

Planning Committee

06 December 2019

Agenda item number 10

Statement of Community Involvement- consultation responses and adoption

Report by Planning Policy Officer

Summary

The Broads Authority's Statement of Community Involvement (SCI) has been reviewed, updated and subject to public consultation. This report details comments received and changes to the draft SCI, and proposes that the SCI is adopted.

Recommendation

That Planning Committee endorses the final SCI and recommends that the Broads Authority adopts the SCI at its next meeting.

1. Introduction

- 1.1. Local Planning Authorities must produce a Statement of Community Involvement (SCI) and review it every five years to keep it up-to-date. The Broads Authority's SCI was adopted in 2014 and is now under review.
- 1.2. The SCI sets out how we will engage with stakeholders and the local community in the production and review of the Broads Local Plan and Broads Plan, and in the planning application process.
- 1.3. As agreed at Planning Committee on 13 September 2019, we consulted on the draft SCI. The consultation period ended on 22 November 2019 and this report details comments received and changes to the draft SCI, and proposes that the SCI is adopted.

2. Statement of Community Involvement (SCI)

- 2.1. National Planning Policy Guidance states that: 'Local planning authorities must set out in their Statement of Community Involvement how they will engage communities on the preliminary stages of plan-making, specifically survey stage and Local Development Scheme. This does not apply to those plans which have passed Regulation 18(1) stage of the Town and Country Planning (Local Planning) (England) Regulations 2012 before 31 July 2018 in respect of that particular plan / Statement of Community Involvement. Local planning authorities must review their Statements of Community Involvement every 5 years from the adoption date. It is important that Statements of Community

Involvement are kept up-to-date to ensure effective community involvement at all stages of the planning process. Therefore, a local planning authority should regularly review and update their Statement of Community Involvement to reflect any changes to engagement. A local planning authority may review and update their Statement of Community Involvement at the same time as reviewing and updating a plan to reflect what action is taken to involve the community in any change to the plan’.

2.2. A tracked changed version of the Authority’s draft SCI is at Appendix 2.

3. Consultation on the SCI

3.1. The consultation ran from 27 September to 22 November 2019. The responses we received are in Appendix 1.

3.2. North Norfolk District Council (NNDC) and Chedgrave Parish Council (CPC) have asked for an extension to the deadline for their comments to 13 December 2019. This is after Planning Committee on 6 December 2019. It is therefore proposed that any comments received by NNDC and CPC are assessed, and our responses to those comments and whether any changes are to be made to the SCI are discussed with the Head of Planning, Director of Strategic Services and Chair of Planning Committee. This is in the interest of expediency in adopting the SCI while allowing NNDC and CPC more time. Any responses or changes will then be detailed in the Broads Authority report (likely to be the January meeting).

Author: Natalie Beal

Date of report: 22 November 2018

[Broads Plan](#) objectives

Appendix 1 – responses to the SCI consultation

Appendix 2 – Tracked Change version of the final Statement of Community Involvement

Appendix 1 – responses to the SCI consultation

Name	Organisation	Comment	BA Responses	Proposed changes
Joy Brown	Norwich City Council	Norwich City Council have no comments to make on this document.	Noted.	No change to SCI
Lorraine Houseago	Norfolk County Council	We have no other comments to make.	Noted.	No change to SCI
Penny Turner	Norfolk Policy ACLO	We have no comments on the above at this stage.	Noted.	No change to SCI
Carla Wright	Natural England	We are supportive of the principle of meaningful and early engagement of the general community, community organisations and statutory bodies in local planning matters, both in terms of shaping policy and participating in the process of determining planning applications. We regret we are unable to comment, in detail, on individual Statements of Community Involvement but information on the planning service we offer, including advice on how to consult us, can be found at: https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals .	Noted.	No change to SCI
Ben Wright	East Suffolk Council	The Council is broadly supportive of the detail included in this Statement of Community Involvement and the various methods the Broads Authority promote in order to encourage public participation. The use of specific methods to help hard to reach groups participate in the planning process should be encouraged.	Noted.	No change to SCI

Name	Organisation	Comment	BA Responses	Proposed changes
Ben Wright	East Suffolk Council	An outline of which team is responsible for which document/process would provide further clarity to members of the public about who to contact if they have a query. This does not need to go into great detail however some description of the difference between planning policy and development management etc. could be really beneficial.	Noted. A list of specific names and contact details will not be included as people change roles. Also, the Broads Authority is a small organisation and reception is manned in normal working hours so it is always easy to speak to someone. But we will elaborate on the three aspects covered in this SCI a bit more.	<p>This Statement of Community Involvement (SCI) is the Broads Authority’s formal policy to:</p> <ul style="list-style-type: none"> i. <u>Identify how and when local communities and stakeholders will be involved in the preparation of the Broads Local Plan – the Planning Policy Officer is responsible for the production of this;</u> ii. <u>Set out community involvement in the consideration of planning applications – the Development Management Officers are responsible for determining planning applications and the Planning Administration Team are responsible for the receipt and processing of applications and fees;</u> and iii. <u>State how the community can inform the review of the Broads Plan (the strategic plan to manage the Norfolk and Suffolk Broads) – the Head of Governance is responsible for this at the time of writing.</u>

Name	Organisation	Comment	BA Responses	Proposed changes
Ben Wright	East Suffolk Council	Page 4 – it could be useful to further differentiate Supplementary Planning Documents and Planning Guides from Local Plans, seeing as they do not form part of the Development Plan for the area officially but rather provide further details on applying planning policies.	Agree. Will amend figure.	Amend figure so it has a double ended arrow between local plan and guides to show they work together and add arrows from Neighbourhood Plans to planning applications and SPDs and guides to planning applications to show that neighbourhood plans and SPDs and guides in form decision making of planning applications.
Ben Wright	East Suffolk Council	Page 8 – Could a list of social media platforms used by the Broads Authority and links to them be provided?	Agree. Will add links.	Use social media (Facebook: https://www.facebook.com/BroadsAuthority/ and Twitter: https://twitter.com/BroadsAuth) and information technology.
Ben Wright	East Suffolk Council	Throughout the document – More reference to the use of social media could be very beneficial to the SCI. Social Media has become a key part of public consultations and has been very successful when used across the country. A simple outline of when social media could be used to promote consultations could be one way of doing this.	Noted. We refer to this under Local Plan and a reference in the Broads Plan section can be added too.	Our Broads Engage web pages highlight the consultation methods we use regularly, including stakeholder workshops, committee and interest group meetings, focus groups, social media (Twitter and Facebook) one-to-one discussions, written consultations in paper and electronic formats, surveys and questionnaires, and public events in local venues around the Broads, including ‘drop-in’ area parish forums.
Ben Wright	East Suffolk Council	Page 13 – could a link to the database be added?	We don't think this is appropriate and we list the organisations on our database more generally in an Appendix at the end of the SCI.	No change to SCI

Name	Organisation	Comment	BA Responses	Proposed changes
Ben Wright	East Suffolk Council	Throughout – it could be useful to provide links throughout the document to any relevant pages on the Broads Authority website, such as: <ul style="list-style-type: none"> o Contacts database o Planning pages o Pre-app pages o Committee info including right to speak o Weekly list 	Agree. Will add links to Planning Committee, planning pages and weekly list.	Links added
Ben Wright	East Suffolk Council	Page 21 – While Neighbourhood Plans do add detail beyond the scope of Local Plans, would it be more accurate to say that Neighbourhood Plans themselves include policies that can include additional, more local details reflecting local circumstances that is not appropriate for Local Plans to cover?	Agree. Will add text.	The Localism Act 2011 (as amended) makes provision for communities to prepare their own Neighbourhood Development Plans, which can add detail beyond that of the Local Plans <u>and can include policies that can include additional, more local details reflecting local circumstances that is not appropriate for Local Plans to cover.</u>
Ben Wright	East Suffolk Council	Also, Neighbourhood Plans do not need to necessarily be in conformity with national policy, rather they have to have regard to it. The conformity with Local Plans is only regarded as ‘general conformity’.	Agree. Will add text.	They must <u>have regard to National Policy as well as be in general conformity with</u> any Plan that has been adopted by the Local Authority
Ben Wright	East Suffolk Council	Would it be more accurate to state that Neighbourhood Plans help to decide where development should go and what type of development it should be, alongside the relevant Local Plan?	Agree. Will add text.	Decide where and what type of development should happen in the neighbourhood <u>(alongside the Local Plan)</u>

Name	Organisation	Comment	BA Responses	Proposed changes
Ben Wright	East Suffolk Council	Is the statement that Neighbourhood Plan policies take precedence over Local Plan policies strictly accurate? Paragraph 30 of the NPPF states that they do take precedence over non-strategic policies where these are in conflict, unless they have been superseded by more recent policies.	Agree. Will amend text.	Include policies: For example, regarding design standards that take precedence over existing policies in the Local Plan for the neighbourhood —provided the Neighbourhood Plan policies do not conflict with the strategic policies in the Local Plan
Jessica Nobbs	Water Management Alliance	Section 2.5 Who we consult refers to three main groups: Specific Consultees, General Consultees and Local Consultees, all of which are listed under Appendix C of the document. We believe both the Broads IDB and Norfolk Rivers IDB should be included in this list of people and organisations. According to the National Planning Policy Framework (February 2019), strategic policies set by Local Planning Authorities in their Local Plans should take into account advice from the Environment Agency and other relevant flood risk management authorities, such as Lead Local Flood Authorities (LLFAs) and IDBs. In determining planning applications in accordance with national policy, local policies and relevant guidance, LPAs take into account advice from a number of different sources. These sources include from statutory consultees (such LLFAs) and the Environment Agency (“EA”) as well as from other Risk Management Authorities (“RMAs”) on a non-statutory basis such as IDBs, Anglian Water or the Canals and Rivers Trust. Between December 2014 and March 2015 Government reviewed and consulted the arrangements for providing advice to planning authorities on drainage and flood risk. As part of their response to this consultation Government	Noted. You are on the consultation database for planning policy and the Broads Plan. Will add you to Appendix C. In relation to Planning Applications, we consult the relevant IDB by letter.	Water Management Alliance added to Appendix C.

