

Statement of Community Involvement

Planning Services



January 2020



Bassetlaw
DISTRICT COUNCIL
— North Nottinghamshire —

Contents

1.	What is the Statement of Community Involvement?	3
2.	Our Approach	5
3.	Community Involvement in Plan-Making	6
4.	Community Involvement in Neighbourhood Planning	11
5.	Who and How We Will Consult	13
6.	Duty to Cooperate	17
7.	Planning Applications	18
8.	Monitoring and Review	25
	Appendix 1: Glossary of Terms	26
	Appendix 2: Consultation Bodies	29

Foreword

One of the Council's priorities is to ensure that everyone in Bassetlaw feels more involved in their local community, and in the decisions that affect their neighbourhoods, particularly by making sure that residents and businesses have a greater role in the policies and actions taken by the Council itself.

Planning policies, neighbourhood plans and the decisions on individual planning applications, play a vital role in shaping the District and ensuring all residents enjoy a good and improving quality of life. Not only is it right that all those affected should have a say, but the comments and information the Council gets back can often help improve the outcome.

This new Statement of Community Involvement is a document the Council is legally required to publish to explain how we will inform, consult and involve the community in drawing up planning policy documents, such as the Local Plan and Supplementary Planning Documents, and the engagement process we will use with neighbourhood planning and for consultation on planning applications. We hope this will mean that this Statement of Community Involvement is more than just a legal document, that it will encourage meaningful community and stakeholder engagement in the planning process.

Councillor Jo White
Portfolio Holder for Regeneration and Deputy Leader of the Council

1. What is the Statement of Community Involvement?

- 1.1 Community involvement is a key component of the planning process. Bassetlaw District Council (BDC) is committed to facilitating public engagement in the development of new planning policy and in determining planning applications.
- 1.2 The specific benefits of involving a wide range of people and organisations in the planning process include:
- More **focus on priorities** identified by the community;
 - Influencing the **provision of local services**;
 - An enhanced **sense of the community** contributing to the wider community;
 - **Capturing local knowledge** in order to achieve the right development in the right place;
 - Increased **understanding of planning procedures** and how policy is developed; and
 - Increased **efficiency**, helping **resolve conflicts** earlier in the process.
- 1.3 We wish to involve the local community as early as possible in order to maximise opportunities to influence policies and strategies. However, we also expect others to appreciate that engagement is a two-way process of openly sharing and exchanging information, understanding different views and, listening and responding to suggestions.
- 1.4 This document sets out the Planning Service's approach to public consultation on preparation and review of new planning policy documents (Section 3).
- 1.5 It also looks at how people are consulted about planning applications that the District Council is responsible for determining (Section 7).
- 1.6 The document is written in a way to ensure that as many people as possible find it easy to read and understand.
- 1.7 This Statement of Community Involvement (SCI) does not contain consultation policies for planning applications and planning documents that are dealt with by Nottinghamshire County Council (such as those for minerals and waste developments). For information go to the Nottinghamshire County Council website: www.nottinghamshire.gov.uk/planning-and-environment.

Why do we need a Statement of Community Involvement?

- 1.8 The preparation of a Statement of Community Involvement is a requirement of s18 of the Planning and Compulsory Purchase Act 2004 (as amended). Under s180 of the Planning Act 2008, Statements of Community Involvement are considered to be Local Development Documents.

- 1.9 Once adopted, this SCI will become a statutory part of the Council's planning policies. It will supersede Bassetlaw's previously adopted SCI (adopted in September 2016). S6 of the Neighbourhood Planning Act 2017 introduced a new requirement for SCIs to set out how the Council as local planning authority will support groups undertaking neighbourhood planning, hence the need for the SCI to be updated.
- 1.10 The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 require that Local Authorities undertake an assessment of the SCI every five years (from the date of approval) to determine whether the approach to community engagement remains efficient and effective. This means that the Council will re-visit the SCI in 2024 to determine whether a full or partial review is required.
- 1.11 A Glossary of key words can be found in Appendix 1.

2. Our Approach

2.1 This SCI is intended to align with the Bassetlaw Council Plan 2019 – 2023, specifically:

We want to improve the quality of our housing and build more new Council houses for rent. We want to see investment in Bassetlaw as a place, with vibrant town centres, improved green spaces and a robust Industrial Strategy to deliver more jobs and economic growth. We want to see investment in our communities, with a focus on improving health and wellbeing, raising skills levels and supporting our most vulnerable residents. We also have a responsibility to future generations of Bassetlaw residents so we will be reducing our carbon footprint whilst developing a long-term strategy to become carbon neutral in our operations.

2.2 This aim is supported by the Council's values, which accord with the standards of the Co-operative Councils Network, of which Bassetlaw is a member:

- Ethical;
- Collective Action & Participation;
- Co-operation;
- Empowerment;
- Enterprise;
- Listening, Open & Transparent.

2.3 Consistent with the above, we will apply the following general principles to all of our planning consultations. We will also expect the consultations done by others (for example developers, site promoters and neighbourhood planning groups) to apply the same principles:

- involvement will be open to all, regardless of gender, faith, race, disability, sexuality, age, rural isolation and social deprivation;
- we will seek views from interested and affected parties early in the process when comments can have greatest influence;
- our level of consultation will reflect the level of influence or control we have over the outcome (i.e. we will focus our consultation on things we have the ability to change);
- consultation publications will be clear and concise and will not include avoidable "jargon", without understating the complexities of any decision;
- we will give sufficient information and reasoning to allow for an informed response and we will give sufficient time for responses to be made, taking into account any statutory time requirements.
- all responses will be considered conscientiously;
- we will inform people who respond to consultations of later stages, providing that we have consent to do so (in accordance with the General Data Protection Regulations 2018).

