAGE PREPARATION OF THE EVIDENCE BASE

This stage involves the Council developing a range of evidence to support the document. This may involve informal consultation with relevant stakeholders and interested parties to discuss the issues and options to be addressed.

STAGE 2 CONSULTATION WHEN PREPARING THE SPD

The Council will consult certain consultation bodies and others it considers appropriate when preparing the document. This may involve inviting them to make comments on what it ought to contain as well as consultation on a draft document. Any representations made will be considered and used to prepare the final document. A consultation feedback report will also be produced (see paragraph 3.19).

SPD consultation documents and subsequent feedback reports are considered by a Council Committee (see paragraph 3.20).

STAGE (3) ADOPTION

Once the Council is satisfied with the document, it will be adopted.

Consultation on a Community Infrastructure Levy (CIL)

2.16 The Community Infrastructure Levy (CIL) is a charge which allows the Council to raise funds from new developments in the city. The Council adopted a CIL in June 2014. The money collected from the levy is used to support development by funding infrastructure that the Council, local community and neighbours want. For example new road or transport schemes, leisure centres, flood defences and schools. The levy applies to most buildings. Charges are based on the size, type and location of new development and are set out in the charging schedule. The preparation of a CIL involves the stages in Figure 3.

Figure 3

Community Infrastructure Levy (CIL) Process

STAGE 1 PREPARATION OF THE EVIDENCE BASE

This stage involves the Council developing a range of evidence to support the document. This will involve informal consultation with relevant stakeholders and interested parties such as developers and other service providers to gain views on matters to take into account when setting the CIL.

STAGE 2 CONSULTATION ON A CHARGING SCHEDULE

- (i) The Council will first consult on a preliminary draft charging schedule, based on the evidence collected. Stakeholders, interested bodies and where appropriate, the wider community will be consulted. Any representations made will be considered and amendments made to the charging schedule, where required. A consultation feedback report will also be produced (see paragraph 3.19).
- (ii) The Council will then publish a final draft charging schedule feedback report for consultation. Comments raised by the consultation will be considered and a further consultation feedback report produced (see paragraph 3.19). Minor changes will be made if required.

All consultation schedules and their subsequent feedback reports are considered by the Council's Development Policy Committee (see paragraph 3.20).

STAGE (3) EXAMINATION AND ADOPTION

Once the Council is satisfied with the CIL (including its charging schedule) it will be sent with relevant supporting information to be examined. An Independent Examiner will carry out an assessment into its 'soundness'. Objectors to the document may be allowed to appear in front of the Examiner in person. Any recommendations suggested in the Examiner's Report will be binding on the Council. If there are significant issues, we may withdraw the charging schedule and re-submit a revised version to a fresh examination.

Using the results of consultation and feedback

- **2.17** Representations made during formal consultation periods will be acknowledged, recorded on our consultation database and published. We cannot accept confidential, anonymous or late comments. We will also reject any comments that are offensive, obscene, racist or illegal in any other way.
- **2.18** All duly-made responses will be considered and used to inform decisions and/or shape the documents, alongside Government legislation, planning policy and other evidence. Sometimes plans may attract a large number of objections or petitions. These will be taken into account in the same way as other representations. Comments made at earlier rounds of consultation on a document will not be carried forward. Any outstanding issues must be resubmitted in order to be considered.
- **2.19** Feedback reports will be produced at the end of formal consultation periods which give an overview of the consultation process, a summary of the main issues raised and information on how these will be taken into account. These reports will be placed on the Council's website and made available to view at our Customer Service Centre, Duke Street, Chelmsford. When submitting a document for Examination in public, the Council is also required to submit a statement setting out which bodies and other persons have been consulted, how they have been consulted, the main issues that were raised and how these issues have been addressed.

Council Committees

- **2.20** Council decisions and recommendations on planning policy documents, including consultation documents, the results of formal consultations and documents for adoption are considered by one or more of the following Council Committees:
- Development Policy Committee
- Cabinet
- Full Council
- **2.21** All Council Committee meetings are open to the public and the agendas and minutes for each are published on our website. In addition, the Council's Overview and Scrutiny Committee provides opportunities for appropriate review and challenge.