Name	Organisation	Comment	BA Responses	Proposed changes
		stated they recognised the important role IDBs fulfil in flood risk management and agreed that “there may be local instances where they should be consulted on new development proposals on a non-statutory basis.”		
Charlie Middleton	Beccles Town Council	The Planning Committee, replying on behalf of Beccles Town Council, consider all three documents provide comprehensive support for the planning policies of the Broads Authority.	Support noted.	No change to SCI
Charlie Middleton	Beccles Town Council	However, it is considered that due consideration should be given to amending the minimum consultation period listed in item 43 of the Statement of Community Involvement to a minimum period of 8 weeks, rather than 6 weeks. In support of this proposal, it had been noted that the consultation period for these three planning documents was 8 weeks.	This is the minimum set out in regulations. We cannot change the regulations. We do tend to increase the length of the consultation period to take account of school holidays or number or length or documents. This consultation was for 8 weeks because there were three documents. SPD consultations only need to be 4 weeks according to the regulations.	No change to SCI



Broads
Authority

Statement of
Community
Involvement

2020

This Statement of Community Involvement is the Broads Authority's formal policy on how local communities and stakeholders will be involved in the preparation of the Authority's Local Plan. It also sets out community involvement in the consideration of planning applications and in the review of the Broads Plan.

**Broads
Authority**

~~Draft for consultation.~~

~~Deadline for comments: 4pm 22 November 2019~~

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1. Introduction

1.1. What is a Statement of Community Involvement?

This Statement of Community Involvement (SCI) is the Broads Authority's formal policy to:

- i. Identify how and when local communities and stakeholders will be involved in the preparation of the Broads Local Plan – the Planning Policy Officer is responsible for the production of this;
- ii. Set out community involvement in the consideration of planning applications – the Development Management Officers are responsible for determining planning applications and the Planning Administration Team are responsible for the receipt and processing of applications and fees; and
- iii. State how the community can inform the review of the Broads Plan (the strategic plan to manage the Norfolk and Suffolk Broads) – the Head of Governance is responsible for this at the time of writing.-

This SCI updates and replaces ~~(when adopted)~~ the 2014 SCI. The National Planning Practice Guidance (NPPG) required SCIs to be updated every 5 years.

The SCI is a requirement of the Planning and Compulsory Purchase Act 2004 (as amended). Section 18¹ states that:

- (1): *The local planning authority must prepare a statement of community involvement.*
- (2): *The statement of community involvement is a statement of the authority's policy as to the involvement in the exercise of the authority's functions under sections 13, 15, 19, 26 and 28 of this Act and Part 3 of the principal Act of persons who appear to the authority to have an interest in matters relating to development in their area.*

The SCI sets out the Authority's policy on consulting and involving people and organisations with an interest in the development and management of the Broads. The Authority must comply with the adopted SCI in preparing any planning document or when determining any planning application. The policy in the SCI will also be used to help inform the review of the Broads Plan.

1.2. Contact details

For more information about the Statement of Community Involvement, planning documents and applications in the Broads Executive Area, or the Broads Plan, please contact us:

Tel: 01603 610734

Email: PlanningPolicy@broads-authority.gov.uk

planning@broads-authority.gov.uk

BroadsPlan@broads-authority.gov.uk

Post: Broads Authority, Yare House, 62-64 Thorpe Road, Norwich, Norfolk NR1 1RY

Website: www.broads-authority.gov.uk

¹ <http://www.legislation.gov.uk/ukpga/2004/5/section/18>

37 2. Involving the community in planning policy

38 2.1. The local plan process

39 The Local Plan² includes policies to help determine planning applications and also allocate some
40 areas of land for certain land uses. When the Broads Authority reviews the Local Plan from around
41 2020/2021 we will review the adopted planning policies and look into other issues in the Broads
42 Authority Executive Area. The process is set out in Table 1 below. A timeline showing the estimated
43 date for the Local Plan review is in [Appendix A](#).

44 Over the coming years we will also produce and consult on some Supplementary Planning
45 Documents (SPDs) and planning guides. We follow a set process for SPD production, consultation
46 and adoption, and will produce guides in a similar way.

47 **Table 1: Broads Local Plan Process**

Sustainability Appraisal and Habitats Regulation Assessment	1: Identify issues	Review existing policies and identify gaps in policies.
	2: Collect evidence	Research what will inform the Local Plan.
	3: Consult	Let stakeholders and the public know the Authority is producing the Local Plan and ask for their views on what it should cover. Minimum 6-week consultation period. (Regulation 18)
	4: Prepare Draft Plan	Prepare a draft Local Plan with help from evidence and comments received.
	5: Consult	Consult stakeholders and the public on the draft Local Plan for a minimum of 6 weeks.
	6: Improve Plan	Consider consultation comments and any further evidence when improving the Local Plan.
	7: Publish Plan	Consult stakeholders and the public on the improved Local Plan for a minimum of 6 weeks. (Regulation 19)
	8: Submit	Assess consultation comments. If the Authority wants to improve the Plan further, stages 6 and 7 are repeated. If the Authority considers the Local Plan is sound, submit it to the Planning Inspectorate. (Regulation 22)
	9: Examine	An independent Planning Inspector examines the submitted Local Plan. There may be Public Hearings. (Regulation 24)
	10: Adopt	If the Independent Planning Inspector finds the Local Plan sound, the Authority can adopt the Plan. (Regulations 25 and 26)

48 The public can take part in stages 3, 5 and 7. They can also take part in stage 9 if they made

² <https://www.broads-authority.gov.uk/planning/planning-policies>

49 comments at stage 7. The Authority can carry out extra consultation if needed.

50 **2.2. Relationship of the local plan to other documents**

51 The following diagram shows how various documents relate to the Broads Local Plan and explains
 52 what each document is for.



53
 54 **Sustainability Appraisal**

55 A Sustainability Assessment (SA), including a Strategic Environmental Assessment (SEA), must take
 56 place as part of the Local Plan process. The SA process will assess the social, environmental and
 57 economic effects of the Plan and this will help make sure that decisions made contribute to
 58 sustainable development. These documents are put together at the same time as the Local Plan and
 59 help to inform and shape the Local Plan policies.

60 For Supplementary Planning Documents (SPD), a SEA is completed which may use the SA criteria.

61 The first stage of the SA is to produce a Scoping Report. This identifies the key sustainability issues
62 for the area through consultation and a review of literature and data. The Environment Agency,
63 Natural England and English Heritage must be consulted at this stage.

64 Following the Scoping Report, different versions of the SA are produced to go with each stage of the
65 Plan making process. The SA assesses policies and proposals in the Plan and recommends
66 improvements. The SA is published alongside the Local Plan and is also open to comment.

67 Habitats Regulation Assessment

68 The Habitats and Birds Directives protect sites of exceptional importance in respect of rare,
69 endangered or vulnerable natural habitats and species within Europe. These European Sites include
70 Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Offshore Marine Sites
71 (OMSs), but at the moment there are no OMSs designated.

72 Articles 6(3) and 6(4) of the Habitats Directive (European Community 1992) require Habitats
73 Regulations Assessment (HRA) of any plans or projects likely to have a significant effect on a
74 designated feature of a European Site (European Commission 2002).

75

76 A Habitats Regulations Assessment assesses potential effects of a proposed plan on all European
77 sites, both within and next to the plan area. It may also include an Appropriate Assessment (AA). The
78 HRA (and AA) should make sure that a plan or project is only approved after determining it will not
79 adversely affect the integrity of any European Site.

80 The HRA takes the following format:

- 81 • Evidence gathering - Identifying European sites in and next to the Broads designated area that
82 may be affected. Research the qualifying features, site conditions, conservation objectives and
83 other relevant plans or projects that might be relevant.
- 84 • Task 1 – Screening to decide if a policy is likely to have a significant effect. At this stage
85 there should be enough information available to screen policies effectively.
- 86 • Task 2 – Appropriate Assessment and determining the effect on site integrity.