3. Community Involvement in Plan Making

Emerging Bassetlaw Local Plan

- 3.1 The Local Plan is the main planning policy document produced by the Council.
- 3.2 The Council is preparing a new Local Plan to meet the future development needs of Bassetlaw, which will replace the existing Core Strategy and Development Management Policies DPD, which was adopted in December 2011.
- 3.3 It will be a comprehensive development plan, covering a period of 20 years, and will include:
- a development strategy;
 - development management policies;
 - site allocations;
 - a Policies Map to illustrate how policies and plans will apply in different locations.
- 3.4 The Bassetlaw Local Plan will form part of the District's Development Plan (alongside 'made' Neighbourhood Plans, the Nottinghamshire Minerals Local Plan, and the Nottinghamshire Waste Local Plan). Section 54A of the Town and Country Planning Act 1990 and s38 of the Planning and Compulsory Purchase Act 2004 require planning applications to be determined in accordance with the Development Plan unless other material considerations indicate otherwise.
- 3.5 The timetable for production of the plan is set out in the Council's Local Development Scheme (LDS). The LDS is regularly reviewed and re-published when there are changes to the timetable, and subject to approval through a formal council committee process. To ensure the most up-to-date timescales are publicly available, the LDS is published on the Bassetlaw District Council website.
- 3.6 In preparing the Local Plan, there are several key stages which present opportunities for the Council to engage with interested parties, providing opportunities to influence the shape and direction of policy and proposals. These are detailed in Table 1.

Table 1: Key Stages in the Preparation of a Local Plan

Community Involvement	Evidence gathering and early engagement through meetings and information gathering	
	Initial comments and evidence considered and incorporated into a scoping paper , which is often referred to as an Issues and Options Paper . There may be other documents being prepared at the same time.	
	Consultation on the draft Local Plan scoping paper and any accompanying documents for a minimum of 6 weeks In Bassetlaw , this stage has been divided into three parts, namely the <i>Initial Draft Bassetlaw Plan</i> (2016), the draft <i>Bassetlaw Local Plan: Strategic Plan</i> (2019), and the draft <i>Bassetlaw Local Plan</i> (2020).	<i>Regulation 18 of the Town and Country Planning (Local Planning) Regulations 2012</i>
	Consideration of representations received.	
	Consultation on the Publication Draft Bassetlaw Local Plan – these may include other useful information – for a minimum of 6 weeks .	<i>Regulation 19 of the Town and Country Planning (Local Planning) Regulations 2012</i>
Formal representation and examination in public	Consideration of representations received.	
	Submission of Publication Draft Local Plan to Secretary of State.	
	Regulation 22 of the Town and Country Planning (Local Planning) Regulations 2012	
	Examination of draft Local Plan by Independent Planning Inspector, who will consider the representations received and invite those who have indicated an interest in participating in the examination to either attend the hearing to discuss the issues or, prepare a written statement. Anyone can observe the examination hearing. At the end of the examination the Planning Inspector will issue a report to the Council containing recommendations - which may include modifications - relating to the draft Local Plan and the Council will decide whether to adopt the draft Local Plan. Notification to all consultees that the recommendations are available.	<i>Regulation 24, 25 and 26 of the Town and Country Planning (Local Planning) Regulations 2012</i>
	Notification to all consultees that the Council intends to adopt the Local Plan and where the Plan is available.	
Regulation 26 of the Town and Country Planning (Local Planning) Regulations 2012		
Monitoring, with an assessment to determine whether a formal review is necessary every 5 years		

Supplementary Planning Documents

- 3.7 Where it is deemed necessary, the Council will produce Supplementary Planning Documents (SPDs) to expand upon higher level Local Plan policies and to give more detailed guidance of what is expected from different policies. They can amplify existing Local Plan policies but cannot change them. The documents must be supported by evidence and generally accord with national policies and will be a material consideration when making decisions on planning applications.
- 3.8 Unlike Development Plan Documents (DPDs), SPDs will not be submitted to the Secretary of State for examination and consultation is likely to be less extensive than for DPDs (which will already have established the principle on which the SPD is based).
- 3.9 We will always ensure that at least one stage of public consultation has been carried out before we adopt a Supplementary Planning Document.
- 3.10 The key stages in the preparation of a Supplementary Planning Document are detailed in Table 2.

