

Statement of Community Involvement 2022

A photograph showing a group of people in a meeting. They are gathered around a wooden table with a large white sheet of paper or whiteboard. Several hands are visible, holding pens and pointing at the paper. There are also some documents and a coffee cup on the table. The scene is brightly lit, suggesting an indoor setting.

**Get involved in
local planning**

Contents

Part One: Introduction and general principles 1

1. Introduction	1
2. How you can get involved in planning.....	1
3. Community involvement in context	2
4. Our community involvement principles.....	4

Part Two: Plan-making 5

5. Community involvement in plan-making.....	5
6. Who we will involve in plan-making	6
7. How we will involve you in plan-making.....	6
8. Consultation in plan-making	8
9. Sustainability appraisal/strategic environmental assessments	9
10. Consultation on a supplementary planning document	9
11. Neighbourhood plans and development orders	10
12. Consultation on a community infrastructure levy (CIL) charging schedule..	12

Part Three: Development management 13

13. Community involvement on planning and related applications	13
14. Planning consultation methods.....	17
15. How to make a comment on an application	18
16. Consultation on decisions.....	19
17. Consultation on appeals.....	20
18. Planning enforcement	20
19. Stakeholder forums	20

Part Four: Monitoring and review 21

20. Further information and advice on planning	21
21. Glossary	22

**Appendix A:
Consultees in plan-making 24**

- 1. Statutory consultees - specific bodies 24
- 2. Statutory consultees - general bodies 25
- 3. Other consultation bodies and organisations..... 25
- 4. The wider community..... 25

**Appendix B:
Summary of the consultation stages, duration and methods that the council may use when consulting on a local plan 27**

- Consultation on development plan documents 27
- Consultation on supplementary planning documents (SPD) 30
- Consultation on neighbourhood plan and development orders 32



Enquiries about planning

For information about plan-making and to register for email alerts for future consultations, contact the Strategy, Policy and Performance Team:



planning.policy@folkestone-hythe.gov.uk



01303 853000

Or make an appointment to visit the council offices.

For information about planning applications contact the Development Management Team:



planning@folkestone-hythe.gov.uk



01303 853538

Or make an appointment to visit the council offices.

Please contact the council if you need to request plan-making documents in an alternative format.





PART ONE:

Introduction and general principles

1. Introduction

This document explains how to get involved in decisions about plan-making and planning applications. It is known as a Statement of Community Involvement (SCI) and all local planning authorities are required to have one¹. Our previous SCI was adopted in 2015 and this update has been prepared to take into account new legislation and regulations, new technologies and to remove outdated terminology.

Planning affects everyone in some way — the homes we live in, where we study, the places we work, the open spaces we enjoy and the roads we travel on. Therefore, it is important that people understand the planning system and are given the opportunity to get involved to contribute ideas and influence decisions.

Folkestone & Hythe District Council is committed to involving local communities and other stakeholders in the planning process, so they can help shape our district.

2. How you can get involved in planning

Legislation sets out that planning decisions should be made in accordance with a council's development plan unless material considerations indicate otherwise. The district's development plan consists of adopted local plans, neighbourhood plans, prepared by town and parish councils, and minerals and waste plans prepared by Kent County Council.²

There are two main ways to get involved in the planning system locally:

1. Responding to public consultation on local plans — these documents set the policy framework against which development proposals will be assessed.
2. Making comments on planning applications — most types of development require a planning application to be submitted and approved.

This document sets out how you can get involved. By 'involvement' we mean any interaction between our planning teams and the community, which can occur in a number of different ways, for example:

Participation — active involvement in identifying needs and priorities, such as interactive workshops, both online and in person.

Consultation — consulting you on your views, such as through online consultation processes and surveys.

¹ The Statement of Community Involvement reflects the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012, Neighbourhood Planning (General) Regulations 2012 (as amended) the Town and Country Planning (Development Management Procedure) (England) Order 2015.

² <https://www.kent.gov.uk/about-the-council/strategies-and-policies/environment-waste-and-planning-policies/planning-policies/minerals-and-waste-planning-policy>

Information — providing data, such as advertisements in newspapers, publishing reports and holding exhibitions.

3. Community involvement in context

Policy and legislative context

The SCI update has been prepared under the following legislation:

- The Town and Country Planning (Local Planning) (England) Regulations 2012
- The Town and Country Planning (Development Management) (Procedure) (England) Order 2015
- Equality Act 2010
- Neighbourhood Planning (General) Regulations 2012 (as amended)
- The Localism Act 2011
- The General Permitted Development Order 2015 (as amended)
- The Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019

To find out more information about the above legislation, please visit the Planning Portal. The Public Sector Bodies Accessibility Regulations (regarding the accessibility of documents on the web site) has also been a consideration in the preparation of the SCI.



<https://www.planningportal.co.uk/planning/policy-and-legislation/legislation>

National context

The National Planning Policy Framework (NPPF) stresses the importance of engaging the community in plan making and decision taking. The NPPF states that local 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; [paragraph 16]

It also stresses the benefits for development and planning processes that arise from effective engagement:

Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community. [paragraph 39]

The Planning for the Future White Paper (2020) set out the government's vision to increase the use of digital engagement within the planning process, to make the planning system more accountable and democratic by offering alternative routes to engage alongside traditional forms of engagement.

Most recently the government has announced through the Levelling Up and Regeneration Bill (11 May 2022) that the government will be producing new guidance on community engagement in planning, which will describe the different ways communities can get involved and highlight best practice. This will include the opportunities which digital technology offers. When this guidance becomes available the SCI will be updated accordingly.

Local context

The council has an up-to-date development plan covering the period to 2037 and is set out in the following documents:

- The Core Strategy Review (2022) which sets out the spatial vision, objectives, development strategy and a series of over-arching strategic policies that will guide the scale, location and type of development in the district to 2037.
- The Places and Policies Local Plan (2020) which identifies small and medium sized sites for development across the district to meet the targets in the Core Strategy (2013); as well as setting out detailed development management policies to assess planning applications.
- St Mary in the Marsh Neighbourhood Plan (2019) which determines the extent of any future development in the parish and identifies where it is best located.
- Kent Minerals and Waste Local Plan (2013–30) which sets out the vision and strategy for waste management and mineral provision up until the year 2030.

The programme for preparing current and future planning documents is set out in the council's local development scheme (LDS) which is updated on a regular basis and is available to view on the [council website](#).

Q <https://www.folkestone-hythe.gov.uk/planning/planning-policy/developing-planning-policy>



4. Our community involvement principles

In making planning decisions, the council often needs to balance differing views and make judgements in the best interests of all our communities. Gathering local opinions will help us make decisions in the most informed way possible. To achieve this, we will apply the following principles to our planning consultations:

Figure 1: Our community involvement principles

Our community involvement principles
Seek views as early as possible
<ul style="list-style-type: none">● Involve the community as early as possible in the production of local plan documents● Pre-application involvement in planning applications, so that the applicants for certain types of development are encouraged to consult the community before submitting an application
Transparent planning processes
<ul style="list-style-type: none">● Make the purpose and scope of planning consultations clear from the start● Take account of views received● Publish consultation material that is clear, concise and avoids unnecessary jargon
Choosing appropriate ways to involve as many people as possible
<ul style="list-style-type: none">● Choose consultation processes that are proportionate in type and scale to the potential impacts of the proposed plan● Target consultation to include people whom we consider would be most affected by the proposals or plans and organisations who may have specialist knowledge of the issues● Provide sufficient information for people to comment effectively● Ensure involvement is open to all● Consider our duties under the Equality Act 2010
Listen and feedback
<ul style="list-style-type: none">● Fully acknowledge and consider the results of consultations● Provide accessible feedback on the results of consultations and how they have been used● Aim to make all representations publicly available● Ensure that information received through consultation processes complies with all Data Protection legislation

Other organisations that involve the community in planning processes could also use these principles. For example, town and parish councils consult when producing neighbourhood plans and developers provide a statement of community involvement with major planning applications.