87 **2.3. Duty to Cooperate and Statements of Common Ground**

88 New legislation (Localism Act, section 110) sets out a 'duty to co-operate' which applies to all Local
89 Planning Authorities, National Park Authorities and County Councils in England and to several other
90 public bodies. The new duty means that councils and public bodies must '*engage constructively,*
91 *actively and on an ongoing basis*' to develop strategic policies. Councils also have to consider joint
92 approaches to plan making.

93 A statement of common ground records progress made by strategic policy-making authorities during
94 strategic planning for cross-boundary matters. The statement records effective co-operation, or
95 shows where it is not happening, throughout the plan-making process. It can be used at examination
96 to prove that plans are deliverable over the plan period based on effective joint working across local
97 authority boundaries. For Local Planning Authorities, it is used as part of the evidence needed to
98 show they have complied with the duty to cooperate.

99 More information can be found in the NPPG: <https://www.gov.uk/guidance/plan-making>

100 The NPPF and NPPG lists issues requiring cooperation as:

- 101 • The homes and jobs needed in the area;
- 102 • The provision of retail, leisure and other commercial development;
- 103 • The provision of infrastructure for transport, telecommunications, waste management,
- 104 water supply, wastewater, flood risk and the provision of minerals and energy (including
- 105 heat);
- 106 • The provision of health, security, community and cultural infrastructure and other local
- 107 facilities; and
- 108 • Climate change mitigation and adaptation, conservation and enhancement of the natural
- 109 and historic environment, including landscape.

110
111 Certain other public bodies have to follow the duty to cooperate. These are prescribed in the [Town](#)
112 [and Country Planning \(Local Planning\) \(England\) Regulations 2012](#) as amended by the [National](#)
113 [Treatment Agency \(Abolition\) and the Health and Social Care Act 2012 \(Consequential, Transitional](#)
114 [and Saving Provisions\) Order 2013](#). The organisations that have a statutory duty to cooperate³ are:

- 115 • Environment Agency
- 116 • The Civil Aviation Authority
- 117 • The Homes and Communities Agency
- 118 • English Heritage
- 119 • The Office of Rail Regulation
- 120 • Natural England
- 121 • Norfolk County Council and Suffolk County Council
- 122 • Highways Agency
- 123 • New Anglia (Local Enterprise Partnership)
- 124 • Primary Care Trust⁴
- 125 • Marine Management Organisation

126 The Broads Executive Area covers parts of two County Councils and six District/Borough/City Councils:

- 127 • Norfolk County Council
- 128 • Suffolk County Council
- 129 • Broadland District Council
- 130 • Great Yarmouth Borough Council
- 131 • North Norfolk District Council
- 132 • Norwich City Council
- 133 • South Norfolk District Council
- 134 • East Suffolk Council

135
136 The Authority will ensure it 'engages constructively, actively and on an ongoing basis' with relevant
137 organisations. Duty to Cooperate workshops are part of the Local Plan production process.

³ Please note that the regulations also refer to the Mayor of London and Transport for London but these are not relevant to the Broads Authority.

⁴ The Health and Social Care Act 2012 abolishes Strategic Health Authorities and other health bodies such as Primary Care Trusts. Instead there are newly established bodies, the clinical commissioning groups and the National Health Service Commissioning Board.

138 **2.4. How we consult and engage**

139 Advertising consultations

140 Depending on the consultation stage, we will use some or all the following advertising methods:

- 141 • Advertise and promote consultations on the Authority's website.
- 142 • Email or write to relevant organisations or individuals who asked to be on our
- 143 consultation database.
- 144 • Display posters at suitable places around the Broads.
- 145 • Ask Town and Parish Councils and Councillors for their help letting people know about
- 146 consultations.
- 147 • Use adverts or press releases to promote consultations in the local press or community
- 148 magazines.
- 149 • Use social media ([Facebook: https://www.facebook.com/BroadsAuthority/](https://www.facebook.com/BroadsAuthority/) and
- 150 [Twitter: https://twitter.com/BroadsAuth](https://twitter.com/BroadsAuth)) and information technology.

151 Methods of consultation

152 Depending on the type of consultation document, we will use some or all the following consultation

153 methods:

- 154 • We may make presentations to certain groups or organisations.
- 155 • Attend Parish meetings if asked, particularly if they can be grouped or where there
- 156 is a policy issue of local significance.
- 157 • We may hold open days or public meetings at accessible venues at times when
- 158 most people will be able to attend.
- 159 • Put printed documents in public venues around the Broads. [Appendix B](#) lists the
- 160 usual venues.
- 161 • We can print copies of the documents for individuals (fee charged to cover costs).
- 162 • We may deliver consultation summary leaflets to most homes in an area at certain
- 163 stages of the plan making process.
- 164 • Accept comments by email or post.
- 165 • Put up unstaffed displays (including summary posters) in public areas.
- 166 • Send out questionnaires, either printed or online.
- 167 • Translate parts of documents or summary leaflets into other languages if needed.
- 168 • Provide braille or large print versions if needed.

169 Consultations are held for a set period. We will make sure that deadline dates and times are clear

170 and well publicised. To be included in the consultation comments must reach us by the deadline.

171 Late responses are kept on file, but are unlikely to influence the consultation document. At the

172 formal stages of publication of a Local Plan, late representations are not 'duly made' and therefore

173 cannot be used.

174 **2.5. Who we consult**

175 The Authority consults a wide range of people and organisations, under three main groups:

- 176 • Specific Consultees: These are the organisations we have to consult to comply with
- 177 planning regulations. We also include the Local Enterprise Partnership (New Anglia)
- 178 and the Local Biodiversity Partnership (Wild Anglia) as Specific Consultees.
- 179 • General Consultees: These are extra organisations that we think are relevant to the
- 180 consultation. They may be national, regional or local organisations.

- 181 • Local Consultees: These organisations or individuals are local to the Broads.

182 See [Appendix C](#) for a list of consultees, correct at the time of writing and adopting this SCI document.

183 Some groups can be harder to engage with than others. These groups can include people whose first
184 language is not English, people with disabilities, young people, older people and gypsies, travellers
185 and travelling show people, and those who live on boats. Such groups may be unable or unwilling to
186 engage in traditional consultation methods. Table 2 below explains how we will consult groups that
187 can be harder to engage with.

188 **Table 2 'Hard to engage' groups**

Group that may be harder to engage with	How we will consult these groups
Young people	We may attend school assemblies, produce consultation materials aimed at school-aged people, and/or put up displays at venues that young people attend.
People with English not as their first language	We may put display posters in venues used by this particular group. We may translate parts of documents or summary posters and questionnaires if needed.
People with disabilities	Make sure that open days or public meetings are held in accessible venues. Include organisations and individuals that represent this particular group in our General Consultees list (for example the Disabled Persons Transport Advisory Committee). Provide large print and braille versions of consultation materials if needed.
Gypsies, travellers and travelling show people	Include organisations and individuals that represent this particular group in our General Consultees list (for example The National Federation of Gypsy Liaison Groups, The Showmen's Guild of Great Britain and Gypsy Roma Traveller Achievement Service). Also include the Housing Teams of our Constituent Authorities.
Elderly people	Make sure that open days or public meetings are held in accessible venues. Include organisations or individuals that represent this particular group in our General Consultees list (for example Age UK). Make sure that hard copies of documents are available in public venues.
Those who live on boats	Talk to residential boaters face-to-face or drop off leaflets and other information as appropriate. Our Ranger team may also be able to help contact residential boaters.

189 **2.6. Consulting on different stages of different plans - who and how?**

190 Different consultation methods suit different stages of the plan making process and the type of
191 document being consulted. There are regulations that the Authority must follow, setting out who
192 to consult, when and for how long, see Table 3. We may also add in extra stages of consultation.

193 We will try to avoid school holidays for consultations. If we can't avoid this we may extend the
194 consultation period beyond the minimum required.

195 We prefer to let people know about consultations by email, and also receive comments by email,
 196 as this reduces postage costs and time. But we will send or receive communications by post if
 197 needed.

198 **Table 3 Public consultation requirements of different plans**

Document	Stage	Length of Consultation	Who and how
Sustainability Appraisal Scoping Report ⁵	Before plans are started	5 weeks	We will consult the Environment Agency, Natural England, English Heritage, New Anglia, Wild Anglia, Norfolk and Suffolk County Council and our six constituent districts. We will also consult the RSPB and Marine Management Organisation.
Broads Local Plan and Sustainability Appraisal ⁶	Consultation (Regulation 18)	Minimum 6 weeks	This is the first stage of consulting on a planning document, and consultation methods will be wide ranging. We will notify those on our consultation database, place e-documents on the website, place printed documents in public venues ⁷ around the Broads and hold public events such as open days. We will attend Parish meetings if asked, particularly if they can be grouped or where there is a policy issue of local significance. We may produce summary leaflets or surveys, present to specific groups (such as school assemblies) and produce summary posters or unstaffed displays at suitable venues as needed.
	Publication (Regulation 19)	Minimum of 6 weeks	At this stage of consultation, we will notify those on our consultation database, place documents on the website and place printed documents in public venues around the Broads. We will ask those who respond if they want us to let them know about the progress of the document as it is submitted, examined and potentially adopted.
	Submission (Regulation 22)	-	At Submission stage, we must tell Specific and General consultees and those who asked to be kept informed that they can see the documents on the Authority's website and at appropriate public venues. We will also put a notice in the local press.
	Examination	-	Any consultee who made a representation and

⁵ The Environmental Assessment of Plans and Programmes Regulations 2004:
<http://www.legislation.gov.uk/uksi/2004/1633/contents/made>

⁶ The Town and Country Planning (Local Planning) (England) Regulations 2012:
<http://www.legislation.gov.uk/uksi/2012/767/contents/made> and The Environmental Assessment of Plans

⁷ Regulation 35 of the 2012 regulations say that documents are made available when '*made available for inspection, at their principal office and at such other places within their area as the local planning authority consider appropriate, during normal office hours*'.