Table 2: Key Stages in the Preparation of a Supplementary Planning Document

Community Involvement	Evidence gathering and early engagement through meetings and information gathering	
	Initial comments and evidence considered and incorporated into Draft SPD	
	Publication of the draft SPD for consultation for a minimum of 4 weeks	Regulation 12 of the Town and Country Planning (Local Planning) Regulations 2012
	Consideration of representations received and amendments made to a draft SPD	
Adoption of the draft SPD following agreement by the relevant Council Committee. Notification to consultees that the Council has adopted a SPD and where the SPD is available.		Regulation 14 of the Town and Country Planning (Local Planning) Regulations 2012

Community Infrastructure Levy

- 3.11 The Community Infrastructure Levy (CIL) is a charge that applies to certain types of new development, used to pay for infrastructure improvements and new infrastructure services. CIL is a transparent and fair way of ensuring that new development contributes to the provision of essential local facilities when the development takes place.
- 3.12 BDC introduced the Community Infrastructure Levy (CIL) on 1 September 2013. More detailed information about CIL is available on the council's website.
- 3.13 To make sure that the concerns of local communities were taken into account, views were sought on the development of the current CIL Charging Schedule, in accordance with the Community Infrastructure Levy Regulations 2010 (as amended) and Bassetlaw's 2011 Statement of Community Involvement.
- 3.14 As part of the Local Plan process the Council are reviewing the CIL Charging Schedule. The Community Infrastructure Levy (Amendment)(England)(No 2) Regulations 2019 has introduced changes to the way a CIL Charging Schedule is prepared. In preparing the CIL Charging Schedule, we will always ensure that at least one stage of public consultation has been carried out before we submit the CIL Charging Schedule for examination by the Secretary of State.
- 3.15 A Regulation 123 List sets out what infrastructure the Council will use CIL to deliver. From December 2020, The Community Infrastructure Levy (Amendment)(England)(No 2) Regulations 2019 state that the Regulation 123 List will no longer be required. Instead the Council will publish an Infrastructure Funding Statement in December each year. This will show communities which infrastructure CIL will fund, and which infrastructure developer contributions will fund. This will be introduced from December 2020.
- 3.16 The timetable for production of the CIL Charging Schedule is set out in the Council's Local Development Scheme (LDS). The LDS is regularly reviewed and re-published when there are changes to the timetable, and subject to approval through a formal council committee process. To ensure the most up-to-date timescales are publicly available, the LDS is published on the Bassetlaw District Council website.
- 3.17 The key stages are detailed in Table 4.

Table 3: Key Stages in the Preparation of a Community Infrastructure Levy Charging Schedule

Community Involvement	Evidence gathering and early engagement through meetings and information gathering	
	Initial comments and evidence considered and incorporated into a Draft CIL Charging Schedule	
	Consultation on Draft CIL Charging Schedule for a minimum of 4 weeks	Regulation 16 of the Community Infrastructure Levy Regulations 2010 (as amended)
	Submission of Draft Charging Schedule to Secretary of State	Regulation 19 of the Community Infrastructure Levy Regulations 2010 (as amended)
	Examination of Draft Charging Schedule by Independent Planning Inspector who will consider the representations received and invite those who have indicated an interest in participating in the examination to either attend the hearing to discuss the issues or, prepare a written statement.	Regulation 21 of the Community Infrastructure Levy Regulations 2010 (as amended)
Approval and publication of the Community Infrastructure Levy Charging Schedule by the Council.		Regulation 25 of the Community Infrastructure Levy Regulations 2010 (as amended)
Notification to consultees that the Council has approved a CIL Charging Schedule and where the Charging Schedule is available.		

Evidence Base Documents

- 3.18 Development plan documents, such as the Bassetlaw Local Plan, are supported by a wide range of evidence base studies, which are produced and updated throughout plan preparation stages. These documents are not subject to public consultation, but are made publicly available on the Bassetlaw District Council website.

4. Community Involvement in Neighbourhood Planning

- 4.1** The Localism Act 2011 introduced new powers that give communities greater influence over how their area is developed. This included the production of Neighbourhood Plans and Neighbourhood Development Orders.
- 4.2** A Neighbourhood Plan is a statutory planning document, produced by a town or parish council, or a Neighbourhood Forum that can be used to influence the shape and form of development that will take place in the Designated Neighbourhood Area.
- 4.3** Neighbourhood Forums are community groups designated by the LPA that work on neighbourhood planning in areas without parishes.
- 4.4** Neighbourhood Plans can allocate sites for development including land for housing and employment, safeguard areas of local green space, and raise design standards. Neighbourhood Plans need to be produced in conformity with BDC's Development Plan Documents and national planning policy.
- 4.5** Neighbourhood Development Orders provide a means to permit particular kinds of development in the Designated Neighbourhood Area.
- 4.6** A Neighbourhood Plan should be a positive planning document, developed to help guide development, rather than to prevent it.
- 4.7** A Neighbourhood Plan should set a vision for an area and contain planning policies for the use and development of land. Policies should cover local issues rather than strategic issues.
- 4.8** Plans should be developed in partnership with:
- Parish Councils;
 - local community groups;
 - Local Authorities;
 - statutory consultees;
 - local residents and businesses;
- 4.9** Plans will be subject to an Independent Examination and a local referendum before they can be adopted. The referendum allows the community in the Designated Neighbourhood Area to vote on whether the Neighbourhood Plan should be adopted or not. A simple majority of votes is required before Bassetlaw District Council can formally 'make' the Plan so that it becomes part of the Development Plan.
- 4.10** If the Neighbourhood Plan is then adopted, or "made", by the District Council, it will become a statutory document and a material consideration when assessing planning applications.