Neighbourhood Plans

2.22 Neighbourhood Plans were introduced by the Localism Act 2011. They allow Parish/Town Councils or Neighbourhood Forums (authorised groups of local individuals in un-parished areas) to prepare statutory development plans against which planning applications will be assessed. If a community wishes to simplify the process for allowing development, it can also produce a Neighbourhood Development Order or a Community Right to Build Order. These can be instead

of, or alongside a Neighbourhood Plan and would result in effectively granting planning permission for certain types of development in specified areas. These orders, however, do not remove the need for other permissions such as Listed Building or Conservation Area consent.

2.23 The City Council wants to establish close links with community groups to ensure that their proposals are in accordance with current policy, are deliverable, and that they are incorporated into the Council's own future planning. There are a number of fixed technical steps the Council will do, set out in the Community-Led Planning Guidance in Appendix I. As Neighbourhood Plans and Orders are not prepared by the Council, this SCI does not prescribe what methods of community engagement they should follow. However, the Council expects the requirements set out in legislation to be met. The general principles and techniques set out in this SCI represent best practice, and are a good model for community engagement.

Other planning documents

2.24 The Council may also approve other planning guidance, urban design frameworks and development briefs for specific sites. These are not statutory but are intended to help people apply adopted policies. These often involve dialogue from relevant stakeholders such as service providers during their preparation. Occasionally they may be published for public consultation before approval.

Duty to Co-operate

2.25 The planning system requires Local Planning Authorities and other prescribed bodies to engage constructively, actively and on an ongoing basis on strategic matters when producing their Local Plans. Strategic matters can include providing for homes and jobs needed in the area, the provision of infrastructure for transport, wastewater and flood risk and provision of facilities for education and health. This could lead to a Local Plan document being prepared jointly with other local planning authorities. Subsequent consultation on these would follow the processes described above to ensure all communities are appropriately engaged. The City Council has adopted a Duty to Co-operate Strategy to ensure it meets its obligations under the duty.

Availability of adopted documents

- **2.26** Adopted statutory development plans, Supplementary Plans and other documents such as the Local Development Scheme and SCI, will be published on the Council's website. Copies will also be made available for inspection at the Council's Customer Service Centre, Duke Street Chelmsford, Customer Service Centre, Chandlers Way, South Woodham Ferrers and local libraries (at the discretion of Essex County Council). Paper copies will also be available to purchase (in order to recover costs).
- **2.27** All consultation documents and supporting materials such as copies of representations, statements and notices will be removed after a document has been adopted (in line with planning regulations).

Section 3: Community involvement on planning applications

- 3.1 In 2014/15, the Council determined over 1,800 planning applications ranging from household extensions and fences to major new housing estates and business premises. These decisions shape the nature of the City and the areas where people live, work and spend their leisure time. Opportunities exist for the community and stakeholders to be informed and consulted on development proposals at each of the following stages:
- Pre-application consultation
- Planning application
- Planning appeals.
- **3.2** Planning legislation sets out the minimum requirements for publicising and consulting the community and stakeholders on planning applications. In many ways, the Council exceeds these requirements in order to promote greater community involvement in local planning decisions including currently putting up a site notice for all applications. Further details are set out on our website.

Pre-application stage

- **3.3** The Council encourages developers to consult the community prior to submitting planning applications for larger-scale or potentially contentious development proposals. For very large scale developments pre-application consultation is required under the Localism Act 2011.
- **3.4** Pre-application consultation provides an opportunity for applicants and developers to find out the views of local residents about their development proposals, and allows the local community to make suggestions which can then be taken into account by the developer in finalising their planning application. This process can help to reduce local opposition, help resolve early design and development problems and ensure that high quality planning applications are received.
- 3.5 The Council expects applicants in most cases to carry out their own pre-application consultation. This should be effective in bringing draft proposals to the attention of the public, the local Town or Parish Council and other affected parties and provide opportunities to make comments. Effective ways of doing this include public exhibitions, workshops and other forums providing specific opportunities for comments to be made. Planning Officers are available to provide advice on appropriate engagement methods, target audience and venues. The Council will expect the applicant to submit details of pre-application consultation as well as an explanation on how the responses have been taken into account, alongside their planning application. The Council will consider this information prior to making a decision. Further information on pre-application engagement can be found within Planning Practice Guidance at http://planningguidance.planningportal.gov.uk/