Document	Stage	Length of Consultation	Who and how
	(Regulation 24)		<p>said that they want to attend the Examination in Public and speak at the public hearings will be told the date, time, venue and format of the hearings.</p> <p>We will advertise the date, time, venue and format of the examination on our website and at public venues.</p> <p>The Inspector may also ask someone who has made a representation to provide further information to help their understanding.</p> <p>When we receive the Inspector's Report, we will place it on our website and in public venues, and contact those who asked to be kept informed.</p>
	Adoption (Regulation 26)	-	As well as informing interested parties of adoption, we will place a notice in the local press, write to or email consultees, and place information in public venues and on our website.
Statement of Community Involvement	Draft SCI	5 weeks	There is no requirement to consult at this stage, but the Authority will consult for about 5 weeks. We will notify those on our consultation database and place documents on our website. The final copy will be available at public venues.
Supplementary Planning Documents ⁸	Draft SPD (Regulation 12)	4 weeks	<p>We will notify those on our consultation database, place documents on the website, place printed documents in public venues. We may hold public events such as open days.</p> <p>We may produce summary leaflets or surveys, present to specific groups (such as school assemblies) and produce summary posters or un-staffed displays at suitable venues.</p> <p>We will ask those who responded if they want us to let them know when the Plan is adopted.</p>
	Adoption (Regulation 14)	-	As well as informing the interested parties of adoption, we will place a notice in the local press, write to or email consultees on our database, place information in public venues and on our website.
Guides	Consultation	Around 6 weeks.	<p>We will notify those on our consultation database, place documents on the website, place printed documents in public venues. We may hold public events such as open days.</p> <p>We may produce summary leaflets or surveys, present to specific groups (such as school assemblies) and produce summary posters or</p>

⁸ The Town and Country Planning (Local Planning) (England) Regulations 2012:
<http://www.legislation.gov.uk/uksi/2012/767/regulation/12/made>

Document	Stage	Length of Consultation	Who and how
			un-staffed displays at suitable venues. We will ask those who responded if they want us to let them know when the Plan is adopted.
	Adoption	-	As well as informing the interested parties of adoption, we will place a notice in the local press, write to or email consultees on our database, place information in public venues and on our website.

199 2.7. What we do with the comments we receive

200 When you respond to a Planning Policy consultation, your comments will eventually be viewable by
201 the public. This helps ensure a transparent planning system. We will check all comments before they
202 are made public, to make sure that the language used is appropriate for a public audience (i.e. not
203 offensive or inflammatory

204 We will abide by data protection rules and will make sure that full personal details are not made
205 publicly available. Names (and job titles and organisations where appropriate) will be made public in
206 the list of consultation responses. We will deal with your personal data in line with GDPR
207 requirements and section 9 and [Appendix D](#).

208 All comments received will be acknowledged and logged on our database. At the end of the
209 consultation period, we will put together a summary document of comments received, our response,
210 and details about how the comments will be used. We will explain clearly why we made our
211 decisions. The report will be available on the planning policy pages of our website and in paper
212 format on request (a fee may be charged for this). The report will be ready after a reasonable time
213 following the end of the consultation period, allowing us time to read, consider and respond to all
214 comments.

215 When we submit the Local Plan (or any other planning document) to the Planning Inspectorate to
216 be examined, we must produce a Consultation Report. This report will include the comments
217 received at all stages of the Local Plan production. It will explain how we used the comments and
218 how they have affected the development of Local Plan policy.

219 We cannot guarantee that every comment will result in changes to the plan that is being consulted
220 on. But we can guarantee that we will read every comment and provide a response saying what
221 actions will be taken or we will explain if no action is taken.

222 2.8. How can people get involved?

223 We will advertise our consultations widely in many different ways, so that people can find out about
224 consultations and tell us what they think. Anyone interested can get in touch with us and ask to be
225 kept informed about particular planning documents or consultations. From time to time, we will
226 contact consultees to see if they still want us to keep their details on our consultation database.

227 3. Involving the community at the planning application stage

228 The Broads Authority is the local planning authority for all land and properties within the Broads
229 executive area. Therefore, the Authority is responsible for processing and managing most forms of
230 development in the Broads⁹.

231 3.1. Legislative requirement to consult on planning applications

232 As well as consulting on strategic documents, the Broads Authority also has to consult the
233 community on planning applications. The requirements are set out in the Town and Country
234 Planning (Development Management Procedure) (England) Order 2010.

235 3.2. Pre-application discussions

236 The Localism Act 2011 sets out requirements for consultation in the pre-application process, and the
237 National Planning Policy Framework (NPPF) also encourages applicants to engage in this process.
238 This can provide feedback at an early stage as to whether their application is likely to be acceptable
239 in principle.

240 The NPPF says: 188. *Early engagement has significant potential to improve the efficiency and*
241 *effectiveness of the planning application system for all parties. Good quality pre-application*
242 *discussion enables better coordination between public and private resources and improved outcomes*
243 *for the community.*

244 For all applications, we encourage pre-application discussions with our Planning Officers, who can
245 offer guidance and advice on design and on the planning policies and regulations that may apply.
246 They can also give advice about the type and level of information required to enable the Authority to
247 validate and determine their application. We can also let the applicant know which organisations we
248 will be consulting. This will give the applicant an opportunity to contact the organisations
249 beforehand and address any concerns they may have. We can also advise if planning permission is
250 not needed.

251 The NPPF says: 190. *The more issues that can be resolved at pre-application stage, the greater the*
252 *benefits.*

253 Pre-application advice can:

- 254 • Help identify issues any developer should consider in formulating proposals including flood risk
- 255 • Help identify the level of supporting information and detail that should accompany the plans
256 and forms required to be submitted with any formal application
- 257 • Avoid expensive mistakes being made at application stage
- 258 • Speed up processing of the application
- 259 • Make sure groups or individuals you must consult by law are engaged as early as possible
- 260 • Identify schemes which are unlikely to win support
- 261 • Avoid time spent on making an application if permission is not needed

⁹ <https://www.broads-authority.gov.uk/planning/planning-permission>

262 At the time of writing, this service is provided for free. If you want to take advantage of pre-
263 application advice, please fill out the pre-application advice form found on the Authority's website¹⁰.

264 **3.3. Pre-application consultation**

265 The Localism Act sets out the requirements for statutory pre-application consultation; the NPPF also
266 encourages those not required by law to undertake community engagement. All applicants are
267 encouraged to consult neighbours, the appropriate Parish/ Town Council and other local amenity
268 bodies before submitting their application. How this is done will vary in proportion to the scale and
269 nature of the development proposal. As a minimum, for minor applications we recommend the
270 applicants consult immediate neighbours before submitting an application.

271 For major applications, such as those that may be controversial, on sensitive sites or significant in
272 scale, we encourage developers to engage with the local community at an early (pre-application)
273 stage in order to establish local issues and concerns that may need to be addressed in the
274 application. How this is done is up to the developer, but we would encourage public exhibitions,
275 public meetings, press releases and public notices.

276 Applicants will then be able to submit a Consultation Statement with their application.

277 Major applications are defined as residential development comprising 10 or more dwellings OR if the
278 number of dwellings is unknown, the site area is 0.5 hectare or more; or any other use where the
279 floor space proposed is 1,000 square metres or more OR if the site area is one hectare or more.

280 **3.4. Local Development Orders**

281 Local Development Orders are made by local planning authorities and give a grant of planning
282 permission to specific types of development within a defined area. They streamline the planning
283 process by removing the need for developers to make a planning application to a local planning
284 authority.

285 On producing a Local Development Order, the regulations¹¹ state that the draft local development
286 order and statement for reasons need to be made available in a similar way to those of the Local
287 Plans. The venues as set out in [Appendix B](#) will therefore hold paper copies of the documents, and a
288 copy will be posted on our website.

289 Where the draft local development order would grant planning permission for development
290 specified in the order, the Authority will display in at least one place on or near to the site to which
291 the order relates a notice (as set out in Schedule 7 of The Town and Country Planning (Development
292 Management Procedure) (England) Order 2010) and give every person whom we know to be the
293 owner or tenant of any part of the site whose name and address is known to the authority, a copy of
294 the Order.