Table 4: Key Stages in the Preparation of a Neighbourhood Plan

Community Involvement	Designation of proposed Neighbourhood Area If this area is not the same as the Parish or Town Council boundary, consultation for a minimum of 6 weeks . (Should application be received to change this area, we will consult on this change for a minimum of 6 weeks).	Regulations 5, 6 & 7 of the Neighbourhood Planning (General) Regulations 2012, 2016 & 2017
	Draft Plan preparation (scoping and evidence gathering)	
	Pre Submission publicity and consultation on draft Neighbourhood Development Plan for a minimum of 6 weeks . This is undertaken by the Neighbourhood Plan Group, which is part of the Parish or Town Council or, by the Neighbourhood Forum. Bassetlaw District Council will provide support as required.	Regulation 14 of the Neighbourhood Planning (General) Regulations 2012, 2016 & 2017
	Preparation of Proposed Submission Neighbourhood Plan and submission of this draft plan to the Local Authority.	
	Submission to Local Planning Authority Consultation of the proposed Submission Neighbourhood Development Plan for a minimum of 6 weeks . This is undertaken by Bassetlaw District Council.	Regulations 15 & 16 of the Neighbourhood Planning (General) Regulations 2012, 2016 & 2017
Independent Examination The District Council, in liaison with the Neighbourhood Planning Group/Parish or Town Council/Neighbourhood Forum, will appoint an independent examiner (a Planning Inspector), who is sent all representations and will assess the draft Plan against required criteria.		Regulations 17 & 18 of the Neighbourhood Planning (General) Regulations 2012, 2016 & 2017
Community Vote	STEP 6: Referendum If more than half the votes agree (50% plus one vote) the Plan can proceed to adoption by Bassetlaw District Council.	Regulations 19 & 20 of the Neighbourhood Planning (General) Regulations 2012, 6
Monitoring and review as required (no statutory intervals)		

- 4.11** BDC is not responsible for the production of neighbourhood plans, but provides structured advice and assistance throughout the plan-making process. This includes guidance on legislation and consultation, mapping services, and administration of statutory phases of consultation (see Table 4).
- 4.12** The Town or Parish Council, or Neighbourhood Forum, should engage with and consult the wider community as much as possible at all stages of the process of creating a neighbourhood plan. This SCI should inform all such consultation programmes.
- 4.13** Bassetlaw District Council will publicise the progression of neighbourhood plan development on its website, including designations, consultations, and referendums, supported by key documents and decision notices. Other mediums of communication will also be used as considered appropriate to bring the plan preparation process to the attention of those who live and work in the Designated Neighbourhood Area.

5: Who and how we will consult

Who we will consult

- 5.1** Paragraph 16 of the NPPF states that plans should be “shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees”.
- 5.2** The Council will therefore engage, as necessary, with the following groups during development plan consultations:
- specific and general consultation bodies (in accordance with the Town and Country Planning Regulations 2012, listed in Appendix 2);
 - the general public;
 - town and parish councils;
 - businesses;
 - local voluntary/interest groups;
 - hard to reach groups (including young people, elderly residents, ethnic minority groups, Gypsies and Travellers, those with disabilities and rural communities); and
 - developers.

How we will consult

- 5.3** It is vital that the public and other consultees are made aware of consultation programmes and the means by which to respond to draft plans and proposals.
- 5.4** Publicity for each round of consultation may, therefore, include, but not be limited to:
- **Digital services:** The Council’s website will be key for publicising consultation events to all users, while outgoing emails can carry publicity information, directing and enabling users/recipients to respond to the consultation through embedded surveys;
 - **Registered contacts:** During preparation of the Local Plan the Council has established a database of over 1500 organisations and individuals who expressed an interest in the plan making process. Recipients will be notified of what documents are under consultation, how they can access them and comment on proposals;
 - **Making publications accessible:** Consultation documents will be available to view on the Council’s website, while paper copies will also be made available in district council offices and county council libraries;
 - **Print media:** Local press releases (both printed media and radio) will be issued to publicise new documents and consultation events, including Parish Council newsletters;
 - **Social media:** Primarily using the Council’s email alert service, along with Twitter and Facebook accounts we will publicise the consultation process and events, with links to the website and other publications. Through Twitter and Facebook we can

also ask related organisations/publications to post consultation details on their profiles in order to reach a wider audience;

- **Line of sight publicity:** Posters and displays located in prominent positions within all Council offices, around town centres and in other locations/ facilities with help from the Community Partnership;
- **Events:** Public meetings, exhibitions, market stalls, drop-in sessions and staff/member briefings give opportunities to present information and discuss matters of concern. Where appropriate, planning consultation may 'piggy-back' on other events being run by the Council or partner organisations; and
- **Meeting special needs:** Where particular special needs are not being met through the above means of engagement, the Council will, where possible respond on request in order to facilitate individuals' involvement in consultation.

5.5 There will be a variety of methods by which members of the public and other consultees can respond to consultations, including:

- forms / surveys on the Council's website;
- post;
- response forms at consultation events;
- email feedback.

5.6 All responses that contain a valid address will be acknowledged at the end of the consultation period.

5.7 It is our aim to help develop people's understanding of the planning process, so as to facilitate participation and encourage further involvement as the plan develops.

5.8 Therefore, if members of the public require further explanation or would like to discuss proposals in emerging plans and their representations, meetings can be arranged with council officers to discuss them further.

5.9 Outside of the formal consultation periods, the Council will engage in discussion with the community on an informal basis and Officers will be happy to speak with stakeholders on any issues of relevance to the document in question.

Feedback to Consultees

5.10 After consultation has closed, officers will assess all of the representations received and make any necessary/appropriate changes to the draft plan.