Planning application stage

- **3.6** Details of all planning applications are available to view on the Council's website . You can use the site to:
- Follow the progress of an application
- View associated plans and documents
- Make comments on an application
- Search a weekly list of applications and decisions
- Register to track applications and receive notifications when the status of an application changes
- View the application report and decision notice
- See if appeals have been lodged and any decisions made
- See recent planning history and property details, including maps and constraints, and
- Search enforcement cases.
- 3.7 Applications are also available to view electronically at our Customer Service Centre, Duke Street, Chelmsford and at the Customer Service Centre, Chandlers Way, South Woodham Ferrers. A Duty Planning Officer is available at the Chelmsford Customer Service Centre to provide general advice during normal office hours.
 - **3.8** The Council will usually notify any neighbours immediately adjoining a development proposal by letter or email. Statutory bodies (for example, Highways England and the Environment Agency) are also consulted as well as other organisations that may want to comment on the application.
 - 3.9 In all cases site notices are also displayed on or near to the application site. Notification letters and site notices include details of the planning application, where to view plans, how to make comments and by what date. In most instances consultees have 21 days to make written comments. If amended plans are received which have the potential to lead to new or different views being made, a further 7-14 days (depending on nature of the amendment) may be given for additional comments. If a new planning application is required, this will be subject to new public consultation.
 - **3.10** A Public Notice is placed in a local newspaper for certain types of planning applications. For example, major or significant development proposals, departures from local policy or where there is a statutory requirement such as for Listed Building Consent.

- **3.11** A Local Planning Meeting may sometimes be held for major applications of significant local interest. These usually involve a presentation of the development proposal by the applicant followed by an opportunity for the public to ask questions and make comments.
- **3.12** All comments made on a planning application will be acknowledged and displayed or summarised on our website. Anonymous or confidential comments cannot be taken into account.
- 3.13 The Council has targets for the time taken to determine planning applications. These are currently 13 weeks (or 16 weeks where the application requires an Environmental Impact Assessment) for major applications and 8 weeks for all others. This time can be extended by agreement with the applicant. In some cases, usually large complex applications, the Council will enter into a Planning Performance Agreement which will set out the timetable for consideration of an application. Before a decision is made, the case officer will prepare a report with a recommendation.
- **3.14** The recommendation will take into account the Council's adopted planning policy documents, Government planning advice as well as any comments made. However, the Council can only take into account comments relating to material planning considerations. These include such matters as:
- Overshadowing or loss of light
- Vehicle access and highway safety
- Design and impact within the streetscene
- Loss of important open space
- Effect on rural character or openness of the Green Belt.
- **3.15** The following issues cannot normally be considered in making planning decisions:
- Reduction in property values
- Loss of a private view over land
- Moral objections to a development
- Commercial competition.
- 3.16 The majority of planning applications are determined by officers under delegated powers. A small number of applications are decided by the Council's Planning Committee. Applications presented to the Planning Committee will be accompanied by a written report and officer recommendation. There is an opportunity to ask questions or express views on a planning application at Committee. Please see our website for further information.

3.17 Once a planning application has been decided, the full text of the officer report and the decision notice, including conditions and reasons for refusal where appropriate, are published on the Council's website. Respondents are able to track the progress of an application using 'Public Access'.

Appeals

- **3.18** An appeal may be submitted by the applicant where permission has been refused, or permitted with conditions which the applicant considers to be unacceptable. There is also a right of appeal if the application has not been determined within the appropriate time limit. All those who were notified of the original application or submitted comments will be informed if an appeal is made. They also have the opportunity to make further written comments, except in the case of Householder Appeals where the Inspector makes the decision based solely on all the information on the original application file.
- **3.19** For appeals decided by informal hearing or public inquiry, interested parties are also given the opportunity to appear before the Inspector at the hearing or inquiry. The Inspector will consider the evidence and decide whether the Council's decision was correct. The Inspector's decision is binding on the Council, although it can be challenged by anyone on a point of law in the High Court. Third parties do not have the right to appeal decisions.