PART TWO: Plan-making

5. Community involvement in plan-making

We consider a wide range of locally prepared planning documents when planning decisions are made. Opportunities for community involvement in preparing these documents vary, depending on their status and purpose. Levels of community involvement in the main types of document are as follows:

Table 1: Community involvement in plan-making

Type of document		Produced by	Purpose	Level of involvement
The development plan	The local plan	Folkestone & Hythe District Council	Planning documents that set out a vision and framework for the future development of the district	Participation, information and consultation
	Kent Minerals and Waste Local Plan	Kent County Council		
	Neighbourhood plans	Town and parish councils	Policies developed by the local community which are in general conformity with the local plan	
Supplementary planning documents		Folkestone & Hythe District Council	Expands or adds detail to policies laid out in local plans.	Participation, information and consultation
Strategies and other supporting documents		Folkestone & Hythe District Council	Sets out proposals or actions to achieve broader planning objectives	Participation (usually), information and consultation (usually)
Statement of Community Involvement (SCI)		Folkestone & Hythe District Council	Sets out the council's approach to community involvement on planning matters	Information and consultation
Community Infrastructure Levy (CIL)		Folkestone & Hythe District Council	Sets a charge on new development to help fund infrastructure	Information and consultation

Local Development Scheme (LDS)	Folkestone & Hythe District Council	Timetable for preparation and adoption of future local plan documents and other planning policies	Information
Authority Monitoring Report (AMR)	Folkestone & Hythe District Council	Reports progress on implementing the adopted local plan	Information

6. Who we will involve in plan-making

The council is required by legislation to consult certain bodies which it considers may have an interest in or be affected by a document, a list of these bodies is set out in Appendix A.

In addition, we maintain a database³ of individuals, landowners, developers, and businesses that have taken part in past consultations or wish to be involved in future consultation events. New consultees can be added to the consultation database at any time. Anyone who wishes to be added can do so by contacting the Strategy, Policy and Performance Team. Consultees can be involved in all 'levels of involvement' throughout the plan making process.

The duty to co-operate set out in the Planning and Compulsory Purchase Act 2004 (as amended) and by the Localism Act 2011 establishes legal principles of co-operation with neighbouring councils, and other relevant organisations to work together across boundaries on strategic planning issues that affect them all. A list of duty to co-operate bodies is also included in Appendix A.

As part of the duty to co-operate we produce statements of common ground. All statements of common ground shall be published and kept up to date by the signatory authorities as an accessible and public record of where agreements have or have not been reached on cross boundary strategic issues. All statements of common ground are available to view on the council website.



<https://www.folkestone-hythe.gov.uk/evidence-base-library>












7. How we will involve you in plan-making

Legislation sets out the minimum requirements for community involvement when preparing local plan documents. Where possible and appropriate, we will go beyond these requirements to promote greater community involvement and to meet the needs of our different communities. Therefore, a variety of methods are likely to be used at various stages of the plan-making process.

In addition, the covid pandemic has seen an expansion of the use of digital technologies in the way that we work, communicate and engage. The council will look to capitalise on the increased opportunities for wider engagement that online platforms have provided. Going forward we will aim to take a hybrid approach to community engagement, offering alternative routes to engage alongside the traditional.

³ This database complies with the GDPR principles

Consultation methods we may use include, but are not limited to:

-  **Direct notifications:** emails or letters (where no email address) will be sent to statutory consultees, relevant groups and to those who have requested to be contacted on our consultation database.
-  **Website:** progress on our planning documents will be publicised on the council website. This will also be the place to download evidence base documents and feedback reports. People will be able to view consultation documents and make representations online. There is also a link to our plan-making consultations on the councils MyAccount online platform, which allows registered users to see council information relevant to them all in one place.
-  **Hard copies:** during consultation periods, hard copies of documents will be made available for inspection at the council offices and local libraries (at the discretion of Kent County Council).
-  **Social media:** consultation events will be advertised before, during and after the consultation via social media platforms, for example Facebook and Twitter.
-  **Local media:** public notices, press releases will be sent to local media⁴ and published on the council website to promote consultations.
-  **Your District Today:** where possible, updates will appear in our council magazine which is distributed to more than 50,000 homes and businesses across the district twice a year.
-  **Presentations (in person and online):** presentations to appropriate groups, organisations and stakeholders will be delivered to target particular people in the community who may be interested in specific issues. Presentations may also take place online, using technology such as video conferencing.
-  **Leaflets and posters:** these may be distributed to promote consultations and summarise information on consultations. Information may also be circulated to town and parish councils and residents' associations for display on community notice boards or in community newsletters. QR codes will be used to link the community back to our website.
-  **Interactive workshops and focus groups (in person and online):** discussions of topics and documents in groups using plans, models, videos and other visual materials. Workshops are particularly useful at early stages of consultation and specific topic-based plans. The council may use consultants to support this engagement where it would be appropriate to have impartial intermediaries.
-  **Exhibitions and road shows:** public displays for local residents to follow progress of plans and to give publicity to large scale development proposals and applications. Timing and location of exhibitions must be relevant to the community. These displays could be part of wider community events so that the council goes out to communities, rather than relying on communities to approach the council.
-  **Councillor workshops:** to keep councillors informed and help them share information about the processes with local residents.

⁴ Local media includes Kent Messenger Group, Reach plc, community magazines, regional radio and television outlets.



Surveys and questionnaires (in person and online): surveys and questionnaires may be used to canvass views on key issues, options, proposals and documents. Responses can help identify key interests and groups. There is benefit in focusing questions on key topics.



Digital tools: including specialist consultation and engagement tools that incorporate interactive visual elements such as mapping and videos.

The details behind each consultation initiative will be formulated in partnership with the council Communications and Engagement Team and in line with our community involvement principles.

8. Consultation in plan-making

The process for preparing a local plan will include at least one formal consultation stage before submission to the Secretary of State for independent examination.

