



Basildon Borough Council

**Statement of Community
Involvement: Third Revision
(Summary Version)**

October 2020

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1.0 Introduction

The following is a summarised version of the Statement of Community Involvement: Third Revision. It is recommended that the report is read as a guide to the full text, which can be found on the Council's website [here](#).

All Local Planning Authorities are legally required to prepare a Statement of Community Involvement (SCI). The SCI is an important part of the Development Plan, and sets out how the Council will engage with the local community in the planning process.

The Basildon Borough Statement of Community Involvement: Third Revision, October 2020 has been prepared to take account of changes in legislation, as well as providing an opportunity for the Council to improve its consultation approaches.

1.1 What is the Statement of Community Involvement?

- The SCI seeks to ensure active, meaningful and continued involvement of everyone including local communities and stakeholders in the planning system.
- It outlines the Council's standards for community involvement in the planning process and identifies ways it will achieve these standards.
- The SCI is not part of the Local Plan – it is a Local Development Document setting out a consultation strategy.

1.2 The SCI sets out how, when and who will be consulted on:

- Planning applications
- Planning appeals (when planning permission is refused and the applicant appeals to the Secretary of State),
- Planning enforcement; and
- Planning policy documents (including Local Plans) made by the council for the future development and / or protection of the area.

2.0 Consultation on Planning Applications

This section identifies how Basildon Borough Council will involve the community and stakeholders in the management of development at pre-application, application and appeal stages. The Council will meet and where possible, exceed the minimum requirements through the development management process set out by planning legislation.

2.1 The Developer's Role:

- In accordance with the Localism Act 2011 and the NPPF, the Council encourages developers to consult with the community prior to submission of a planning application to involve the community at the earliest possible stage.
- For small scale development: Applicants are encouraged to speak with their neighbours about their plans. Large scale development – developers to engage with relevant stakeholders, local community and ward members. Workshops or exhibitions are recommended for more controversial schemes.
- Developers will be asked to provide information on all community engagement they have undertaken on the proposal, along with an explanation of how issues raised have been taken into account.

2.2 Pre-application Stage:

The Council's Approach to pre-application advice and discussions:

- Pre-application advice is provided to customers wishing to seek the opinion of a Planning Officer on the merits of a development, ahead of submitting a planning application. Further details relating to the pre-application advice service and the associated charges can be viewed using the following link: <http://www.basildon.gov.uk/article/3616/Pre-Planning-Application-Advice>
- Details relating to pre-application advice request are not treated in the same way as planning applications. The content of the application form and, supporting documents and any meetings held are confidential. A subsequent planning application will request any advice given at pre-application stage.

2.3 Householder development:

Those looking to make applications for householder development (such as porches, extensions, outbuildings, etc.) are encouraged to 'self-serve' by visiting the Council's website www.basildon.gov.uk/planning or the planning portal www.planningportal.gov.uk, for guidance on how to approach common householder projects and apply for planning permission if required. Householders may also seek the independent advice of a Planning Agent or Planning Consultant, many of which are listed in the local press, on the Internet, or the Royal Town Planning Institute (RTPI) online directory www.rtpiconsultants.co.uk, The RTPI's registered charity "Planning Aid" offers services to people who cannot afford to pay professional fees.

2.4 Other Development:

For all other types of development, pre-application advice offered is determined on a case-by-case basis and is subject to a charge depending on the scale of the proposed development.

The Council's focus is on major applications where the involvement of other departments and external bodies is necessary to enable a more holistic approach to DM. Therefore, applicants and their agents should engage positively and provide supporting information and site analysis to demonstrate a full understanding of the site constraints and context in advance of discussions, and that this is shared with the Council.

Any advice given by the Council in relation to pre-application enquiries will be based on the case officer's professional judgement and will not constitute a formal response or decision of the council with regard to any future planning applications.

2.5 Planning Performance Agreements:

Planning Performance Agreements provide a project management framework and may be used as an alternative to pre-application advice or in the case of more complex major proposals.

2.6 Planning Application Stage:

This section details who can comment on applications that are submitted for determination, how comments can be made, and the ways in which various types of planning applications will be advertised to the public.