Planning performance agreements

3.20 The Council may enter into planning performance agreements (PPA) when dealing with large scale or complex major planning applications. This is an agreement between the Council and applicants to provide a project management framework for major applications that are expected to exceed the Government's determination target of 13 weeks. The PPA will set out the commitments of both parties for the gathering of information, consideration of options and the formulation of design proposals, for the effective processing of the planning application. It will also clarify the means of engagement and consultation with the local community, in line with the SCI.

Stakeholder forums

3.21 The Council holds regular forums with specific stakeholder groups to help inform and improve the consultation and engagement process on planning applications, appeals and enforcement. These groups include Parish Councils, planning agents and major developers. Others, including Registered Housing Providers and local interest groups, may also be invited to attend relevant forums where appropriate.

Section 4: Monitoring and review

- **4.1** This SCI is flexible to allow for appropriate changes in our approach to community involvement in order to reflect changes in policy, to make improvements and the use of additional, new or different approaches to consultation.
- **4.2** The SCI will be monitored regularly. If it becomes out of date it will be reviewed.
- **4.3** The City Council's online consultation portal allows for registered consultees to input equal opportunities monitoring data. If completed, this will help us to monitor the effectiveness of our policies surrounding equal opportunities and to make changes where required. Comments received on the quality or effectiveness of our consultation will be considered and used to inform future practices.

Appendix I- Community-Led Planning Guidance

Introduction to Community-Led Planning

- **1.1** The Government's Localism Act introduced new rights and powers for communities to enable them to get more involved in planning for their areas.
- 1.2 This guidance sets out the key steps which community groups are expected to follow, which are explained in detail in the Neighbourhood Planning Regulations 2012; and the assistance the City Council can give for these community-led plans.
- **1.3** Community-led planning is led by a Town or Parish Council, or by a community organisation, with Chelmsford City Council making certain decisions at key stages.
- **1.4** Once a Plan or Order has been agreed by a local referendum, it attains the same legal status as the Local Plan, and becomes part of it.
- **I.5** A Neighbourhood Plan is a planning document which establishes general policies for development and use of land in a neighbourhood, including the location of new homes and offices, and what they should look like.
- **I.6** A Neighbourhood Development Order means that Town and Parish Councils can grant permission for certain types of development without the need for people to apply to Chelmsford City Council. These could include, for example, all house extensions in a defined area, changes of use, or development on a particular site. Certain types of development are excluded, such as minerals and waste developments, certain public and private environmental projects, and nationally significant infrastructure.
- **I.7** A Community Right to Build Order enables small scale development in neighbourhoods, such as housing or community facilities. As above, certain types of development are excluded.

1.8 A Neighbourhood Plan or Order should:

- Be used positively to plan for future development and support growth
- Reflect and build on the strategic needs set out in the Local Plan, and
- Be in conformity with the National Planning Policy Framework.
- **1.9** A Neighbourhood Plan or Order is *not* a process that can be used to prevent development or promote a lower level of development than is set out in a Local Plan.

Which type of plan is best for us?

1.10 Community-led planning is optional, and the new Plans and Orders might not always be the most appropriate response to local issues. Existing community-led plan processes such as parish plans and village design statements may be more appropriate than the new Plans and Orders. Other

valuable community initiatives which can be explored as an alternative to, or alongside, formal community-led planning include local consultative networks, improvement projects, economic partnerships, and visioning exercises with a wider remit than essential Council business.

1.11 A good starting point is to think about the issues and opportunities the area faces, and then see what type of community initiative is most suitable. A good source of local advice is the Rural Community Council for Essex (see 1.18).