5.11 All comments that are received will be made public (with all personal details redacted).

5.12 A consultation summary statement will also be produced, summarising the activity of the consultation process, trends in any quantitative data, and the key themes emerging from comments.

5.13 A copy of the consultation summary statement will be placed on the Council's website, and all respondents made aware of its publication.

Ensuring Equality

- 5.14** It is vital that engagement in the planning process is made as accessible as possible to all members of the community.
- 5.15** In doing so the Council acknowledges that everyone has different needs and some people may need more or different resources to have access to the same outcomes as others.
- 5.16** In referring to 'hard to reach groups', above, this SCI recognises that some people face additional barriers and constraints.
- 5.17** Under the Equality Act 2010's Public Sector Equality Duty, the Council is obliged to facilitate the participation of those who wish to be involved in the process – eliminating discrimination, advancing equality of opportunity and fostering good relations when carrying out activities.
- 5.18** The Council will therefore work together with organisations representing hard to reach groups to ensure that the most appropriate consultation methods are used to seek their opinions and take account of their views.
- 5.19** The Council will also draw upon the expertise of these representative groups by inviting them to comment on policy documents.

Timescales

- 5.20** The timescales for the statutory stages of consultation on planning policy documents are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 5.21** We will avoid running key consultations during established busy holiday periods (primarily Christmas, Easter and the summer holidays). However, it may not always be possible to avoid these time periods, due to the need to produce documents in a timely manner. In these situations, we will, where regulations allow, seek to extend consultation timeframes to provide more time for consultees to respond.
- 5.22** We will ensure that the time periods of consultations are clearly publicised, with a particular focus on ensuring that stakeholders and consultees are aware of when consultations will end. It is important that responses are made within the formal time periods. We will keep late responses on file, but it cannot be guaranteed that they will be factored-in to consideration of the subject in question, and will not be considered to be 'duly made.'

6. Duty to Cooperate

- 6.1** The Localism Act 2011 (s110) introduced the Duty to Co-operate, which requires local planning authorities to engage constructively, actively, and on an ongoing basis with neighbouring authorities and other organisations on strategic matters including the preparation of planning documents.
- 6.2** The duty to cooperate is not a 'duty to agree,' however local planning authorities are required to demonstrate how they have complied with the duty to cooperate at the independent examination of their local plan. If a local planning authority cannot show that it has complied with the duty to cooperate then the proposed local plan will be found unsound by a Planning Inspector.
- 6.3** The other organisations that should be engaged with include:
- The Environment Agency;
 - Historic England (formerly English Heritage);
 - Natural England;
 - The Civil Aviation Authority; and
 - further groups with responsibility for their areas of expertise.
- 6.4** Bassetlaw District Council is fully committed to complying with the Duty to Cooperate.
- 6.5** Discussions on strategic matters with relevant partners at cross-border, county and regional levels are ongoing and will continue throughout the plan-making process.
- 6.6** In the later stages of plan preparation, the Council will publish Statements of Common Ground, in conjunction with relevant partners, which clearly set out our compliance with the duty and define any necessary outputs.

7. Planning Applications

- 7.1 A planning application is submitted to the Council when development is proposed that cannot be done under “permitted development” rights. The planning application consists of an application form, and accompanying plans and details.
- 7.1 **Bassetlaw District Council** is responsible for making decisions on a wide range of planning applications, including:
- **Housing;**
 - **Retail;**
 - **Employment;**
 - **Listed Buildings;**
 - **Buildings in Conservation Areas and protected trees.**
- 7.2 **Nottinghamshire County Council** is the decision-making authority for applications that concern:
- **Education facilities;**
 - **Minerals and waste developments;**
 - **Most highways improvements.**
- 7.3 Applicants and those affected by development proposals (third parties) have the opportunity to be involved and to express their opinions at various stages.
- 7.4 In respect to applications processed by Nottinghamshire County Council, representations should be submitted to them directly.
- 7.5 In respect to planning applications processed by Bassetlaw District Council, the protocols detailed below explain the level of service the Council will aim to provide to applicants, the expectations the Council has of applicants, and the opportunities for third parties to get involved.

Pre-Application Protocol

- 7.6 Applicants will be encouraged to consult relevant planning policy guidance documents during the preparation of planning applications. Bassetlaw District Council’s own planning guidance documents are available to view on the Planning Services web pages and at council offices.
- 7.7 Householder Questionnaires are available for applicants to complete on the Council’s website and at the Council Offices. These help officers to assess whether an application is required for the development proposed to a domestic property.
- 7.8 In accordance with the NPPF (paras. 39 - 46) Bassetlaw District Council encourages pre-application engagement to improve the efficiency and effectiveness of the planning application process for all parties.

- 7.9 This confidential service is available on request, and there is a sliding scale of charges for it, details of which are available from the Council website.
- 7.10 Written enquiries, which should include relevant maps and, where necessary, drawings, will be answered within 21 days.
- 7.11 Meetings may be arranged in order to discuss proposals in person.
- 7.12 The Council also encourages applicants to engage with third parties and Members before an application is submitted. This will give an opportunity to discuss issues early and therefore to seek to achieve a consensus. Depending on the scale of the proposed development and the issues involved, pre-application engagement may include some of the following:
- discussions with Statutory Consultees, neighbours and Parish Councils;
 - public meetings;
 - exhibitions;
 - workshops;
 - use of websites.

Please note that all pre-application engagement activities must be reported in any subsequent planning application.