2.6.1 Commenting on a planning application

- Anyone can comment on a planning application.
- Comments on planning applications should be made in writing within 21 days of the start of the consultation period. This can be by email to planning@basildon.gov.uk; by post to: Planning Services, Basildon Borough Council, The Basildon Centre, St. Martin's Square, Basildon, Essex, SS14 1DL; or by entering comments online via our website: www.basildon.gov.uk/eplanning and registering as a user.
- A scribe may be provided for those who cannot make comments on their own due to literacy or disability issues.
- Comments made on a planning application are a matter of public record and are made available to anyone who wishes to view them. Comments received that are expressed as confidential cannot be taken into consideration when determining an application and will not be made available for viewing.
- When making a decision on a planning application, the Council will take into account the Council's adopted planning policy documents, government

planning advice and any comments made by the public and statutory consultees.

- The Council can only consider comments which relate to material planning considerations. For examples of common material planning considerations, please refer to section 2.25 of the full version of the SCI report. Further advice can be sought from a number of external organisations with regards to comments on a planning application.
- Anyone who comments on an application is encouraged to use the Council's e-planning system to track and view updates on the application, including the decision.

2.6.2 How we will advertise an application

There are several different types of application that are determined by the Council. For this SCI, these have been grouped in accordance with the levels of consultation that they require, as follows:

- For all Applications
- Planning Applications for the Development of Buildings or Land; Change of Use Applications; Advertising; Outline Applications and; Approval of Reserved Matters
- Listed Buildings and Conservation Areas
- Lawful Development Certificates (existing and proposed)
- Telecommunications
- Amendments to Applications
- Prior Approvals

For further information on the above, please see full SCI Report.

2.6.3 Statutory and Non-Statutory Consultees for Planning Applications

When the Council receives a planning application, there are a number of consultees that the Council is obliged to notify.

Statutory consultees such as Natural England, the Environment Agency, etc. are detailed within the Town and Country Planning (Development Management Procedure) (England) Order 2015.

There are also many other non-statutory groups and bodies that the Council will inform of particular applications in order for their professional or particular expertise/interest to be considered. Please refer to the Council's list of non-statutory consultees available on the Council's website alongside other planning applications advice articles.

The Council is required, under the Duty to Cooperate, to consult adjoining authorities and prescribed bodies on the preparation of Local Plan documents and other activities

relating to the sustainable development and use of land. The Council is also required to notify neighbourhood planning bodies of planning applications in their area.

A letter or email will be sent to the relevant consultees notifying them of the planning applications; identifying where the application and supporting documents can be viewed; and advising how comments can be made.

2.6.4 Decision Stage:

How will decisions be taken?

Decisions on planning applications may be made as follows:

1. - By a delegated officer
2. - By the Chairman of the Planning Committee
3. By the Planning Committee

2.6.5 How will people be informed of a decision?

The agent or applicant will be informed by email or post of the decision as soon as practical following determination. The following will be included in the decision notice:

- The formal decision of the Council
- Any conditions imposed on the decision and the reason for them; and
- Details of how to appeal against the decision or against any conditions imposed
- The decision will be entered on the e-Planning section of the Council's planning website on the next working day following issue of the decision.

2.7 Planning Appeals:

2.7.1 Dealing with Appeals:

- If an agent or applicant is aggrieved by the Council's decision it is recommended that before making any appeal, the party seeking permission should first consider re-engaging with the local planning authority to discuss whether any changes to the proposal would make it more acceptable and likely to gain permission. It is possible that a further planning application may be submitted without charge.
- The next option may be to appeal to the Planning Inspectorate who will act on behalf of the Secretary of State. The Secretary of State has the power to direct the local planning authority to refer an application to him for decision. This is what is meant by a 'called-in' application.
- An appeal is essentially considered afresh by the Inspectorate, relying on all information that was available to the Council at the time of its original decision. The main reasons for an appeal are:
 - Against refusal;
 - Against a condition imposed on an approval; and

- Against non-determination of an application.

Where an appeal is made, the Council will follow the legislation on appeal procedures. The relevant ward Members will be notified. Original letters of representation, objecting or supporting, will be sent to the Planning Inspectorate.

The Council will inform contributors by letter or email depending upon the contact details provided, of:

- The reason for the appeal;
- The reasons for refusal or conditions being contested;
- That their original comments will be taken into consideration; and
- How they may make further representations to the Planning Inspectorate and the deadline for such comments to be received.