Chelmsford City Council's Local Plan

- 1.12 Neighbourhood Plans (and local community engagement generally) will need to help support the strategic development needs for whole of the City Council's area. A draft Neighbourhood Plan or Order must be in general conformity with the development plan which is in force, and the National Planning Policy Framework.
- **1.13** The City Council has started to prepare a new Local Plan to cover the period up to 2036. Any group bringing forward a Neighbourhood Plan or Order before the new Local Plan should aim to agree the relationship between the policies and proposals in the:
- Emerging Neighbourhood Plan
- Emerging Local Plan
- Adopted LDF
- **1.14** Set out below is the City Council's Local Plan timetable:

Stage	Time Period
Evidence gathering and consultation on options	November 2015 – January 2016
Public consultation and revision	Summer 2016; Spring 2017
Submission of Local Plan to the Secretary of State	August 2017
Independent Examination	November 2017
Adoption	May 2018

What support is available?

1.15 The City Council will work with you to develop your plan. There are a number of fixed technical steps the Council will do for you, which are set out in this guidance. Other help may be available depending on the number of groups seeking advice and availability of officers during key stages during the preparation of the next Local Plan, which will be dealt with as a priority.

- **1.16** A number of very good resources are available from organisations who have received Government funding to support community-led plans. The role of these organisations differs from the formal support the City Council provides, and focuses mainly on giving detailed guidance and sharing best practice including setting up groups, constitution, administration, and setting out specific stages and milestones for progress.
- I.17 The national communities network Locality has published a straightforward guide to Neighbourhood Plans and Orders, called the Roadmap Guide:

 http://locality.org.uk/resources/neighbourhood-planning-roadmap-guide/
 - **1.18** In addition, the Rural Community Council of Essex has produced comprehensive guidance for groups embarking on community planning:

 www.essexrcc.org.uk/Our work with Communities/Community Led Planning.aspx
 - **1.19** Planning Aid offers web-based guidance and templates: www.ourneighbourhoodplanning.org.uk/
 - **1.20** A number of planning consultancies are also approaching groups to offer their paid services, and some Neighbourhood Plans are being produced in this way. This approach may relieve the group's workload and speed up the process, but can add significantly to costs if additional studies are needed. Groups are invited to approach the City Council to discuss objectives and help select external support.
 - **1.21** A new programme of Government funding is available to help communities prepare community-led plans. Groups can apply for a grant of between £1,000 and £8,000, with up to an extra £6,000 available for complex initiatives. Find out more at:

 mycommunity.org.uk/programme/neighbourhood-planning/? a=funding

Contact Us

1.22 If you have any questions about these community-led planning tools, please contact us. This guidance will be kept under review to reflect changes in legislation.
01245 606458

planning.design@chelmsford.gov.uk www.chelmsford.gov.uk/communityplans

Who can prepare a Neighbourhood Plan or Order?

- **1.23** In an area with a Town or Parish Council (or a 'parished area'), Neighbourhood Plans or Orders can be only prepared by a Town or Parish Council (see 1.30 onwards).
- **1.24** Where there is no Town or Parish Council (a 'non-parished' area), a group or organisation can apply to the City Council to be designated as a Neighbourhood Forum (see 1.25 onwards).
 - Updated Website address www.mycommunity.org.uk/resources/neighbourhood-planning-roadmap-guide/
- Updated details as follows: 01245 606330

How to set up a Neighbourhood Forum

- **1.25** A Neighbourhood Forum will usually be set up when it is clear what area the proposed Forum intends to cover.
- **1.26** A proposed forum group will need a minimum of 21 people who live in the neighbourhood area, or work there, and/or who are elected members for any ward of Chelmsford City Council. It must have a written constitution setting out its membership and purpose.

Application to designate a Neighbourhood Forum

- **1.27** The proposed forum group must apply to Chelmsford City Council for designation, and as part of the application include:
- The name of the proposed forum
- A copy of the written constitution
- The name of the neighbourhood area with a map
- The contact details of at least one member of the proposed forum (details will be made public)
- A statement showing how the proposed forum meets the conditions set out in Government regulations, summarised at 1.26 and explained in detail at S.61(F)5 of the Town and Country Planning Act 1990 www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted
- **1.28** Chelmsford City Council will then:
- Publicise on its website a copy of the application, a statement that only one body can be
 designated for the chosen area, details of how to make representations, and the deadline for
 receipt of comments (6 weeks)
- Publicise the application through other methods to bring the application to the attention of people who live, work or carry on business in the area covered by the application
- **1.29** Once any comments have been taken into account, the City Council will decide whether to agree the application and designate the forum, and publicise the decision as above with the name of the neighbourhood forum, a copy of the written constitution, the name of the area it relates to, and contact details for at least one member.