Pre-Application Protocol (Major Sites)

- 7.13 The Council actively encourages developers working on major planning applications to carry out forms of pre-application consultation in order to inform their work.
- 7.14 The Council has published a Planning Performance Charter which discusses how the Council can offer as much support as the applicant wishes with requisite fees being offered dependent upon the intensity of the support required (see 7.24 onwards for more details).
- 7.15 A major planning application is defined as:
- the creation of at least 10 residential units;
 - work on a residential development on a site of 0.5 hectares or more;
 - work on a non-residential development on a site of 1 hectare or more;
 - the creation or change of use of 1000m² or more of gross floor space (that does not include housing).
- 7.16 The following pre-application activities may help to capture the views of the community, key stakeholders, and the Council on emerging major development proposals, and help to shape subsequent planning applications:
- submit a pre-application enquiry to the Council;
 - talk directly with, or submit appropriate enquiries to, relevant statutory consultees and, take on board the advice received in order to minimise technical objections;

- write a Consultation Strategy for the proposal, in consultation with the Council, into account this SCI. This strategy should be kept under review;
- consult the local community on the overall and specific aspects of the proposal in accordance with the Consultation Strategy;
- consider the consultation responses received and submit, at planning application stage, a document explaining what consultation has been carried out, including technical and public consultation and, how it has influenced the planning application proposals.

Applications Protocol

- 7.17 In accordance with National Planning Policy Guidance, Bassetlaw District Council has produced a Local Validation List, a Council and customer-facing document which clearly sets out the requirements in order for a planning application to be seen as 'valid' when it is submitted. The list is required to be kept up to date, and should not have been adopted more than two years before a given planning application is determined.
- 7.18 The local validation list is available on the Council's website:
<http://www.bassetlaw.gov.uk/everything-else/planning-building/make-a-planning-application.aspx>
- 7.19 Applicants will be informed that their application has been received and validated, and provided with information about the procedures for its assessment.
- 7.20 If, in order to come to a decision, more information is required, Officers will inform applicants as soon as possible.
- 7.21 A weekly list of all validated planning applications is sent to Officers and Members of the Council. These lists are also available to download from the Council's website.
- 7.22 Once an application has been submitted, further discussions between the applicant and the Council may take place if required and agreed. These discussions may result in amendments to the proposal, or even require a new application.
- 7.23 Paragraph 46 of the NPPF (2019) advises that applicants and local planning authorities should consider the potential for Planning Performance Agreements (PPAs) where this might achieve a faster and more effective application process.
- 7.24 A Planning Performance Agreement (PPA) is a framework in which parties come together to agree how they are going to take a development proposal through the planning process. PPAs are voluntary agreements whose purpose is to deliver high quality sustainable development that is based on a clear vision and development objectives, to an agreed project plan and work programme, in a constructive, collaborative and open manner.
- 7.25 PPAs may potentially be appropriate:

- for applications that are particularly large or complex to determine;
- for applications for a programme of ongoing works, where particular complexities may arise;
- for the development of a Supplementary Planning Document or Masterplan prior to pre-application discussions.

7.26 All parties involved in a PPA with Bassetlaw District Council are expected to adhere to the Planning Performance Agreement Charter 2018, which is available on the Council's website:

<http://www.bassetlaw.gov.uk/everything-else/planning-building/development-control/pre-application-advice.aspx>

Consultation and Representations Protocol

7.27 On receipt of a planning application, a local planning authority must undertake a formal period of public consultation, prior to deciding a planning application. This is prescribed in Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

7.28 Third parties can make representations on planning applications during the decision making process, subject to statutory deadlines (a minimum of 21 days).

7.29 Neighbouring properties will be informed of proposed development applications by letter. Notification will also include details of the methods and timescales for responding.

7.30 Notifications will, on certain applications and where possible, be posted in prominent locations near to the proposed development.

7.31 We will consult with Parish and Town Councils, and technical consultees within their field of expertise, such as the Environment Agency and Nottinghamshire County Council, as prescribed in Articles 18, 20, 21 and 22 of the Development Management Procedure Order 2015.

7.32 We will consult with any Neighbourhood Forum on relevant planning applications within the Neighbourhood Planning Area, if requested to do so, as set out in article 142 of the Housing and Planning Act 2016. Neighbourhood Forums produce Neighbourhood Development Plans in areas where there is no Parish or Town Council.

7.33 A list of all applications will be available to view on the planning website. This will be updated weekly.

7.34 Representations and enquiries may be sent to **planning@bassetlaw.gov.uk**

- 7.35 Third parties can examine applications at Council's offices in Worksop and on the website.
- 7.36 Officers will be available to discuss applications with third parties either by phone, letter, email or, by prior agreement, in face-to-face meetings.
- 7.37 The Council will seek additional consultation with regional and national bodies, where appropriate, for major infrastructure projects.