2.7.2 Inquiry process

Some appeals, especially those dealing with bigger proposed developments, are heard by public inquiry. Local people are encouraged to attend and take part in the inquiry process. Details will be given to any original contributors in writing, of when and where the inquiry will be and a notice will be displayed as close as practical to the application site. Further representations can be made and sent directly to the Planning Inspectorate prior to the inquiry, providing they are received before the deadline date as detailed in the notification letter. Appeal documentation can be viewed online, or at the main Council offices during opening hours prior to the inquiry.

Nearly all appeals are dealt with by a Planning Inspector; only a small amount are dealt with by the Secretary of State, usually only large or contentious sites.

The Planning Inspector will normally allow members of the public to speak. Details relating to the process can be found on the gov.uk website, along with details on the appeal process: [Appeal a planning decision - GOV.UK](#).

All appeals lodged with the Council and decided by the Planning Inspectorate are available to view on the Council's website, via the e-Planning system, at: <http://www.basildon.gov.uk/eplanning>.

3.0 Public involvement in Planning Enforcement

3.1 Introduction:

The Town and Country Planning Acts give local planning authorities discretionary powers to tackle breaches of planning control. The Council has produced its own Regulatory Services Enforcement Policy which sets out the range of options that are available to achieve compliance with the legislation that the Council enforces, and how discretionary powers may be used to regulate and raise standards in various sectors.

3.2 The types of complaint which can be investigated by the Planning Enforcement Team

- Unauthorised building works;
- Unauthorised change of use;
- Unauthorised works to listed buildings;
- Unauthorised advertisement displays;
- Unauthorised works to trees in a Conservation Area or protected by a Tree Preservation Order;
- Failure to comply with a planning condition or similar limitation;
- Untidy land

Matters outside the remit of planning enforcement, such as boundary disputes and loss of views, are considered to be private matters that need to be resolved by the aggrieved parties involved. Any issues relating to Highways are dealt with Essex Highways and not the LPA.

3.3 Your involvement in planning enforcement:

Your help is vital to the success of our planning enforcement service. In order to report a suspected breach of planning control please complete the online form available on the Council's website or via the local Ward Councillor or MP. Please provide the Council with as much information as you can about the breach (e.g. the exact address or location, when activities started and addresses of the alleged contravener if known).

3.4 Will my complaint be confidential?

Yes, your personal details will remain confidential. In certain serious cases when enforcement or legal action is taken, the Council may ask you to help provide evidence at an appeal or in court. Before this happens the officer you have been dealing with will ask if you're happy to do this.

3.5 Keeping you informed:

A letter of acknowledgement will be sent out by email or post within five working days of the receipt of a complaint. Both the complainant and the contravener will be kept informed about the progress of the investigation and the outcome.

3.6 How long will it take to deal with the complaint?

Complaints will be normally be dealt with in accordance with their urgency. Most complaints will be processed within 12 weeks. However, some complaints cannot be dealt within this timescale if they involve complicated discussions with a developer.

4.0 How will the Council will consult on Planning Policy Documents?

4.1 Who We Will Consult

The nature of community involvement will vary depending on the type of planning policy document being produced. While any person, organisation or company can be involved in the engagement and consultations that will happen as the Council prepares its Local Plan and other policy documents, the Regulations specify the following consultation categories:

- Duty to cooperate bodies
- Specific consultation bodies – statutory consultation groups that are knowledgeable, and may have an interest in the subject of the proposed Local Plan or other planning policy document.
- General consultation bodies – may include voluntary bodies, community interest groups, NGOs and local business groups.

Other consultation bodies may be engaged if they are likely to have an interest in a planning policy proposal. These include but are not limited to developers, landowners and professional planning organisations, education and health providers, general public, elected Council Members.

‘Seldom heard’ groups are those whose voices are rarely heard during consultation processes and include those who are young, old, disabled or of ethnic minority groups, amongst many others. It is a priority to ensure the Council work with all sections of the community to ensure an inclusive approach to the development of the borough.

4.2 How people can be involved:

The Council’s consultation portal enables registered consultees and agents to participate in planning policy consultations. People interested in the Local Plan and other planning policy documents can also register for an account on the consultation portal. To register, log on to <http://basildon-consult.limehouse.co.uk/portal> and complete your contact details. Alternatively write to, email, or phone the Planning Policy team with your contact details, to be added to the mailing list.