Figure 2: Local plan process

<p>Stage 1 Preparation of the evidence base</p>	<p>The council gathers a range of evidence to support the local plan. Developing the evidence base may include informal engagement with stakeholders such as Kent County Council, neighbouring authorities, landowners and developers and where appropriate the community.</p>
<p>Stage 2 Preparation of a local plan (Regulation 18)</p>	<p>This stage will allow stakeholders the opportunity to comment on draft plans for the district. This is an options testing phase and may be repeated.</p>
<p>Stage 3 Publication of a local plan (Regulation 19)</p>	<p>The council will use any comments received, alongside national and local planning policy and other supporting evidence to develop the plan. We will then publish the final draft version of the plan for consultation. Representations submitted at this stage are forwarded to the planning inspector to be considered at the examination.</p>
<p>Stage 4 Examination</p>	<p>The plan will be sent with relevant supporting information to the Secretary of State to be examined. The inspector in charge of the examination will take into account written comments on the plan and, if invited by the inspector, people can also appear at the examination to speak in support of, or against, the plan.</p>
<p>Stage 5 Adoption</p>	<p>Following the examination, the inspector will produce a report. Where changes are identified by the inspector (known as ‘proposed modifications’) these will also be consulted on. At this stage comments are passed directly to the inspector. The council will consider the inspector’s report, make changes to the plan where appropriate and adopt the final plan.</p>

Table 3 in Appendix B outlines how the council will undertake the consultation and engagement

at different stages of the preparation of a local plan. Examples of engagement methods are given, and as a minimum, the council will always comply with the relevant planning regulations.

9. Sustainability appraisal/strategic environmental assessments

Legislation requires a local plan to go through a process of sustainability appraisal and strategic environmental assessment (SA/SEA). This assesses the impact on the environment, economy and society and is intended to promote more sustainable development. When required, an SA/SEA will be consulted on throughout the plan-making process, at the same time as the document itself. Relevant stakeholders will also be consulted on the ‘scope’ of the SA/SEA at the start of the document preparation.

10. Consultation on a supplementary planning document

Supplementary planning documents (SPD) add further detail to the policies in a local plan. The preparation of a SPD involves the stages set out below and the consultation requirements are outlined in Table 3 in Appendix B.

Figure 3: Supplementary planning document process

<p>Stage 1 Preparation of the evidence base and drafting of plan</p>	<p>The council gathers a range of evidence to inform the development of the draft SPD. This could involve informal engagement with specific consultation bodies that may have an interest in the document</p>
<p>Stage 2 Publish draft for consultation</p>	<p>The council is required to consult on the draft SPD. Publishing a draft provides an opportunity to get comments on the document before it is finalised. Any representations made will be considered and used to prepare the final document.</p>
<p>Stage 3 Adoption</p>	<p>Once the council has taken into account comments and made any changes to the document, it will be adopted by the council’s Cabinet. An independent examination is not required.</p>

11. Neighbourhood plans and development orders

Neighbourhood planning has been introduced by the Localism Act 2011. This allows town and parish councils to prepare statutory neighbourhood plans, which form part of the development plan against which planning applications will be assessed. Neighbourhood planning enables communities to shape the development and growth of their local area.

Neighbourhood planning can include the production of a neighbourhood plan or a development order (including community right to build orders). Development orders can be produced instead of, or in conjunction with, a neighbourhood plan and can be used to grant planning permission for certain types of development in specified areas.

As neighbourhood plans and development orders are not prepared by the council, this sci cannot prescribe what methods of community engagement they must follow. However, the council will expect groups preparing neighbourhood plans to meet the requirements set out in legislation and to follow wherever possible the general principles and techniques set out in this SCI. The council will meet all statutory requirements and will give advice and assistance to communities wishing to make a neighbourhood plan or order by undertaking the following actions:

Meet the town or parish council as soon as possible.
Provide feedback in the form of written comments on draft neighbourhood plans or orders.
Explain the different stages involved with a neighbourhood plan or order.
When a plan or order is submitted, assess the document's compliance with statutory requirements.
Direct the relevant body towards information relevant to the neighbourhood plan or order.
When submitted, host the consultation on the council's website with details of how to make representations for a minimum period of six weeks.
Where possible, share any data already held which may inform the evidence base (such as mapping information).
Support the town or parish council to undertake any necessary environmental or habitat assessments.
Assist with the appointment of the neighbourhood plan examiner.
Highlight potential issues around compliance with the local plan and national policy.
Arrange for the referendum and (if approved) bring the plan into force.
Support the town or parish council to undertake any necessary environmental or habitat assessments.

The neighbourhood planning consultation process is illustrated below and the consultation requirements are outlined in Table 3 in Appendix B.

Figure 4: Neighbourhood plan process

<p>Stage 1 Neighbourhood area</p>	<p>The council will consult on the neighbourhood area to be designated (unless the designation is for the whole of the town or parish boundary).</p>
<p>Stage 2 Pre-submission consultation</p>	<p>The town or parish council will carry out publicity and engagement (which the council can advise them on) before they submit to the council.</p>
<p>Stage 3 Publish the neighbourhood plan</p>	<p>Once submitted the council will consult on the draft document for a minimum of six weeks.</p>
<p>Stage 4 Examination of neighbourhood plan</p>	<p>The council will arrange for an independent examination of the document and notify those who are interested in the proposed plan of the examination process. An independent examiner will review the proposed plan, documents and representations made by consultees.</p>
<p>Stage 5 Post examination</p>	<p>The council will publish the examiner’s report for information. If the report is favourable the council will organise and carry out the referendum. If the referendum is positive then the council will publish the decision notice. The council will then proceed to adopt (or ‘make’) the plan.</p>



12. Consultation on a community infrastructure levy (CIL) charging schedule

The council adopted a community infrastructure levy (CIL) in August 2016 and has collected receipts from liable development since this time to support the provision of new infrastructure to encourage sustainable growth. The CIL charging schedule is currently being reviewed to bring it up to date with the Core Strategy Review (2022).

The CIL charging schedule sets out the levy that applies to specified types of development and different areas of the district, subject to exemptions set out in regulations. The consultation requirements for a CIL charging schedule are set out under the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019 and are broadly in accordance with the consultation process for a local plan. Although the regulations do not specify for how long or how many times the council should consult, the length of consultation should reflect the complexity of any changes.

The preparation of a CIL charging schedule involves the stages shown below:

Figure 5: Community infrastructure levy process

<p>Stage 1 Preparation of the evidence base</p>	<p>The council develops a range of evidence in order to prepare its draft levy rates. This may involve informal consultation with relevant stakeholders and interested parties such as developers and other service providers to gain views on matters to take into account when setting the CIL.</p>
<p>Stage 2 Consultation on a charging schedule</p>	<p>The council prepares and publishes a draft charging schedule for consultation, based on the evidence collected. Stakeholders, interested bodies and where appropriate, the wider community will be consulted. Any representations made will be considered and amendments made to the charging schedule, where required. A consultation feedback report will be produced.</p>
<p>Stage 3 Examination and adoption</p>	<p>Once the council is satisfied with the charging schedule it will be sent with relevant supporting information to be examined. An independent examiner will carry out an assessment into its ‘soundness’. Objectors to the document may be allowed to appear in front of the examiner.</p> <p>The examiner’s recommendations are published. The council has regard to the examiner’s recommendations and reasons for them. If there are significant issues, we may withdraw the charging schedule and resubmit a revised version to a new examination.</p> <p>The council approves the charging schedule.</p>



PART THREE: Development management

13. Community involvement on planning and related applications

Our consultation procedure through the planning application process from start to finish is as follows:

Pre-application advice

Folkestone & Hythe District Council encourages applicants to seek pre-application advice prior to the submission of applications. This can save time, effort and expense during the course of an application for planning permission. Details of the services we provide, including fees, are available on the council website below. The council has no statutory duty to consult on pre-application requests for advice and we only do so with the permission of the applicant.