Neighbourhood Plans and Neighbourhood Development Orders

- **1.30** Once the Town or Parish Council in the case of a parished area, or a Neighbourhood Forum in the case of a non-parished area, is ready to proceed, the key steps to prepare a Neighbourhood Plan or Order are:
- Designation of a neighbourhood area (see 1.31 to 1.35)
- Production of the Neighbourhood Plan or Order (see 1.36 to 1.39)
- Submission of the Plan or Order to Chelmsford City Council (see 1.40 to 1.41)

- Independent examination (see 1.42 to 1.43)
- Referendum and adoption (see 1.44 to 1.45)

How do we designate a Neighbourhood Area?

- **1.31** The community must decide the area it wants the Plan or Order to cover, and get Chelmsford City Council's agreement.
- **1.32** For Town and Parish Councils, the area will normally follow the parish boundary, but it can be for part of a parish, or it can involve more than one parish with the agreement of all the councils involved.
- **1.33** For Neighbourhood Forums, the area will be the one the group has decided on. Early consultation with the City Council is recommended to ensure the area chosen will be appropriate for designation.
- **1.34** The application is made via a statement to the City Council of why the chosen area is appropriate, and that the submitting organisation is a relevant body, accompanied by a map of the area.

1.35 Chelmsford City Council will then:

- Publicise on its website a copy of the application, details of how to make representations, and the deadline for receipt of comments (4 to 6 weeks)
- Publicise the application through other methods to bring the application to the attention of people who live, work or carry on business in the area covered by the application
- Make a decision within 8 weeks for a simple application based on a parish boundary, 20 weeks for an application which crosses two local authority boundaries, and 13 weeks for all others
- After the decision is made, publicise as above the name of the Neighbourhood Area; a map identifying the area, the name of the body who applied; a decision document setting out the decision and reasons for making it; and also where and when the decision document can be inspected

Production of the Neighbourhood Plan or Order

- **1.36** Now the group will spend time on preparing the Plan or Order. The City Council will work with you to develop your plan. There is also a lot of support and advice from organisations sponsored by the Government on how to go about this (see 1.15 to 1.21).
- 1.37 Essential steps will include:
- Setting up a steering group to include parish councillors and community representatives
- Agree a timeline, a communication strategy, and budget
- Review existing statutory plans
- Engage with local people, businesses, and other stakeholders through meetings and surveys



- Collect evidence to help identify and support the issues to be addressed
- Draft a vision and objectives
- Choose preferred options and draft policies, or a draft Order
- Consult on proposals and finalise for submission to Chelmsford City Council

1.38 During this production period, Chelmsford City Council will offer the following technical support:

- Provide a central point of contact for all communication with the City Council, to ensure matters are dealt with by the relevant service in a timely manner
- Assessment of any questionnaire issued by the group to ensure all relevant issues are included
- Share data and existing evidence base material
- Share information on key contacts and stakeholders, where appropriate
- Provide technical support for mapping
- Advise groups during production of a proposal, particularly in relation to compliance with planning policy and other City Council policies, and whether its aims are met
- Maintain an up to date web page on the City Council website

1.39 The Council is not able to:

- Fund any formal stages other than the independent examination and the local referendum
- Commission, fund or undertake additional evidence strategies for an area;
- Prepare, undertake or fund consultation documents or activities, although it can offer advice
- Prepare or submit bids for grant funding

Submission of a Neighbourhood Plan or Order

- **1.40** The submission documents will include the draft Plan or Order, the area covered, and a statement outlining the consultation which has taken place.
- **1.41** At this stage Chelmsford City Council will:
- Publicise on its website details of the Plan or Order proposal, where and when it can be inspected, how to make representations, an invitation to be notified of the decision, and the deadline for representations
- Publicise the Plan or Order proposal through other methods to bring it to the attention of people who live, work or carry on business in the area covered by the plan proposal
- Notify consultation bodies that the Plan or Order proposal has been received

Independent examination

1.42 Once the Neighbourhood Plan or Order has been submitted it will be subjected to an independent examination. This will make sure that the proper legal process has been followed and that the plan meets the basic conditions, including general conformity with the City Council's Local Plan.