¹⁰ http://www.broads-authority.gov.uk/_data/assets/word_doc/0004/410269/Do_I_need_Planning_Permission_form.doc

¹¹ http://www.legislation.gov.uk/uksi/2010/2184/pdfs/uksi_20102184_en.pdf

295 The consultation will last a minimum of 28 days.

296 The Specific Consultees as set out in [Appendix C](#) will be consulted, as well as the following groups:

- 297 • Voluntary bodies some or all of whose activities benefit any part of the local
- 298 planning authority's area;
- 299 • Bodies which represent the interests of different racial, ethnic or national
- 300 groups in the local planning authority's area;
- 301 • Bodies which represent the interests of different religious groups in the local
- 302 planning authority's area;
- 303 • Bodies which represent the interests of disabled persons in the local planning
- 304 authority's area;
- 305 • Bodies which represent the interests of persons carrying on business in the
- 306 local planning authority's area.
- 307 • Any person with whom they would have been required to consult on an
- 308 application for planning permission for the development proposed to be
- 309 permitted by the order.

310 **3.5. Who will be consulted on planning applications and how?**

311 Once an application has been submitted, the Authority is responsible for managing the consultation,
312 determining who will be consulted and how long they will have to comment. The Authority carries
313 out consultation for applications, even those when pre-application advice has been sought to ensure
314 there is no bias.

315 Depending upon the nature and location of the application, the Authority may consult various
316 bodies and organisations to receive their views regarding the application. These can include the
317 Environment Agency, Anglian Water, Natural England, Norfolk or Suffolk County Council Highways
318 Departments, Norfolk Landscape and Archaeology Department, Norfolk or Suffolk Fire Service,
319 Broads Society and others considered pertinent to the proposal.

320 The Authority may also consult internal officers for their specialist views. These can include the
321 Ecologist, the Landscape Officer, the Heritage Environment Manager, the Authority's Arboriculture
322 Consultant and the Waterways and Recreation Officer. The Parish/Town Council is a statutory
323 consultee and is always consulted.

324 For applications that relate to the use and enjoyment of the water space and/or affect navigation,
325 the Authority will consult with relevant organisations that represent the various users of the Broads
326 system.

327 These organisations/officers are consulted via email (or by post if no email address is provided to the
328 Authority) with information as to how they can view the application online. Neighbours are
329 consulted by post whilst Parish and Town Councils are sent an email informing them of the
330 consultation period or sent a copy of the application by post if an email address is unavailable.

331 Some applications may have historic environment issues. On these occasions, the Authority will
332 consult with Norfolk County Council Historic Environment Service, and English Heritage East of
333 England Region as well as the Authority's Heritage Environment Manager.

334 On occasion, planning applications are revised after they have been submitted, due to concerns
335 raised by case officers or to address comments received from consultees or the public. Depending
336 on the significance of the changes, the Authority will re-consult with the Parish Council, neighbours
337 and anyone else likely to be affected by the changes made. The usual time for response to
338 amendments is 10 working days.

339 In addition to consulting neighbours and other Statutory Bodies the Authority publicises planning
340 applications and other submissions as set out in the Table below to ensure the local communities
341 have a number of ways to find out what is being proposed in their area.

342 For all Local Planning Authority applications and consents submitted to the Broads Authority, we
343 will:

- 344 a) Send notification of the application to the respective District/Borough/City Council
- 345 b) Display a notice of the proposal in a prominent position on or near the proposed site
- 346 c) Consult, by letter or email, immediate neighbours, respective Parish Council and respective
347 District/Borough/ City Council Ward Members
- 348 d) Publish full details of the application on the Authority's website
- 349 e) Make details of the application available for inspection at the Authority's head office during
350 normal working hours
- 351 f) Consult any relevant statutory and non-statutory bodies

352

353 In addition to the above, we will give notice in a local newspaper of the following types of
354 development:

- 355 a) Works within a Conservation Area or within the curtilage of a listed building.
- 356 b) A proposal accompanied by an Environmental Statement
- 357 c) A proposal which is contrary to the Development Plan
- 358 d) A proposal which affects a public right of way
- 359 e) Major development, including development likely to be of interest to a wider number of people
- 360 f) Telecommunications development

361 A Weekly List¹² of new planning applications is issued each week to allow the public to stay up-to-
362 date with applications submitted for sites within their local area.

363 **3.6. How can people get involved in the application process?**

364 Members of the public can get involved during the consultation period, by informing the Authority in
365 writing of their views on proposals or by providing any relevant information they feel the Authority
366 should know.

¹² <https://planning.broads-authority.gov.uk/online-applications/search.do?action=weeklyList>

367 Applications are also discussed at Parish/Town Council Committee Meetings. Members of the public
368 may be able to speak at these meetings. However it is advised that the Parish Clerk/Representative
369 is asked for that Parish's protocol in respect of its 'planning meetings'

370 The Broads Authority's Planning Committee¹³ is also a public meeting and anyone is eligible to
371 register to speak on an application, or turn up on the day to sit and listen.

372 **3.7. How can I find out about planning applications in my area?**

373 The Weekly List published on the Authority's website shows new applications registered within the
374 Broads Authority's Executive Area. Site notices are another way to find out about planning
375 applications. These are erected on or close to the application site in places accessible to the public
376 from public footpath or highway. Press Notices are included in the local newspaper for applications
377 as specified the box on the previous page.

378 **3.8. How to comment on a planning application**

379 Consultation letters, Site Notices and Press Notices will all include details of how to view the
380 planning application and how to make comments on the application.

381 There is a statutory consultation period of 21 days from the date of the Site Notice or neighbour
382 notification letter, or 14 days from the date of the press advertisement, for responses to be made.
383 However, bodies such as Natural England will be allowed a longer period of time to comment on
384 applications where this is prescribed by legislation for applications for development potentially
385 affecting a SSSI. Any responses received during this consultation period are uploaded onto the
386 Broads Authority's Public Access system and can be viewed by the wider public.

387 Comments on a planning application must be made in writing and can be submitted in three
388 different ways:

- 389 a) via the Broads Authority's Public Access system
- 390 b) via email
- 391 c) via post

392 **3.9. What we do with the comments we receive?**

393 We aim to acknowledge representations received from neighbours, Parish/Town Councils, District or
394 other councillors and the Broads Society on undetermined applications within five working days of
395 receipt. We will acknowledge representations from other bodies as appropriate.

396 The Authority displays all comments received regarding an application on its website under the
397 application's reference (although we will not include any inappropriate or offensive comments).
398 These can be accessed by all members of the public.

¹³ <https://www.broads-authority.gov.uk/about-us/committees/planning-committee>

399 The Planning Officer responsible for an application which receives comments will take all comments
400 received into consideration when making his/her recommendation. Where appropriate, comments
401 received may result in amendments being made to the proposal and/or adding conditions to the
402 decision notice. In some instances, comments received may result in the refusal of a proposal.

403 Every Planning Officer will ensure that any comment received is referenced in their final report on
404 the proposal, whether or not further action has been taken as a result of the comment.

405 The determination of each planning application will either be made at Officer level under the
406 Authority's Scheme of Delegation or by the Planning Committee. If the application is taken before
407 the Planning Committee for determination, any comments or representations received will be
408 brought to the attention of the Members.

409 **3.10. Speaking at Planning Committee¹⁴**

410 The majority of applications are not required to go before the Planning Committee to be decided,
411 because they are of a nature that enables them to be determined by the Authority's Head of
412 Development Management under the Authority's Scheme of Delegation.

413 For those applications that need to go to Planning Committee, the Planning Committee meeting is
414 held every 4 weeks, on a Friday morning at Yare House, 62-64 Thorpe Road, Norwich.

415 Members of the public, the Parish Council and Ward Member are eligible to speak at the Planning
416 Committee, either as supporters or objectors and do not need to have provided comments during
417 the initial consultation period. Attendance by the applicant/agent is also encouraged. Anyone who
418 wishes to speak regarding an application must register with the Committee Clerk prior to the
419 commencement of the Meeting.

420 Each speaker will be given a maximum of 5 minutes. If more than one objector/supporter from a group
421 wishes to speak, then a total of 5 minutes will be allocated to that group. However, it is advised that a
422 group nominate a single spokesperson due to the limited speaking time. The Committee Clerk will
423 advise whether there are other interested parties who have requested to speak.

424 It is advised that your speech should be brief and to the point, referring to relevant planning issues.
425 Illustrative material is permitted to clarify issues.

426 Full details, including Committee agenda papers, Committee Minutes and planning decisions, are
427 published on our website at www.broads-authority.gov.uk/Planning.

¹⁴ https://www.broads-authority.gov.uk/_data/assets/pdf_file/0005/414887/PUBLIC-SPEAKING-September-2018.pdf

428 **3.11. Sources of planning advice**

429 Planning Aid

430 Planning Aid provides free, independent and professional advice to those who are unable to pay
431 professional fees. See section 6 for more details.