<https://www.folkestone-hythe.gov.uk/planning-application-process>

Applicants for all proposed developments are encouraged to discuss their proposals with those likely to be affected or to express an interest in an application. For larger or particularly sensitive developments, applicants are encouraged to consult with the local community prior to making a request for pre-application advice to the council and/or submitting a planning application.

In such circumstances, the applicant should consider how and when consultation will be carried out and how the needs of equality groups will be considered when running the consultation. Subsequent submissions to the council (either by way of a request for pre-application advice or a planning application) should set out the issues raised as a result of the consultation and whether any changes have or have not been made to the scheme as a result.

Particularly sensitive types of development include (but are not limited to):

- Major applications that are a departure from the development plan
- Environmental impact assessment (EIA) applications
- Large scale retail (20,000sq. m or more or 2,500sq. m if combined with an existing building would be in excess of 20,000sq. m)
- 150 dwellings or site is five hectares or more on greenfield land
- Development proposed on playing fields
- Onshore wind developments involving more than two turbines or where the hub height of any turbine exceeds 15 metres.

For larger scale and/or sensitive types of development, the council may consider it appropriate, at pre-application stage, to do some or all of the following:

- Hold public meetings and exhibitions (these would normally be advertised by the applicant or developer)
- Hold workshops or surgeries

- Conduct a place panel review, where experienced independent professionals from the development industry (architects, urban designers, sustainability and landscape practitioners) provide feedback and suggested improvements on the design principles of the proposed scheme.
- Development briefs
- Look to involve parish councils and community forums in pre-application discussions.

For the larger sites allocated in more rural areas, the council seeks to involve the local community at an early stage and therefore look to set up design workshops with parish councils and local communities to help shape more detailed proposals before planning applications are submitted.

Planning and related applications

We undertake statutory publicity on all applications in accordance with current legislation. The government may change the statutory publicity requirements at any time and our future approach will reflect any changes that are made⁵.

Councils have a duty to consult on applications that they receive. How they will go about notifying people about the applications is set out in Table 2 below. It is not necessary to have received a letter from the council in order for you to comment. Through our website you can sign up to MyAccount where you can view applications in your area. Further information on this is below.

You are encouraged to comment on all planning applications you consider yourself to be affected by no matter what the scale of development proposed. For some major or strategic schemes, we will seek to publicise applications in additional ways over and above the statutory publicity requirements.

Table 2: Publicity requirements for all applications

Application type	Publicity				Minimum length of publicity
	Advert in local newspaper	Published on council's website	At least one site notice	Neighbour letter	
Development where application: Is accompanied by an environmental statement	✓	✓	✓		30 days , including bank holidays, from date of publication or placing of notice (whichever is later)

⁵ The SCI applies the statutory requirements for publicity as set out in Article 15 of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended) for all planning applications (<https://www.gov.uk/guidance/consultation-and-pre-decision-matters#Public-consultation>)

<p>Development where application:</p> <p>Is a departure from the development plan</p> <p>Affects a public right of way</p>	✓	✓	✓		21 days from date of publication or placing of notice (whichever is later)
<p>Major development:</p> <p>10 or more dwellings. Creation of 1,000 square metres or more floorspace or the site exceeds one hectare</p> <p>Mineral working or use of land for mineral working deposits</p> <p>All waste related developments, including waste treatment, storage and transfer as well as tipping.</p>	✓	✓	✓		21 days from date of publication or placing of notice (whichever is later)
All other planning applications for “minor” and “other” developments	✓	✓		✓	21 days from date of publication or placing of notice (whichever is later)
Development affecting the setting of a listed building	✓	✓	✓		21 days from date of publication or placing of notice (whichever is later)
Development affecting the character or appearance of a conservation area	✓	✓	✓		21 days from date of publication or placing of notice (whichever is later)
Application for listed building or conservation area consent	✓	✓	✓		21 days from date of publication or placing of notice (whichever is later)
Application related to a tree preservation order			✓	*	21 days from date of publication or placing of notice (whichever is later)
Permitted development requiring prior approval or notification to the local planning authority				*	14 days or 21 days (depending on the type of prior notification) from placing of site notice
Lawful development certificate		✓			None
Advertisement consent		✓			None

Re-notification – relating to amendments to planning applications currently under consideration, amendments to approved schemes				*	None
Submission of details and scheme to comply with and/or discharge conditions					None
Permission in principle		✓	✓		14 days from placing of site notice
Application for technical details consent which is not a departure from the development plan, or affecting a public right of way, or major development		✓	✓		21 days from date of publication or placing of notice (whichever is later)

* See application type section below

NB. Definition of ‘days’ – with the exception of the first row which is development where the application is accompanied by an environmental statement, where the table refers to ‘days’, it means any day of the week that is not a bank holiday or public holiday.

Applications related to a tree preservation order and trees in conservation areas

It is not necessary or required to provide site notices for every application, but where planning officers consider that there is a significant public interest then site notices can be erected.

Permitted development requiring prior approval or notification to the planning authority

Some types of development have already been granted a blanket planning permission by Parliament. However – for many of these, the developer is still required to submit applications for ‘prior notification’ or ‘prior approval’, relating to specific details of the development. The publicity for these applications is specified in the corresponding section of the legislation⁶. If the legislation requires the planning authority to give notice either by site display/notice or by serving notice to adjoining owners or occupiers, the council will display a site notice. In some circumstances the legislation requires the applicant to display a site notice themselves.

Planning conditions and non-material amendments

The council will not, in accordance with legislation, carry out publicity for applications to comply with or discharge planning conditions, or applications seeking non-material amendments to approved schemes.

The council will publicise applications to vary or delete conditions imposed on planning permissions in accordance with the information above.

⁶ The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Un-amended legislation: <http://www.legislation.gov.uk/ukxi/2015/596/contents/made>