1.43 The City Council will:

- Organise and finance the independent examination
- Submit the proposal to examination
- Publicise the examiner's decision

Public referendum and adoption

1.44 The examiner may suggest modifications to make sure the legal requirements are met. When this has been done, a public referendum is held in the Neighbourhood Area covered by the Plan or Order. If more than 50% of those voting in the referendum vote 'yes' than the Plan or Order will be adopted by the City Council as part of its Local Plan.

1.45 The City Council will:

- Organise, manage and finance a local referendum
- Publicise the results of the referendum
- Adopt as a formal planning document as part of the Local Plan
- Publicise adoption of the Neighbourhood Plan or Order

Community Right to Build

1.46 A Community Right to Build Order is a type of Neighbourhood Development Order which enables small scale developments such as community facilities or housing for local needs. A development proposed in this way cannot increase the size of a community by more than 10% in 10 years. Certain types of development are excluded, such as minerals and waste developments, certain public and private environmental projects, and nationally significant infrastructure.

Who can prepare a Community Right to Build Order?

1.47 This right can only be used by a legally constituted organisation called a 'corporate body'. Town and Parish Councils fall into this category, but others include charities, limited companies with charitable status, and sometimes tenants' and residents' associations. The Neighbourhood Planning (General) Regulations (Regulation 13) should be consulted for specific details: www.legislation.gov.uk/uksi/2012/637/regulation/13/made

Summary of steps to producing a Community Right to Build Order

- **1.48** The steps to producing a Community Right to Build Order are very similar to those for a Neighbourhood Plan or Order.
- Designate a neighbourhood area for the project (see 1.31 to 1.35)
- Drafting of the Order (see 1.36 to 1.39)
- Submission of the Order to Chelmsford City Council (see 1.40 to 1.41)
- Independent examination (see 1.42 to 1.43)
- Referendum and adoption (see 1.44 to 1.45)

Additional information

- **1.49** When producing a Community Right to Build Order, additional information is needed to accompany submission of the Order to the City Council (1.40 to 1.41), including a map of the area the proposal relates to, a statement explaining how the proposed Order meets planning regulations, with a statement of those consulted and a summary of the main issues raised.
- **1.50** In addition to being in conformity with the National Planning Policy Framework and the Local Plan, the organisation must also show that the Order:
- Would not breach or is not incompatible with EU Regulations
- Is consistent with human rights law
- Has special regard to the desirability of preserving any listed building or its setting and to
 enhancing the character or appearance of a conservation area, including an archaeology statement
 if appropriate
- The extent of the area for the referendum.



Appendix 2- Further information and advice on planning

The Planning Portal

The Planning Portal is the Government's online 'one-stop-shop' for planning and building services. It provides information on the planning system, allows you to submit a planning application, find out about development in your area, appeal against a decision and research government policy.

Website: www.planningportal.gov.uk

Email: support@planningportal.gsi.gov.uk

Department of Communities and Local Government (DCLG)

The DCLG provides general information on the planning system including the latest national planning policy, decisions on planning appeals, research and statistics and reform of the planning systems.

Website: www.communities.gov.uk

Email: contactus@communities.gsi.gov.uk

Postal Address: Fry Building, 2 Marsham Street, London SWIP 4DF

Telephone Number: 030 3444 0000

Planning Aid England (PAE)

Planning Aid England provides free, independent and professional planning advice to communities and individuals who cannot afford to pay professional fees. It is provided by the Royal Town Planning Institute.

Website: www.rtpi.org.uk/planningaid

Email: advice@planningaid.rtpi.org.uk

Postal Address: The Royal Town Planning Institute, 41 Botolph Lane, London EC3R 8DL

Telephone: 020 7929 9494

The Planning Inspectorate

The Planning Inspectorate processes planning appeals and holds examinations into statutory planning policy documents and the Community Infrastructure Levy (CIL).