432 Planning Portal

433 The Planning Portal is the Government's website that offers clear guidance on the planning system
434 in England and Wales. The website also allows you to submit online planning applications to the
435 Council. The website is available to view at www.planningportal.gov.uk.

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436 4. Involving the community in producing the Broads Plan

437 4.1. The Broads Plan

438 The Broads Plan is the strategic plan to manage the Norfolk and Suffolk Broads. It sets out a vision,
439 long-term aims and short-term objectives for the Broads, and coordinates and integrates a wide
440 range of strategies, plans and policies relevant to the area with the purposes and duties set out in
441 the Broads Act. The Broads Plan is a plan for the Broads, not just for the Broads Authority. While the
442 Authority is responsible for its production, a wide range of partners will take a lead or joint role in
443 the delivery and monitoring of specific actions in the Plan.

444 The Broads Plan helps shape the planning policies adopted with the Broads Local Plan, and
445 neighbouring Local Planning Authorities need to have regard to it when adopting their own planning
446 policies. The Broads Plan may also be a material consideration in making decisions on individual
447 planning applications.

448 4.2. Reviewing the plan

449 The Authority is required to review the Broads Plan at least once every five years and update it as
450 appropriate.

451 Each stage of the review process will involve working with our officers and members, key statutory
452 and delivery partners, and stakeholder groups and individuals with an interest in the Broads. Our
453 Broads Engage web pages¹⁵ highlight the consultation methods we use regularly, including
454 stakeholder workshops, committee and interest group meetings, focus groups, [social media \(Twitter
455 and Facebook\)](#) one-to-one discussions, written consultations in paper and electronic formats,
456 surveys and questionnaires, and public events in local venues around the Broads, including ‘drop-in’
457 area parish forums. We will follow the process in Table 2 to engage with those who may be
458 considered as ‘hard to engage’.

459 The stages are a Broads Plan review are:

- 460 • Carry out preliminary scoping work to review the Plan’s vision, aims and objectives, and assess
461 outputs and outcomes since the Plan was adopted.
- 462 • Prepare a first draft Plan and publish it for public consultation for a period of 6-8 weeks. Consider
463 comments received, and carry out additional internal and external consultation if needed.
- 464 • Prepare revised draft Plan and publish it for a 6-8 week period of public consultation.
- 465 • Prepare and publish final Plan.

466 The draft and final versions of the Plan and associated documents will be made available in paper
467 and electronic format, and in large print or audio formats on request. We will publish information
468 about consultations on our website, through our social media including Twitter, Facebook and
469 relevant blogs (for example, from the Chief Executive), in our visitor and toll payer newsletters, in
470 the local press, and through the public venues shown in [Appendix B](#).

¹⁵ Broads Engage: <https://www.broads-authority.gov.uk/about-us/how-we-work/broads-engage>

471 **4.3. Environmental report**

472 The Broads Plan review is informed by an Environmental Report (combining Sustainability Appraisal
473 and Strategic Environmental Assessment), which assesses any significant environmental, economic
474 and social impacts of the Plan on conservation sites designated under the European Habitats
475 Directive. This process will be run in parallel with the Plan review process.

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476 5. Neighbourhood Planning

477 5.1. About Neighbourhood Plans

478 The Localism Act 2011 (as amended) makes provision for communities to prepare their own
479 Neighbourhood Development Plans, which can add detail beyond that of the Local Plans and can
480 include policies that can include additional, more local details reflecting local circumstances that is
481 not appropriate for Local Plans to cover. These plans can set planning policies to guide future
482 development in the parish. They must be in conformity with have regard to National Policy as well as
483 be in general conformity with any Plan that has been adopted by the Local Authority. They are
484 community led and can be written by Town or Parish Councils, or where there is no Town or Parish
485 Council by a specially created Neighbourhood Forum.

486 5.2. Neighbourhood Plans - 'cans' and 'cannots'

487 A Neighbourhood Plan *can*...

- 488 • Decide where and what type of development should happen in the neighbourhood
489 (alongside the Local Plan);
- 490 • Promote more development than is set out in the Local Plan; and
- 491 • Include policies: For example, regarding design standards, that take precedence over
492 existing policies in the Local Plan for the neighbourhood—provided the Neighbourhood
493 Plan policies do not conflict with the strategic policies in the Local Plan.

494 A Neighbourhood Plan *cannot*...

- 495 • Conflict with the strategic policies in the Local Plan prepared by the LPA;
- 496 • Be used to prevent development that is included in the Local Plan; and
- 497 • Be prepared by a body other than a Parish or Town Council or a Neighbourhood Forum.

498 5.3. Neighbourhood Plans produced by parishes in The Broads

499 There are no parishes wholly within the Broads Executive Area. Each parish that is partly in the Broads,
500 where the Broads Authority is the LPA, will also have a part within one of the Authority's constituent
501 council areas, with that council being the LPA.

502 5.4. Producing A Neighbourhood Plan

503 While the Neighbourhood Plan will be written by the community, the Local Planning Authority (LPA)
504 still has a role to play. The Authority and its constituent councils work together to assist the
505 community in producing a Neighbourhood Plan. The Council usually leads on the Local Planning
506 Authority's side of producing the Neighbourhood Plan, usually because the majority of the area of a
507 Parish is not in the Broads Executive Area but also because the Council will eventually run the
508 referendum stage of production.

509 That being said, both the Authority and the other Council need to undertake the required formal
510 stages in line with their particular procedures. Table 4 summarises the process¹⁶.

511 **Table 4 Explanation of the Stages of Neighbourhood Plan Production**

Stage	Explanation
Designating a Neighbourhood Area or Neighbourhood Forum	<p>If the application is for an entire parish, then the LPAs designate the Neighbourhood Plan.</p> <p>If for an area different to an entire parish, the Council and the Broads Authority will advertise the application for six weeks. The Council will probably lead on contacting particular consultees, with the Authority providing relevant contact details. The Authority will advertise the consultation on its website.</p> <p>On completion of the consultation (if required) , the Authority and Council designate the Neighbourhood Area or take the decision to designate the Neighbourhood Forum. At the meeting of the full Authority, the majority of the Authority’s formal involvement in the production of a Neighbourhood Plan is delegated to the Planning Committee.</p>
Pre-submission publicity and consultation	<p>The qualifying body (Parish Council or Neighbourhood Forum) publicises the draft plan or Order and invites representations and consults the consultation bodies as appropriate. The Authority and Council help. The Authority will place the consultation document on its website and in its Head Office reception.</p>
Submission to the local planning authority and publication	<p>The Authority and Council checks that the submitted proposal complies with all relevant legislation. If the plan meets the legal requirements, the Authority and Council publicise the proposal for a minimum of 6 weeks and invite representations, and appoint an independent examiner (with the agreement of the qualifying body).</p>
Submission to Independent Examiner and Examination	<p>The Neighbourhood Plan and representations are sent to the independent examiner, who undertakes the examination. The independent examiner issues a report to the local planning authority and qualifying body. The Authority and Council consider the report and reach their own view – to proceed to referendum or not.</p>
Referendum	<p>On deciding to proceed to referendum, the Council organises and runs the referendum.</p>
Making the neighbourhood plan	<p>The results of the referendum are reported to the full Authority. Paragraph 38A (4)(a) of the Planning and Compulsory Purchase Act 2004 requires that the Local Planning Authority must make the neighbourhood plan if more than half of those voting have voted in</p>

¹⁶ More detail on the process of producing a Neighbourhood Plan can be found here <https://www.gov.uk/guidance/neighbourhood-planning--2#key-stages-in-neighbourhood-planning>

Stage	Explanation
	favour of the plan being used to help decide planning applications in the plan area.

512 Once the neighbourhood area is approved, the Authority and Council are legally required to provide
513 support and advice covering such issues as planning matters and advice on the legal requirements
514 for producing a Neighbourhood Plan. The Authority and Council are also responsible for checking
515 that the submitted Neighbourhood Plan has followed the proper legal process, publicising the
516 proposed plan and arranging for the independent examination and referendum to take place. The
517 NPPG sets out the role for the LPA: [https://www.gov.uk/guidance/neighbourhood-planning--2#the-](https://www.gov.uk/guidance/neighbourhood-planning--2#the-role-of-the-local-planning-authority-in-neighbourhood-planning)
518 [role-of-the-local-planning-authority-in-neighbourhood-planning](https://www.gov.uk/guidance/neighbourhood-planning--2#the-role-of-the-local-planning-authority-in-neighbourhood-planning)

519 **5.5. How the community is involved in the process**

520 The community are formally involved in the following stages. The Neighbourhood Forum/Parish
521 Council may involve the community in other ways at other stages of the Neighbourhood Plan
522 production.

523 **Table 5: Community involvement in neighbourhood planning process**

Stage	Length of time	How and who?
Pre-submission consultation	6 weeks	Relevant consultees are invited to comment on the draft Neighbourhood Plan. The draft plan is displayed on the Authority's website. A hard copy is displayed at the Authority's head office.
Publication	6 weeks	Relevant consultees are invited to comment on the publication version of the Neighbourhood Plan. The draft plan is displayed on the Authority's website. A hard copy is displayed at the Authority's head office.
Referendum	One day only to cast vote	Those who live in the Parish and are over 18. Polling stations for each ward of a Parish. Run by the Council.