Decisions Protocol

- 7.38 Consideration of planning applications will take account of any relevant representations and consultation responses received, as is set out in Article 33 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 7.39 The majority of applications are determined under powers delegated by the Head of Regeneration as the Council's Chief Planner, to the Development Team Manager and/or the Major Projects Officer.
- 7.40 If an application raises major issues and the ward councillor requests within 21 days of receipt of the application, or members at the Planning Consultation Group (an advisory body comprising the Chairman, Vice Chairman and main Opposition Spokesman on Planning Committee plus one other member of the Planning Committee) request it, applications will be decided at a meeting of the Planning Committee.
- 7.41 Applicants can attend and speak at the Committee's discretion. The procedures for public speaking at Planning Committee are set out in a separate detailed advice note, which is available on the Council's website.
- 7.42 To speak at Planning Committee, third parties must have previously submitted a letter, during the consultation period, either objecting to or supporting the application. They will then be informed where and when Planning Committee will be taking place and the procedures for speaking.
- 7.43 The applicant, third parties and agents who made representations will receive a copy of the decision notice by post. Delegated decisions will normally be issued within one working day of the decision being authorised by the Development Team Manager.
- 7.44 Decisions made by Planning Committee will normally be issued within two working days of the meeting, except where a planning obligation is needed.
- 7.45 Decision notices will be published on the Planning Services pages of the Council's website.

Appeals Protocol

- 7.46 If the applicant wishes to appeal the decision, they must inform the Planning Inspectorate, who will assign an independent inspector to evaluate the application and the Council's decision.
- 7.47 Under government legislation, there is no right for third parties to appeal against the making of a decision.
- 7.48 Although unable to launch an appeal, third parties can, however, make representations at appeals, at hearings, inquiries and on applications called in by the Secretary of State.
- 7.49 Information regarding appeals and application forms are available from Bassetlaw District Council Planning Services, on the Bassetlaw District Council website www.bassetlaw.gov.uk and the Planning Inspectorate website www.planninginspectorate.gov.uk.

Section 106 Agreements

- 7.50 Some major planning applications may include planning obligations. Planning obligations are a legally binding agreement between a developer and the Council, which are accepted under section 106 of the Town and Country Planning Act 1990. They are normally referred to as Section 106 Agreements. These can be used to secure (from developers, and other interested parties) financial contributions, physical works or other commitments, actions or measures which will help to ensure developments are sustainable.
- 7.51 **Every planning obligation must accord with the Government's guidance and meet the following requirements:**
- it must be relevant to planning;
 - it must be necessary to make the proposed development acceptable in planning terms;
 - it must be directly related to the proposed development;
 - it must be fairly and reasonably related in scale and kind to the proposed development; and
 - it must be reasonable in all other respects.
- 7.52 An example of a planning obligation is when a residential development is being proposed with no on-site play facilities in an area that lacks or has insufficient play facilities. The developer may be asked to contribute to play facilities within the vicinity of a development, a contribution that would be legally secured through a planning obligation.
- 7.53 The Local Planning Authority will advertise planning applications in accordance with established procedures, inviting comments from the local community. This presents

an opportunity for the community to identify any issues that they consider relevant to the proposed development in determining an application.

- 7.54 Officers will assess the type of planning obligations that may be appropriate, taking into account the community's views as well as national, regional and local policy. Officers will negotiate with developers to ensure that planning obligations are legally secured, through the completion of an appropriate legal agreement, prior to the approval of any planning permission.
- 7.55 After permission has been granted, the Planning Authority will record the details on the Planning Applications Register and ensure that this is available for public inspection. Legal Agreements, financial contributions received and progress on the spending of contributions will be monitored annually as part of the Annual Monitoring Report so that details of implementation are made available to members of the public.

Enforcement

- 7.56 The Council expects all development to comply with planning legislation and developments should not be carried out until the necessary permissions have been received. The Council also expects developers to comply with the conditions of their planning consents. Where breaches of planning conditions are known, and where developments have been carried out without the necessary consents, the Council has a range of enforcement powers to take action against the relevant parties.
- 7.57 Most breaches of planning consents are brought to the Council's attention by members of the public. The Council encourages the public to come forward and report any suspected breaches of planning consent. All breaches of planning consent will be acknowledged and recorded. The identity of all complainants will remain strictly private and confidential. They will also be informed of the course of action to be taken and the outcome of any investigation.

8: Monitoring & Review

- 8.1 While the experience gained through the different phases of consultation and the fee received helps the Council refine engagement methods, the SCI will primarily be monitored and reviewed through the Authority Monitoring Report (AMR).
- 8.2 The AMR reviews actual progress in terms of plan preparation against the timetable and milestones set out in the Local Development Scheme, as well as assessing the effectiveness of existing policies.
- 8.3 The AMR will identify any necessary changes to the SCI resulting from consultation with the community and stakeholders, joint working experiences, and unforeseen changes in circumstances or opportunities. The community and stakeholders will be consulted on any resulting proposals to revise the SCI.

Appendix 1: Glossary of Terms

Authority Monitoring Report (AMR): The AMR monitors the effectiveness of plan policies and the progress towards the delivery of the plan's objectives. The AMR also collates details of the levels of residential, employment and other development within the District, in line with national policy requirements.

Community Infrastructure Levy (CIL): CIL is a levy that the Council imposes on some types of new development. The income generated by CIL can be used to fund a wide range of infrastructure that is needed as a result of development. This includes new or safer road schemes, flood defences, schools, hospitals and other health and social care facilities, park improvements, green spaces and leisure centres.

Delegated decisions: Powers which allow Planning Officers to determine certain applications without reference to Planning Committee.

Designated Neighbourhood Area: The specific geographical area covered by a Neighbourhood Development Plan.

Development Management: This is the management or control of development proposals through the planning system.

Development Plan Document (DPD): Planning documents that are subject to independent examination and form part of the statutory development plan for the area.