Website: www.planningportal.gov.uk/planning/planninginspectorate

Email: enquiries@pins.gsi.gov.uk

Postal Address: The Planning Inspectorate, Room 3/13, Temple Quay House, 2 The Square, Temple

Quay, Bristol BSI 6PN

Telephone: 0303 444 5000

Glossary of terms

Area Action Plan - A plan for a specific area of the city with specific needs such as regeneration or conservation. It has the status of a DPD.

Community Infrastructure Levy (CIL) - A payment that is made to the Council by developers when development commences. The payment is used to fund infrastructure that is needed to serve development in the area. This can include new transport schemes, community facilities, schools and green spaces.

Community - A group of people living in the same place or having a particular characteristic in common (Oxford Dictionary).

Core Strategy - This is short for Core Strategy and Development Control Policies DPD. This is a plan which sets out the long-term spatial vision for the city, along with the spatial objectives and strategic policies to deliver that vision .

Development Plan Document (DPD) - Spatial planning documents that together with the Regional Spatial Strategy will form the development plan for Chelmsford City. They are subject to Independent Examination before adoption.

Local Development Document (LDD) - The collective term for Development Plan Documents (DPDs), Supplementary Planning Documents (SPDs) and the Statement of Community Involvement (SCI).

Local Development Framework (LDF) - The collection of Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs) setting out the overall planning strategy, policies and proposals for Chelmsford City. New planning legislation in 2012 requires authorities to prepare a single 'Local Plan' to replace Development Plan Documents. However, until adopted documents are reviewed, the Council shall continue to refer to them as DPDs and SPDs.

Local Development Scheme (LDS) - A project plan and timetable for the preparation of the Local Development Framework or Local Plan. It can be updated and amended as necessary by the City Council.

Localism Act - The Localism Act has devolved greater powers to local government and neighbourhoods and given local communities more rights and powers over decisions about housing. It also includes reforms to make the planning system more democratic and more effective.

Local Plan – The development plan document setting out the overall planning strategy, policies and proposals for Chelmsford City. The City Council is currently preparing a local plan for the period to 2036.

National Planning Policy Framework (NPPF) - A document setting out the Government's national planning requirements, policies and objectives. It replaces much of the national advice previously contained within Planning Policy Statements, Planning Policy Guidance and Circulars. The NPPF is a material consideration in the preparation of LDDs and when considering planning applications.

Neighbourhood Plan - A duty under the Localism Act 2011 which gives authorised groups the power to prepare a development plan for their area. This plan could include general planning policies and allocations of land for new development.

Planning Inspectorate - An organisation which processes planning appeals and holds examinations into DPDs or Local Plans and the Community Infrastructure Levy (CIL).

Planning Performance Agreement (PPA) - An agreement between a local planning authority and an applicant to provide a project management framework for handing a major planning application.

Stakeholder - A person, group, company, association, etc. with an interest in, or potentially affected by, planning decisions in the City.

Statement of Community Involvement (SCI) - The Council's policy for involving the community in the development of the LDF or Local Plan, and when considering planning applications. It includes who should be involved and the methods to be used.

Supplementary Planning Document (SPD) - A LDD which expands policies set out in a DPD or provides additional detail. They are not subject to independent examination.

Sustainability Appraisal and Strategic Environmental Assessment (SA/SEA) - A systematic and iterative appraisal process incorporating the requirements of the European Directive on Strategic Environmental Assessment. The purpose of the sustainability appraisal is to appraise the economic environmental and social effects of the strategies and policies in a LDD from the outset of the preparation process.

A fuller glossary of common planning terms and phases can be found on the National Planning Portal at http://www.planningportal.gov.uk/general/glossaryandlinks/glossary



This publication is available in alternative formats including large print, audio and other languages

Please call 01245 606330

Planning Policy
Directorate for Sustainable Communities
Chelmsford City Council
Civic Centre
Duke Street
Chelmsford
Essex
CM1 1JE

Telephone 01245 606330 planning.policy@chelmsford.gov.uk www.chelmsford.gov.uk

Document published by Planning Policy Copyright Chelmsford City Council