524 **5.6. More information**

525 For more information, visit these useful websites:

526 Locality:

527 <https://locality.org.uk/>

528 Forum for Neighbourhood Planning:

529 <https://neighbourhoodplanning.org/>

530 Community Knowledge Hub:

531 <http://planning.communityknowledgehub.org.uk/>

532 Government Guidance:

533 <http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/>

- 534 Planning Help:
535 [http://www.planninghelp.org.uk/improve-where-you-live/shape-your-local-area/neighbourhood-](http://www.planninghelp.org.uk/improve-where-you-live/shape-your-local-area/neighbourhood-plans)
536 [plans](http://www.planninghelp.org.uk/improve-where-you-live/shape-your-local-area/neighbourhood-plans)
537 Planning Advisory Service:
538 <https://www.local.gov.uk/pas/pas-topics/neighbourhood-plans>
539 Localism Act and Neighbourhood Planning:
540 <http://www.legislation.gov.uk/ukpga/2011/20/part/6/chapter/3>

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541 **6. Planning help and advice available to the community**

542 **6.1. Introduction**

543 Planning Aid is a voluntary service linked to the Royal Town Planning Institute (RTPI) that offers free
544 independent professional advice on planning issues. Planning Aid is provided to support community
545 groups and individuals who have limited resources to participate effectively in planning matters.

546 **6.2. What type of service is provided by Planning Aid?**

547 The current remit of Planning Aid involves advising community groups in negotiations with the Local
548 Planning Authority and, if necessary, representing the groups at examination.

549 Planning Aid England can help individuals and communities to:

- 550 • Understand and take part in the planning system
- 551 • Take part in the preparation of plans
- 552 • Comment on planning applications
- 553 • Apply for planning permission
- 554 • Appeal against a decision
- 555 • Help individuals represent themselves at appeals or public enquiries

556 Every part of the UK is covered by Planning Aid, with each region having its own service. Developers
557 should consider contacting Planning Aid for advice about appropriate engagement techniques.

558 **6.3 contact and more information**

559 Planning Aid England can be contacted on 020 7929 8338 (although no advice given over the phone) or fill
560 out the on-line form: <https://planningaid.zendesk.com/hc/en-us/requests/new>. Further information can
561 be found on the RTPI website at <https://www.rtpi.org.uk/planning-aid/>.

562 Information regarding the planning system can also be found on the Government planning portal
563 website at www.planningportal.gov.uk.

564 **7. Complaints procedure**

565 We operate a three-stage procedure¹⁷ to ensure complaints about our services and performance are
566 dealt with impartially, objectively and professionally.

567 **7.1 stage one: informal complaints**

568 Initially you may wish to informally contact a senior manager for the area of work where you have a
569 complaint or comment. Alternatively, if you telephone the Broads Authority and explain that you
570 wish to make a complaint, you will be put through to the senior member of staff best able to deal
571 with your concerns.

572 As a further option you can email the Authority via our contact form. By approaching the Authority
573 in this way, your concerns will be dealt with efficiently and every effort made to resolve your
574 complaint. You will be provided with a written reply to email or written informal complaints within
575 10 working days of receipt. This applies to telephone informal complaints that cannot be resolved at
576 the time.

577 **7.2 stage two: formal complaints**

578 Please submit a formal complaint by completing and submitting a formal complaint form which will
579 be forwarded to the relevant director. You will be sent an acknowledgement within three working
580 days of receipt.

581 When a director receives a formal complaint, it is their responsibility to consider the whole
582 complaint objectively and with professionalism. You will get a detailed reply in writing within 10
583 working days, identifying whether your complaint is upheld or not. If it is not possible to respond in
584 full within 10 working days you will be sent a letter explaining why and be given an indication of
585 when the response will be ready. The reply will include details of how to take the matter forward
586 should you remain dissatisfied.

587 **7.3 stage three: Chief Executive review**

588 Your request to proceed to the Chief Executive's Review Stage is normally only available if you have
589 been through the Formal Complaints Stage process. Your complaint should be in writing and
590 addressed to the Chief Executive stating your request for a Chief Executive's Review of your
591 complaint. An acknowledgement letter will be sent within three days of receipt and a detailed reply
592 will be sent within 20 working days. If it is not possible to respond in the timescale you will be sent a
593 letter explaining why.

594 This is the last stage in the Authority's complaint process and it requires the Chief Executive to
595 review your complaint in an impartial manner, undertaking a full and independent review of your
596 concerns. If he considers it helpful, he may seek the assistance of the Authority's Monitoring Officer
597 and may seek direction from the appropriate committee.

598 Please note that if your Formal Complaint concerns action that the Chief Executive has taken, your
599 Formal Complaint will be reviewed by the Chairman of the Authority. An acknowledgement letter
600 will be sent within three days of receipt and a detailed reply will be sent within 20 working days. If it
601 is not possible to respond in the timescale you will be sent a letter explaining why.

¹⁷ <https://www.broads-authority.gov.uk/contact-us/comments-and-complaints/how-to-complain>

602 **7.4 what happens next?**

603 The Authority wants to improve service and resolve problems as quickly as possible. If your
604 complaint is upheld, you will receive a written apology and explanation of action taken to prevent a
605 similar thing happening again.

606 **7.5 what if I am still not satisfied?**

607 The reply from the Chief Executive or Chairman will set out your right to contact the Commission for
608 Local Administration in England (the Local Government Ombudsman). If you consider your complaint
609 was made because the Authority had not followed procedures correctly and may have caused you
610 an injustice, the Local Government Ombudsman can be contacted at the Oaks, Westwood Way,
611 Westwood Business Park, Coventry, CV4 8JB. The website address is www.lgo.org.uk.

612 Other complaints procedures¹⁸

613 Our three-stage complaint procedure covers complaints about services and performance of the
614 Broads Authority. However, if your complaint falls into one of the categories below, a different
615 system is in place.

616 Maladministration

617 For complaints about administrative matters you can contact the Local Government Ombudsman.
618 The Ombudsman usually prefers that an attempt has been made to resolve the complaint using the
619 Authority's complaints scheme.

620 Member Code of Conduct

621 Complaints about conduct of a member or committees can be made formally by writing to the
622 Monitoring Officer, Broads Authority, Yare House, 62 - 64 Thorpe Road, Norwich, NR1 1RY.
623 Alternatively, you may raise the matter informally with the Solicitor and Monitoring Officer. The
624 Code of Conduct for Members and Complaints Procedure, and Complaints Form provides guidance
625 on this matter.

626 Financial Wrongdoings

627 The Treasurer and Financial Adviser, Chief Executive, and/or Monitoring Officer will investigate a
628 matter if your complaint is about financial wrongdoings by the Broads Authority.

629 Unlawful Behaviour or Action

630 The Authority's Monitoring Officer will investigate a complaint if there is a concern about unlawful
631 behaviour or action by the Broads Authority itself. In addition:
632 if a complaint suggests criminal behaviour the matter will be reported to the Police
633 applicants for planning permission have a legal right to appeal in the case of planning decisions with
634 which they disagree. Details of appeals are included in the letter of refusal sent to the applicant.

635 Unreasonable Complainant Behaviour

636 A small number of complainants can be considered unreasonably persistent and/or vexatious; the
637 Policy on the Management of Unreasonable Complainant Behaviour identifies these situations and
638 outlines how they are responded to.

¹⁸ <https://www.broads-authority.gov.uk/contact-us/comments-and-complaints/other-complaints-procedures>

8. Reviewing the Statement of Community Involvement

639 **8.1. Reviewing and revising the SCI**

640 The SCI will be kept under review. Revisions will be made only if there are new groups we wish to
641 engage with or where the regulations relating to public consultation change. It will be reviewed in
642 five years' time (2024) at the latest.

9. Data protection

643 **9.1. Data protection**

644 The Broads Authority is registered under the Data Protection Act 1988 for the purpose of processing
645 personal data in the performance of its legitimate business. The information held by the Authority
646 will be processed in compliance with the principles set out in the Act. When we consult on
647 documents, we will send out the information sheet at [Appendix D](#) that says how we will treat data
648 we receive.

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652 **Appendix B: Venues around the Broads Executive Area**

653

654 Libraries

655 Acle Library

656 Beccles Library

657 Brundall Library

658 Bungay Library

659 Cromer Library

660 Great Yarmouth Library

661 Loddon Library

662 Lowestoft Library

663 Oulton Broad Library

664 Norwich Millennium Library

665 Stalham Library

666 Wroxham Library

667 Local Authority Offices¹⁹

668 Broads Authority Offices, Yare House, 62-64 Thorpe Road, Norwich

669 Broadland District Council Office, Thorpe Road, Norwich

670 Great Yarmouth District Council Offices, Town Hall

671 North Norfolk District Council Offices, Holt Road, Cromer

672 South Norfolk Council Offices, Swan Lane, Long Stratton

673 East Suffolk Council, the Marina Customer Service Centre, Lowestoft

674 Norfolk County Council, County Hall, Norwich

675 Suffolk County Council, Endeavour House, Ipswich

676 Broads Authority Tourist Information Centres

677 Whitlingham Visitor Centre, Whitlingham Lane, Trowse – up until March 2020.

¹⁹ We no longer leave documents at Norwich City Council's offices as there is no reception and also as the Forum is next door.