14. Planning consultation methods

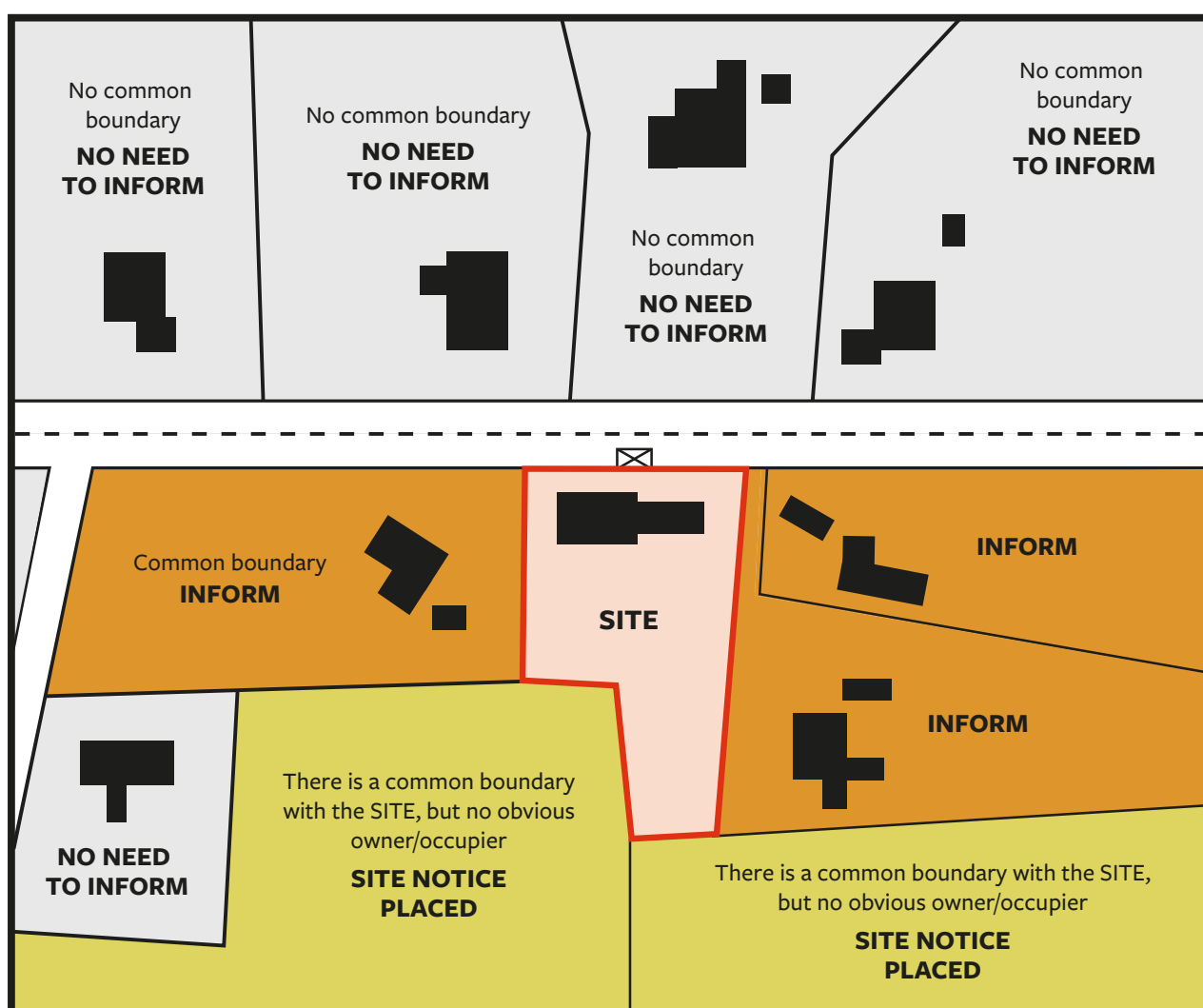
Depending on the type of the application and the legislation relating to such an application, consultation includes the following methods:

Letters to neighbours and statutory consultees

Neighbours will be notified by letter of most planning and listed building applications being considered.

Neighbour letters are sent to the occupiers of individual properties immediately adjoining, and in some cases opposite the site, but not on unbuilt land, in accordance with the principles set out in Figure 6 below.

Figure 6: Neighbour consultation diagram



As well as neighbour letters, notification correspondence will also be sent to organisations invited to comment on proposals in accordance with current legislation. District councillors are provided with the weekly list of new applications.

Notification of most planning and listed building applications will also be sent to the relevant parish or town council and responses will be invited within 21 days of the date of notification

(or where longer periods of time are prescribed by different legislation). Notification methods will indicate the date that comments are expected to be received by the council.

Site notices

For some application types (such as those with heritage considerations, those for prior approval, major developments and those not in accordance with the development plan) site notices are displayed.

Site notices are clearly visible, printed on yellow paper and usually attached to lamp posts, telegraph poles on, or adjacent to, the site.

Site notices will indicate the date that comments are expected to be received by the council. The application reference is also clearly stated, to enable the application paperwork to be viewed on the council website.

Local press

Some applications are also advertised in a local newspaper. This applies in accordance with current legislation.

Council website

All copies of applications and plans are available for inspection on the council website usually within five working days of being registered. These are found using the search function of the planning section of the website. Weekly lists of applications, decisions and appeals are also available.

We are encouraging households to sign up to MyAccount feature on the council's website. You will then be able to view any planning applications being considered near where you live within 500m automatically and add planning applications to your watch list.

15. How to make a comment on an application

Anyone may comment on an application even if they have not been notified by the council. All comments are considered carefully.

The council receives and handles comments on planning applications by conventional post and email or by our online comments form on the council website. Making comments online is the quickest method for making comments.

Comments must be received within the consultation deadline (usually about four weeks from the application being registered by the council) to be certain of being considered.

The council does not respond to each comment made individually, due to the large number it receives. However, comments are summarised in the planning officer's report for each application. Officer's reports become public information on the application file found on the council's website following the application decision.

Care should be taken when making comments to the council to ensure that no personal data is included other than name and address and that the information provided is relevant to the planning merits of the application only. Your comments, including your name and address, will

be viewable on the website whilst the application or any subsequent appeal is being considered (your telephone number and e-mail address will not be viewable on this website).

In some specific circumstances public comments may not be published on the council's website. This is usually when comments either contain sensitive information about the applicant or person making the comment, or the comments are of an inappropriate or defamatory nature bearing no relevance to the planning process. Please note, unfortunately such comments may still be viewable prior to any removal and viewable online and by visitors to the Civic Centre. It is therefore your responsibility to ensure you do not include defamatory remarks in your comments as you could be held legally responsible for them in the future.

Subsequent correspondence received from the applicant or third party will be added to the website where this does not involve administrative matters or confidential information. This allows the public to track the progress of an application.

Amendments to planning applications

Sometimes changes are made to 'live' planning applications. These changes may require a second round of consultation to ensure that interested parties can have their say on the changes.

If there are any significant amendments to the planning application before a decision is made, any relevant consultees will be notified. The period for commenting on amended plans will normally be 14 calendar days but this may be reduced to no less than 10 calendar days if circumstances such as the date of a planning committee dictate. In addition to consulting any relevant consultees, notifications will be sent to the relevant ward member, to people who were originally consulted and those who have already written in with comments.

How comments are considered by the council

Decisions on planning applications are made by the council's planning committee or decided by the Chief Planning Officer and other senior planning officers in accordance with the council's constitution and internal officer delegation arrangements.

The case officer considering the planning application should have all the necessary information they need to decide the application after the close of the consultation period (the time when all public comments should be made). Any relevant matters raised through comments will be summarised and considered in the officers' reports.

All decisions are made in relation to the statutory development plan for the district and any other material planning considerations. To see how an officer decided a particular planning application, you can view the officer's report on the council website by quoting the application reference number.



<https://www.folkestone-hythe.gov.uk/search-comment-planning-application>

16. Consultation on decisions

In line with government advice, the majority of decisions are made by delegated authority. The planning committee also determines planning applications and meets on a broadly four week cycle, although occasionally additional special meetings may be called.

The planning committee comprises elected members who determine major, complex or controversial planning applications. The committee agendas are available on the council website and include reports on the individual planning applications being considered.



<https://www.folkestone-hythe.gov.uk/moderngov/mgCommitteeDetails.aspx?ID=439>

Information about how to speak in favour or against an application at planning committee is also available on the council website.

Committee reports and the reports for applications decided by officers can be viewed on the planning file on the council website. Similarly, all decision notices are also viewable on the planning file. At the time a decision is issued on any application the council will notify by email all those who have submitted written comments on the application. This will state whether permission has been granted or refused. Parish and town councils will be notified too and provided with an electronic link to a copy of the decision notice.