Independent Examination: The purpose of an independent examination is to consider the 'soundness of a development plan document' by an independent Planning Inspector, appointed by the Secretary of State to conduct the examination to consider the document as a whole and determine its soundness. In assessing this, the independent Planning Inspector will consider all representations made on the submitted document and the changes that have been suggested by those making representations.

Local Development Scheme (LDS): Sets out the programme for preparation of the development plan and other planning policy documents the Council will produce.

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

Local Plan: a new consolidated DPD, comprising a spatial strategy for the development of the district, strategic policies and local policies to aid in determining planning applications and site allocations for housing, employment and traveller sites.

Made: Refers to the final stage of Neighbourhood Development Plan preparation in which the Plan is successfully voted for under a local referendum.

Material considerations: Matters that should be considered when considering a planning application or appeal

National Planning Policy Framework: This document sets out the Government's planning policies for England and how these are expected to be applied. The NPPF is

a material consideration in the preparation of planning documents and when considering planning applications.

Neighbourhood Development Order: Under neighbourhood planning legislation, a means of granting permission for a particular kind of development within a specified area. This can be the whole neighbourhood or just a part of it.

Neighbourhood Development Plans: A plan prepared by a Parish or Town Council or a Neighbourhood Forum for a particular neighbourhood area.

Neighbourhood Forum: Neighbourhood Forums produce Neighbourhood Development Plans in areas where there is no Parish or Town Council.

Planning and Compulsory Purchase Act 2004: This is an act which makes provisions relating to spatial development and town and country planning; and the compulsory acquisition of land.

Planning Application: An application to the Local Planning Authority to seek permission for development or use of land.

Planning Committee: The formal meeting where District Councillors make decisions on certain planning applications. Other planning applications are determined by Planning Officers under a scheme of delegation. Committee is usually held every four weeks and is open to the public, although only local members and representatives of parish councils can speak, for three minutes each.

Planning Performance Agreement: A framework in which parties come together to agree how they are going to take a development proposal through the planning process. PPAs are voluntary agreements whose purpose is to deliver high quality sustainable development that is based on a clear vision and development objectives, to an agreed project plan and work programme in a constructive, collaborative, and open manner.

Representations: Comments submitted in response to a formal or informal consultation.

Scoping: The act of or involving an investigation or discussion to determine the effect a proposed policy or project would have on a community or the local environment.

Soundness: To be considered sound, a Development Plan Document must be prepared positively, justified, effective and consistent with national policy. This means that it must be founded on robust and credible evidence and be the most appropriate strategy, and also it must be deliverable, flexible and able to be monitored.

Statement of Community Involvement: A document produced by Local Planning Authorities setting out the standards which they uphold in relation to involving local communities in the preparation, amendment and review of planning policy documents and in the determination of planning applications.

Supplementary Planning Documents: A document that provides detailed guidance on the interpretation and implementation of adopted policies, but cannot introduce new policies. SPDs are material considerations in consideration of planning applications.

Sustainable Development: Sustainable development is that which meets the needs of the present without compromising the ability of future generations to meet their own needs. The NPPF specifies three dimensions to sustainable development: economic, social and environmental. These give rise to the need for the planning system to perform a number of roles:

- **An economic role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- **A social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well- being; and
- **An environmental role** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy’

Validation: The process, guided by both local and national requirements, of ensuring that all the information necessary to reach an informed decision is submitted with a planning application. Only when an application has been through validation will it begin to be assigned to a case officer.

Appendix 2: Consultation Bodies

Specific Consultation Bodies

The Town and Country Planning Regulations 2012 specifies that the following bodies must be consulted if the council considers that body will be affected by what is proposed to be covered in the Local Plan and Supplementary Planning Documents (SPDs). These may include:

- Neighbouring Local Planning Authorities: Doncaster, Rotherham, Bolsover, Mansfield, Newark & Sherwood, West Lindsey and North Lincolnshire;
- Nottinghamshire County Council;
- Lincolnshire County Council;
- Derbyshire County Council;
- Parish and Town Councils within Bassetlaw;
- Parish Councils adjoining Bassetlaw:
- The Coal Authority;
- Environment Agency;
- Historic England;
- Natural England;
- Network Rail Infrastructure Ltd;
- Office of Rail Regulators;
- Highways Agency;
- Mobile Operators Association (representing the four UK mobile operators);
- Bassetlaw Clinical Commissioning Group and Local NHS (Public Health);
- Relevant utility companies, including Severn Trent, Anglian Water, National Grid, Northern Powergrid, and Western Power;
- Local Enterprise Partnerships: Sheffield City Region and D2N2;
- Nottinghamshire Police; and
- Homes England
- Sheffield City Region Mayoral Combined Authority

General Consultation Bodies

The Town and Country Planning Regulations 2012 indicate that general consultation bodies must be consulted where the council considers it appropriate. These may include:

- Voluntary bodies whose activities benefit any part of the district;
- Bodies representing the interests of different racial, ethnic or national groups;
- Bodies representing disabled persons;
- Bodies representing different religious groups; and
- Bodies representing the interests of persons carrying on business in Bassetlaw.

Other general consultees may include:

- Environmental groups;
- Heritage groups;
- Sport and recreation groups;

- Development industry representatives;
- Planning agents;
- Countryside/rural interest groups;
- MP's and MEP's;
- Local Area Forums and community groups;
- Local schools and colleges;
- Transport groups; and
- Housing Associations.