Appendix C: List of consultees (planning policy and Broads Plan)

At the time of writing, all those on the consultation database are being contacted to see if they wish to remain on it, and to confirm their details. As such, this information is correct as at ~~October 2014~~ November 2019 following a review of the contact database whereby people were asked if they wanted to stay on it or not. From time to time, other organisations may be added to the consultation list.

Specific Consultees

684	Norfolk County Council	695	The Environment Agency
685	Suffolk County Council	696	National Health Service Commissioning Boards <u>NHS</u>
686	The Highways Agency <u>Highways England</u>	697	<u>STP Estates</u>
687	Natural England	698	Town and Parish Councils partly within the Broads
688	Homes and Communities Agency	699	Executive Area
689	Network Rail	700	Coal Authority
690	English Heritage	701	Relevant electricity and gas companies
691	Clinical Commissioning Groups	702	Local Enterprise Partnership (New Anglia)
692	Neighbouring District Councils	703	Relevant Telecommunications Companies
693	Norfolk <u>and Suffolk</u> Constabulary	704	Local Nature Partnership (Wild Anglia)
694	Marine Management Organisation	705	Relevant sewerage and water undertakers

General Consultees

707	Age UK	735	Home Builders Federation
708	Airport Operators Association	736	Landowners, agents, developers and Housing
709	Ancient Monuments Society	737	Associations operating in the area
710	Arts Council England (<u>South East</u>)	738	MEPs - Eastern Region
711	British Trust for Ornithology	739	Mobile Operators Association
712	Civil Aviation Authority	740	MPs
713	CPRE Norfolk	741	National Farmers Union
714	CPRE Suffolk	742	National Trust
715	Crime Prevention and Architectural Liaison Officer	743	Norfolk & Norwich Transport Action Group
716	Norfolk	744	Norfolk Archaeological Unit
717	Crime Prevention and Architectural Liaison Officer	745	Norfolk Biodiversity Partnership
718	Suffolk	746	Norfolk Coalition of Disabled People (Equal Rights)
719	Crown Estate	747	Norfolk Constabulary
720	Defence Infrastructure Organisation	748	Norfolk Farming & Wildlife Advisory Group
721	Department for Transport	749	Norfolk Fire Service
722	Design Council	750	Norfolk Geodiversity Partnership
723	Disabled Persons Transport Advisory Committee	751	Norfolk Landscape Archaeology
724	East of England Ambulance Service	752	Norfolk Local Access Forum
725	Equity and Human Rights Commission	753	Norfolk Rural Community Council
726	<u>Equal Lives</u>	754	Norfolk Wildlife Trust
727	Fields in Trust	755	Norwich & Norfolk Racial Equality Council
728	Forestry <u>Commission England</u> (East England	756	<u>Public Health – Norfolk and Suffolk</u>
729	Conservancy)	757	Renewables East
730	Freight Transport Association	758	RSPB Eastern England
731	<u>GeoSuffolk</u>	759	Secretary of State for Communities and Local
732	Gypsy Roma Traveller Achievement Service	760	Government
733	Health and Safety Executive	761	Secretary of State for Transport
734	<u>Historic Environment Service</u>	762	Sport England - Eastern Region
		763	Suffolk Archaeological Service

764	Suffolk Biodiversity Partnership	774	The Crown Estate
765	Suffolk Coalition of Disabled People	775	The Gypsy Council
766	Suffolk Constabulary	776	The National Federation of Gypsy Liaison Groups
767	Suffolk Fire Service	777	The National Trust
768	Suffolk Geodiversity Partnership	778	The Society for the Protection of Ancient Buildings
769	Suffolk Local Access Forum	779	The Theatres Trust
770	Suffolk Strategic Partnership	780	The Traveller Movement
771	Suffolk Wildlife Trust	781	The Woodland Trust
772	SUSTRANS	782	Train Operating Companies
773	The Council for British Archaeology	783	Water Management Alliance
784	<u>Local Consultees</u>		
785	AONB groups	790	Local partnerships
786	Chambers of Trade	791	Local residents
787	Civic societies	792	Residents associations
788	Local businesses	793	Schools
789	Local interest groups	794	County Council and Ward Councillors
795	<u>Consultees specific to the Broads</u>		
796	Anglers Consultative Assoc (Norfolk & Suffolk)	817	Country Land & Business Association
797	Association of Inland Navigation Authorities	818	Cruising Association
798	British Assoc of Shooting and Conservation	819	East Anglian Cycling Club
799	British Canoe Union	820	East Anglian Trail Riders Association
800	British Canoeing	821	East Anglian Waterways Assn Ltd
801	British Horse Society	822	Eastern Rivers Ski Club
802	British Marine Federation	823	Eastern <u>Regional</u> Rowing Council
803	British Reed Growers Association	824	Hire Boat operators
804	British Rowing	825	Inland Waterways Association
805	British Waterski	826	Nancy Oldfield Trust
806	British Waterways	827	Norfolk & Suffolk Boating Association
807	Broads Angling <u>Strategy Services</u> Group	828	Norfolk Heritage Fleet Trust
808	Broads Hire Boat Federation	829	Norfolk Wherry Trust
809	Broads Local Access Forum	830	Norfolk Windmills Trust
810	Broads Reed and Sedge Cutters Assn	831	Norwich & District Wildfowlers Association
811	Broads Society	832	<u>Oulton Broad Water Sports Centre</u>
812	Broads Tourism	833	<u>Rural Action East</u>
813	Brundall Riverside <u>Estate</u> Association	834	<u>Suffolk Water Sports Association</u>
814	Butterfly Conservation - Norfolk Branch	835	The Broads Trust
815	Campaign for National Parks	836	<u>UK Association of National Park Authorities</u>
816	<u>Community Action Norfolk</u>	837	Yare Users Association

Appendix D: Local Plan data privacy notice

This consultation document and consultation process have been developed to adhere to the Broads Authority's Statement of Community Involvement²⁰.

Information provided by you in response to this consultation, including personal data, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 2018 (DPA), and the Environmental Information Regulations 2004).

Are you satisfied that this consultation has followed the Consultation Principles? If not, or you have any other observations about how we can improve the process, please contact us at planningpolicy@broads-authority.gov.uk.

Annex A: Privacy notice

Personal data

The following is to explain your rights and give you the information you are entitled to under the Data Protection Act 2018. Our Data Protection Policy can be found here: http://www.broads-authority.gov.uk/data/assets/pdf_file/0003/1111485/Data-Protection-Policy-2018.pdf.

The Broads Authority will process your personal data in accordance with the law and in the majority of circumstances this will mean that your personal data will be made publicly available as part of the process. It will not however be sold or transferred to third parties other than for the purposes of the consultation.

1. The identity of the data controller and contact details of our Data Protection Officer

The Broads Authority is the data controller. The Data Protection Officer can be contacted at dpo@broads-authority.gov.uk or (01603) 610734.

2. Why we are collecting your personal data

Your personal data is being collected as an essential part of the consultation process, so that we can contact you regarding your response and for statistical purposes. We may also use it to contact you about related matters. We will also contact you about later stages of the Local Plan process.

3. Our legal basis for processing your personal data

The Data Protection Act 2018 states that, as a Local Planning Authority, the Broads Authority may process personal data as necessary for the effective performance of a task carried out in the public interest, i.e. a consultation.

4. With whom we will be sharing your personal data

Your personal data will not be shared with any organisation outside of MHCLG. Only your name and organisation will be made public alongside your response to this consultation.

Your personal data will not be transferred outside the EU.

5. For how long we will keep your personal data, or criteria used to determine the retention period.

²⁰ Our current SCI is here: http://www.broads-authority.gov.uk/data/assets/pdf_file/0006/576609/Final-Adopted-Statement-of-Community-Involvement-November-2014.pdf

32 Your personal data will be held for 16 years from the closure of the consultation in accordance with our Data and
33 Information Retention Policy. A copy can be found here <http://www.broads-authority.gov.uk/about-us/privacy>.

34 **6. Your rights, e.g. access, rectification, erasure**

35 The data we are collecting is your personal data, and you have considerable say over what happens to it. You have
36 the right:

- 37 a) to see what data we have about you
- 38 b) to ask us to stop using your data, but keep it on record
- 39 c) to ask to have all or some of your data deleted or corrected
- 40 d) to lodge a complaint with the independent Information Commissioner (ICO) if you think we are not handling
41 your data fairly or in accordance with the law. You can contact the ICO at <https://ico.org.uk/>, or telephone
42 0303 123 1113.

43 **7. Your personal data will not be used for any automated decision making.**

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