17. Consultation on appeals

When the council receives an appeal relating to the decision on an application or relating to the non-determination of such an application, we will notify all those who commented on the original application either by letter or email. We will explain what the appeal is about, how people can be involved in the appeal process and the timescales for being involved. The Planning Inspectorate will decide if a hearing or public inquiry is required, where there may be more opportunities to put across your views.

However, if the appeal is about a householder application, (typically those for extensions or alteration to houses) then we will only let people know the appeal has been received. New comments on these types of appeals cannot be made at this stage.

For more information about planning appeals please visit the Planning Inspectorate website.



<https://www.gov.uk/government/organisations/planning-inspectorate>

18. Planning enforcement

The council's role in enforcing planning regulations is set out on the council's website in the adopted Planning Enforcement Protocol. People wishing to report potential breaches of planning control should complete the online planning enforcement complaint form, or email planning.enforcement@folkestone-hythe.gov.uk. Any such reports will be considered in accordance with the process set out on the council's website.

19. Stakeholder forums

The council holds regular forums with agents and town and parish councils to help inform and improve the consultation and engagement process on planning applications, appeals and enforcement.



PART FOUR: Monitoring and review

We must review our SCI every five years from the adoption date. It is important that SCI's are kept up to date to ensure effective community involvement at all stages of the planning process.

This SCI is flexible to allow for appropriate changes in our approach to community involvement in order to reflect changes in legislation, policy and opportunities that may arise with evolving digital engagement technology. For example, significant changes are likely to be made to the planning system through the Levelling-up and Regeneration Bill currently before Parliament, and a review of this SCI is likely to be needed when the Bill becomes law.

20. Further information and advice on planning

Department for Levelling Up, Housing and Communities (DLUHC)

The DLUHC supports communities across the UK to thrive, making them great places to live and work.

 <https://www.gov.uk/government/organisations/department-for-levelling-up-housing-and-communities>

 correspondence@levellingup.gov.uk

 2 Marsham Street, London, SW1P 4DF, United Kingdom

 030 3444 0000

Locality

Locality is the national membership network for community organisations. Their goal is to help local community organisations be the best that they can be and to create a supportive environment for their work.

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

 info@locality.org.uk

Neighbourhood Planning

This is where you will find everything you need to know about how to develop a neighbourhood plan or neighbourhood development order and what support is available to you.



 <https://neighbourhoodplanning.org/>

Planning Aid England (PAE)

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

 www.rtpi.org.uk/planning-aid

 advice@planningaid.rtpi.org.uk


 The Royal Town Planning Institute, 41 Botolph Lane, London EC3R 8DL
 0330 123 9244

The Planning Inspectorate

The Planning Inspectorate processes planning appeals and holds examinations into planning policy documents and CIL.

 www.planningportal.gov.uk/planning/planninginspectorate

 enquiries@pins.gsi.gov.uk

 The Planning Inspectorate, Room 3/13, Temple Quay House, 2 The Square,
Temple Quay, Bristol BS1 6PN

 0303 444 5000

The Planning Portal

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

 <https://www.planningportal.co.uk/>

 support@planningportal.gsi.gov.uk

21. Glossary

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

Core Strategy Review (CSR): a plan which sets out the long-term spatial vision for the district, along with the spatial objectives and strategic policies to deliver that vision.

Development plan document (DPD): spatial planning documents that together with the Minerals and Waste Plans will form the development plan for the district. They are subject to Independent Examination before adoption.

Equality Groups: The Equality Act identifies protected characteristics, which are also reflected in the Folkestone and Hythe Equality Impact Assessment as: Disability; Race (including Gypsy and Traveller); Age; Gender; (including gender identity and reassignment), Transgender; Sexual orientation; religion/belief; pregnancy and maternity; marriage or civil partnership status.

Local development scheme (LDS): a timetable for preparation and adoption of future Local Plan documents and other planning policies over a three year period. It can be updated and amended as necessary by the council.

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

Local plan: the collection of development plan documents setting out the overall planning strategy, policies and proposals for the council.

Material consideration: a matter that should be taken into account in deciding a planning application or on an appeal against a planning decision.

National Planning Policy Framework (NPPF): a document setting out the government's national planning requirements, policies and objectives. The NPPF is a material consideration in the preparation of Local Plans and when considering planning applications.

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

Places and Policies Local Plan (PPLP): identifies small and medium sized sites for development across the district to meet the targets in the Core Strategy; as well as setting out detailed development management policies to assess planning applications.

Planning Inspectorate: an organisation which processes planning appeals and holds examinations into Local Plans and the Community Infrastructure Levy (CIL).

Stakeholder: a person, group, company, association, etc. with an interest in, or potentially affected by, planning decisions in the district.

Statement of Community Involvement (SCI): the council's policy for involving the community in plan making and when considering planning applications. It includes who should be involved and the methods to be used.

Supplementary planning document (SPD): a document that expands or adds detail to policies laid out in Local Plans. They are not subject to independent examination.

Sustainability appraisal and strategic environmental assessment (SA/SEA): a systematic and iterative appraisal process incorporating the requirements of the European Directive on Strategic Environmental Assessment. The purpose of the sustainability appraisal is to appraise the economic, environmental and social effects of the strategies in a local plan from the outset of the preparation process.

A fuller glossary of common planning terms and phases can be found on the National Planning Portal.

Q <https://www.planningportal.co.uk/services/help/glossary>



APPENDIX A:

Consultees in plan-making

The Town and Country Planning (Local Planning) (England) 2012 Regulations (Regulation 18) require the council to consult:

1. Specific bodies that we consider may have an interest in the subject of the proposed document.
2. General consultation bodies that we consider appropriate.
3. Residents or other persons carrying on business in the district from which we consider it appropriate to invite representations.

For clarity we have divided consultees into four groups. This may alter over time due to changes in legislation or re-organisations of public bodies, therefore the lists are reviewed regularly.

1. Statutory consultees - specific bodies

- Local planning authorities that adjoin the district
- Kent County Council www.kent.gov.uk
- East Sussex County Council www.eastsussex.gov.uk
- Parish councils within and adjoining the district
- Police www.kent.police.uk
- The Coal Authority www.gov.uk/government/organisations/the-coal-authority
- Environment Agency www.gov.uk/government/organisations/environment-agency
- Historic England <https://historicengland.org.uk/>
- Natural England www.gov.uk/government/organisations/natural-england
- The Marine Management Organisation www.gov.uk/government/organisations/marine-management-organisation
- Network Rail Infrastructure Limited www.networkrail.co.uk/
- National Highways <https://nationalhighways.co.uk/>
- Mobile Phone Operators Association
- Mobile phone operators with apparatus situated in any part of the district
- Clinical commissioning groups
- Utilities and service providers
- Internal Drainage Boards
- Homes England www.gov.uk/government/organisations/homes-england

2. Statutory consultees - general bodies

- Voluntary bodies, some or all of whose activities benefits any part of the area
- Bodies which represent the interest of:
 - Different ethnic or national groups in the area
 - Different religious groups in the area
 - Disabled people in the area
 - People in business in the area

The council must also seek to ensure a wide range of other consultation bodies and organisations have opportunities to become involved at any stage if they wish or where their input will be useful.

3. Other consultation bodies and organisations

- Environmental groups
- Groups representing users, and the providers, of leisure, sport and recreation
- Health, education, social service and community-based service providers
- Civic societies, cultural, historical and archaeological groups or bodies
- Citizen, district, tenant panels
- Associations of local residents and communities
- Registered social landlords
- House builders and developers
- Landowners and land agents
- Public transport users and providers
- Groups representing retired and elderly people
- Groups representing young people
- Local businesses and the voluntary and community sector
- Council elected members who provide important channels of communication to and act as advocates for their local communities.

4. The wider community

The council maintains a database of individuals, landowners, developers, and businesses that have taken part in past consultations or wish to be involved in future consultation events. We ensure that information received through consultation processes complies with all data protection legislation.

Duty to co-operate bodies

- Neighbouring local planning authorities
- Kent County Council
- East Sussex County Council
- The South East Local Enterprise Partnership (SELEP)
- Environment Agency

- Historic England
- National Highways
- Natural England
- The Office of Rail Regulation
- Clinical commissioning groups
- The Civil Aviation Authority
- Homes England
- In addition, the National Planning Policy Framework requires local planning authorities to work collaboratively with Local Nature Partnerships.

APPENDIX B:

Summary of the consultation stages, duration and methods that the council may use when consulting on a local plan

Consultation on development plan documents

➤ Stage 1: Preparation of the evidence base

↶ What we will consult on

Evidence base documents necessary for plan making are developed with engagement from a range of stakeholders and communities with local knowledge, views, and expertise.

📄 How we will inform you

This is an informal stage, however evidence base documents should be made available on the council's website as soon as they are completed.

🔧 Regulatory Requirements

Not applicable.

➤ Stage 2: Preparation of a local plan

↶ What we will consult on

This stage gives stakeholders the opportunity to comment on draft plans for the district. This is an options testing phase and may be repeated if necessary.

📄 How we will inform you

Notify specific consultation bodies that may have an interest in the document.

Engage with general consultation bodies, and other consultation bodies as appropriate.

If it is decided to carry out a wider public consultation the council will:

- Publish the consultation document on the council website for a minimum of six weeks
- Notify people on the council's consultation database of the start of the consultation
- Make printed copies of the consultation document available for inspection at the council's office and other inspection points.
- Advertise the consultation through the council social media channels.

In addition, if appropriate, the council will aim to do one or more of the following:

- Seek coverage in local media
- Presentations

- Interactive workshops or focus groups
- Exhibitions
- Surveys and questionnaires
- Include article in council magazine
- Council member workshops
- Meetings (one to one or group)

All comments received will be made publicly available

Regulatory requirements

Before preparing a new local plan (Regulation 18), the council will need to notify specific consultation bodies who have an interest in the subject of the proposed plan, appropriate general consultation bodies, residents, and businesses (from the consultation database) in the area from which the local planning authority considers it appropriate to invite representations.

Stage 3: Publication of a local plan

What we will consult on

The council will ask you what you think of the draft plan in accordance with a formal procedure. It will be made clear that members of the public have a right to comment at this stage and if they comment they then have the right to be involved in the Examination In Public (EiP).

How we will inform you

The council will:

- Publish the draft plan and supporting documents on the council website, including the consultation portal, for a minimum of six weeks
- Notify those specific, general and other consultation bodies that were invited to make representations at an earlier stage
- Consult the wider community (as appropriate to the document)
- Make printed copies of the draft plan and supporting documents available for inspection at the council's office and other inspection points
- Advertise the consultation through the council social media channels
- Seek coverage in local media.

In addition, the council will aim to do one or more of the following:

- Presentations
- Digital tools e.g. mapping and videos
- Exhibitions and roadshows.

Regulatory requirements

Publication of a local plan (Regulation 19)

- Before submitting a plan to the Secretary of State (SoS) under Section 20 of the Planning and Compulsory Purchase Act 2004 the local planning authority must (a) make a copy of each of the proposed submission documents and a statement of representation procedures in accordance with Regulation 35 and (b) ensure that a statement of the representations procedure (including, where and when for inspection) is sent to each of the general consultation bodies and each of the specific consultation bodies and each of the specific consultation bodies invited to make representation under Regulation 19.

Representations relating to a local plan (Regulation 20)

- Any person may make representations to the council about a local plan which the council proposes to submit to the Secretary of State. Any such representations must be received by the council by the date specified in the statement of representations procedure.

Stage 4: Examination

How we will inform you

The council will:

- Publish all relevant submission documents on the council website
- Make printed copies of the submission documents available for inspection at the council office and other inspection points
- Notify all those specific, general consultation bodies, and other bodies who have previously been invited to make representations on the plan, about the submission of the plan to the Secretary of State
- Notify anyone else who requested to be notified of the submission of the plan to the Secretary of State
- Notify all those who commented on the plan at stage 3 with details of the examination.

Regulatory Requirements

Independent examination (Regulation 24)

At least six weeks before the examination starts, the council must:

- Make the plan and all documents submitted to the Secretary of State available at the places the plan was made available during Stage 3
- Publish the plan on the council website as well as advertise the time and place of where the examination will be taking place and the name of the person carrying out the examination.
- Notify anyone who has made comments under Stage 3 and has not withdrawn those comments by the time and date of the examination.

➤ Stage 5: Adoption

How we will inform you

The council will:

- Publish the Inspector's report and notify anyone who requested to be notified
- Make the adopted document, a sustainability appraisal report, relevant information and adoption statement available for inspection at the council offices and on the website
- Send the adoption statement to the Secretary of State and any person who asked to be notified.

Regulatory requirements

Adoption of a local plan (Regulation 26)

Once the local plan has been adopted, as soon as practicable the council must:

- Make the local plan and an adoption statement available for viewing in the places where the proposed local plan was provided in Stage 3.
- Publish the adoption statement on the council website
- Advertise details of where and when the local plan and the adoption statement are available to view
- Send the adoption statement to anyone who has asked to be notified of the adoption of the local plan.
- Send a copy of the adoption statement to the Secretary of State.

Consultation on supplementary planning documents (SPD)

➤ Stage 1: Preparation of the evidence base and drafting of plan

What we will consult on

The council will gather a range of evidence and ideas to inform the development of the draft plan.

How we will inform you

The council will:

- Engage with specific consultation bodies that may have an interest in the document.
- Consult more widely if it is considered relevant and appropriate to do so.

Regulatory requirements

Not applicable.

➤ Stage 2: Publish draft for consultation

↶ What we will consult on

The council will consult on the draft SPD. Publishing a draft provides an opportunity to get comments on the document before it is finalised.

Any representations made will be considered and used to prepare the final document.

📄 How we will inform you

The council will:

- Publish the draft SPD and supporting documents on the council website for a minimum of six weeks.
- Consult the specific, general and other bodies who are relevant to the topic of SPD being prepared.
- Consult the wider community as appropriate to the document.
- Make printed copies of the draft SPD and supporting documents available for inspection at the council offices and other inspection points.
- Advertise the consultation through the council's social media channels.

Depending on the type of SPD the council will consider using one or more of the following:

- Presentations
- Workshops and focus groups
- Exhibitions
- Surveys and questionnaires.

🔨 Regulatory requirements

Public participation (Regulation 12)

Before the council can adopt an SPD, they need to:

- Prepare a statement that lists the persons consulted when preparing the SPD; a summary of the main issues raised by those persons; and how the issues have been addressed in the SPD.
- Make copies of the statement and the SPD available with details regarding the date by which representations must be submitted and the address to which they must be sent.

➤ Stage 3: Adoption

↶ What we will consult on

Not Applicable.

How we will inform you

The council will:

- Publish the adopted SPD and evidence base documents on the council website. This will include a consultation statement summarising all the comments received from the previous stages and how the comments were considered.
- Send an adoption statement to those who commented on the draft and those who have asked to be notified of the adoption of the SPD.
- Make printed copies of the adopted SPD and available for inspection at the council offices and other inspection points.

Regulatory requirements

Application and interpretation (Regulation 11)

Once the SPD is adopted, the council must publish an adoption statement that specifies:

- The date that the SPD was adopted
- Any modification made pursuant to section 23 (1) of the Act
- That any person with sufficient interest in the decision to adopt the SPD may seek permission from the High Court for judicial review of that decision, and
- Such an application must be made no later than three months after the date on which the SPD was adopted.

Adoption of supplementary planning documents (Regulation 14)

Once the council adopt the SPD it must:

- Make the SPD and an adoption statement available in accordance with regulation 35.

Consultation on neighbourhood plan and development orders

Stage 1: Neighbourhood area

What we will consult on

The regulations only stipulate consultation for a neighbourhood area if the area does not follow the parish boundary (options include being an area smaller than the parish, including part of neighbouring parish area or two parishes working together).

How we will inform you

If the neighbourhood area does not follow the parish boundary the council will publish the area application and details of how to make representations on the council website for a minimum of six weeks.

Advertise the consultation through the council's social media channels.

The Neighbourhood Planning (2012) regulatory requirements

Application for designation of a neighbourhood area (Regulation 5)

Where a town or parish council submits an area application to the local planning authority (LPA) it must include:

- a map which identifies the area to which the area application relates
- a statement explaining why this area is considered appropriate to be designated as a neighbourhood area
- a statement that the town or parish council making the area application is a relevant body for the purposes of section 61G of the 1990 Act.

A local planning authority may decline to consider an area application if the town or parish has already made an area application and a decision has not yet been made on that application

Designation of the whole of the area of a parish council (Regulation 5A)

This regulation applies where:

- a local planning authority receive an area application from a parish council
- the area specified in the application consists of the whole of the parish council's area
- if any part of the specified area is part of a neighbourhood area, none of that neighbourhood area extends outside the parish council's area.

The local planning authority must exercise its powers under section 61G of the 1990 Act to designate the specified area as a neighbourhood area.

Where this regulation applies, regulations 6 and 6A do not apply.

Publicising an area application (Regulation 6)

As soon as possible after receiving an area application from a town or parish, a local planning authority must publicise the following on its website and in such other manner as they consider it likely to bring the area application to the attention of people who live, work or run a business in the area to which the area application relates:

- a copy of the area application
- details of how to make representations
- the date by which those representations must be received, being not less than six weeks from the date on which the area application is first publicised.

Stage 2: Pre-submission consultation

Following this consultation, the town or parish council must assess and take into consideration all comments received and make changes to the document if necessary.

The town or parish council will then use its findings to create a document called the 'Consultation Statement'. The document can then be finalised and submitted to the council.

What we will consult on

The town or parish council will carry out publicity and engagement (which the council can advise on).

How we will inform you

This will be for the town or parish council to decide. However as a minimum, the relevant planning regulations must be complied with.

The Neighbourhood Planning (2012) regulatory requirements

Pre-submission consultation and publicity (Regulation 14)

Prior to submitting a plan proposal to an LPA, a town or parish council must:

- Publicise the plan and bring it to the attention of the people who live, work, or run a business in the neighbourhood area
- Provide details regarding: the proposals for a neighbourhood plan
 - where and when the proposals for an neighbourhood plan may be inspected
 - how to make representations
 - the date by which representations must be received, not being less than 6 weeks from the date in which the draft proposal was first published.
- Consult any consultation body whose interests may be affected by the proposals for an neighbourhood plan; and
- Send a copy of the neighbourhood plan proposal to the LPA

Stage 3: Publishing the document

What we will consult on

All proposed documents prepared by the town or parish council.

How we will inform you

Once submitted the council will consult on the draft document for a minimum of six weeks.

The Neighbourhood Planning (2012) Regulatory Requirements

Plan proposals (Regulation 15)

When submitting a plan proposal to the LPA the town or parish council must include:

- A map or statement that identifies the areas to which the proposed neighbourhood plan relates
- A consultation statement
- The proposed neighbourhood plan
- A statement explaining how the proposed neighbourhood plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Act

Publicising a plan proposal (Regulation 16)

After receiving a neighbourhood plan proposal, the LPA must:

- Publicise the plan proposal on its website
- Provide details about the plan proposal
- Provide details of where and when the plan proposal may be inspected

- Provide details about how to make representations
- Issue a statement that any representations may include a request to be notified of the LPA's decision in relation to the neighbourhood plan
- The date by which representations must be received, not being less than six weeks from the date in which the draft proposal was first published.

➤ **Stage 4: Examination**

How we will inform you

The council will arrange for an independent examination of the document and notify those who are interested in the proposed plan of the examination process. An independent examiner will review the proposed plan, additional documents and representations made by consultees.

The Neighbourhood Planning (2012) regulatory requirements

Submission of plan proposal to examination (Regulation 17)

As soon as a person to carry out the examination is appointed, the local planning authority must send the following to the examiner:

- the plan proposal
- the documents referred to in regulation 15 and all other documents submitted to the LPA by the town or parish council regarding the plan proposal
- if the Conservation of Habitats and Species Regulations 2010 applies, the information submitted in accordance with regulation 102A of those Regulations
- a copy of any representations that have been made in accordance with Regulation 16.

➤ **Stage 5: Post Examination**

How we will inform you

The council will publish the inspector's report and notify those who work and live in the neighbourhood area.

If the report is favourable, then the council will organise and carry out the referendum.

If the referendum is positive, then the council will publish the decision notice.

The Neighbourhood Planning (2012) regulatory requirements

Publication of the examiner's report and plan proposals decisions (Regulation 18)

Following examination of the plan, the examiner will write a report stating that:

- further modifications are required before the plan can proceed to the referendum stage
- the plan does not meet the basic conditions and therefore should not proceed to the referendum stage
- the plan can proceed to the referendum stage without any changes

Decision on a plan proposal (Regulation 19)

Once a decision is made, the local planning authority must:

- publish a statement outlining the decision and their reasons for making the decision on its website
- provide details of where and when the decision statement may be inspected
- A copy of the decision statement must also be sent to the town or parish council and any person who asked to be notified of the decision

Publicising a neighbourhood plan (Regulation 20)

Once the neighbourhood plan is made the local planning authority must:

- Publish the neighbourhood plan on its website
- Provide details of where and when the neighbourhood plan may be inspected
- Notify any person who asked to be notified of the making of the neighbourhood plan that has been made and where and when they can inspect it