4.3 Methods of Communication:

How the Council involves the local community and statutory consultees during the preparation of a Development Plan for its area, will vary dependent on the type of planning policy document being produced. Details of the different methods of consultation that may be used by Basildon Council can be viewed in Appendix 2: A selection of consultation methods of the full SCI report.

4.4 Deposit Points:

As a minimum, reference copies of consultation documents will be made available on Basildon Council's website throughout the period of consultation. Reference copies of consultation documents will also be available for display at the Basildon Borough's main Deposit Points throughout the period of consultation, having regard to the most up-to-date government policy or guidance on social distancing, when applicable. The Borough's main deposit points include:

- Basildon Borough Council Offices: The Basildon Centre, St. Martin's Square, Basildon SS13 1DL
- Basildon Library: The Basildon Centre, ST. Martin's Square, Basildon SS14 1EE
- Billericay Library: 143 High Street, Billericay, CM12 9AB
- Wickford Library: Market Road, Wickford, SS12 0AG

Reference copies of consultation documents will be made available for display throughout the period of consultation at the following locations, depending on the scale and type of consultation, having regard to the most up-to-date government policy or guidance regarding social distancing.

- Pitsea Library: Community Centre, Off Maydells, Pitsea, SS13 3DU
- Laindon Library: 5-7 New Century Road, Laindon, Basildon, SS15 6AG
- Fryerns Library: Whitmore Way, Basildon, SS14 2NN
- Vange Library: Southview Road, Basildon, SS16 4E
- Where possible, the Council will work with Local Councils (including Town, Parish and Village Councils) to make reference copies of relevant consultation documents available to the local community on online forums and websites, and in town and village halls where practicable.

4.5 Commenting on Planning Policy Documents:

Comments can be made in writing:

- By email: planningpolicy@basildon.gov.uk ; or
- By post to: Planning Policy, Basildon Borough Council, The Basildon Centre, St Martin's Square, Basildon, Essex, SS14 1DL; or
- By entering comments online via our consultation portal website: <http://basildon-consult.limehouse.co.uk/portal>, after registering as a user.

All comments received as part of a planning policy consultation will be collated, analysed and taken into account in decisions made by the Council. Where appropriate, changes will be made to the planning policy document to reflect comments received before it is progressed to the next stage.

There are some types of comments that cannot be considered or published due to their nature. These include comments which are considered to be inappropriate, late, anonymous, GDPR non-compliant, or illegible.

4.6 Statements of Consultation:

Publishing “Consultation Statements/Statements of Consultation” is an important part of the consultation process. It sets out which bodies and persons have been consulted, how they have been consulted, the main issues that were raised and how these issues have been addressed. These Statements will be published on the Council’s website and will be available at the Basildon Centre for public inspection during opening hours.

4.7 The Local Plan:

The Local Plan guides new development, setting the overall planning strategy for the area and setting policies and proposals for what development can and cannot happen and where. Basildon Council is preparing a single Local plan document, but also working with other South Essex authorities and Essex County Council to prepare a Joint Strategic Plan.

Local plans and other planning documents are required by the NPPF to be evidence based.

Please refer to the key stages below which outline when key stakeholders and the local community can get involved in the process. Further details on each stage of the Local Plan process are available in paragraph 4.42 – 4.57 of the full SCI report.

4.8 South Essex Plan:

The South Essex Plan aims to deliver a more coordinated planning, regeneration and investment agenda to benefit the local communities. A Part II Statement of Community Involvement is now being prepared, and sets out the proposals for consulting the public at various stages of preparing the South Essex Plan. The Part II SCI will provide an Addendum to each of the SCIs for the six South Essex authorities working in partnership on the South Essex Plan, including Basildon Council. The Statement of Community Involvement (SCI) Addendum will be inserted into the Basildon Borough SCI at a later date.

4.9 Supplementary Planning Documents:

Supplementary Planning Documents (SPDs) can be used to add greater detail to policies within the Local Plan and can be topic or area based. When prepared, they must conform to policies contained within the Council's adopted Local Plan and be consistent with national policies. Whilst SPDs do not have the same weight as the Local Plan they will be a material planning consideration for planning applications and planning decisions.

The statutory requirements for preparing SPDs are set out within the Town and Country Planning (Local Planning) (England) Regulations 2012. Regulation 12 covers Public Participation, and Regulation 14 covers the Adoption of SPDs. The minimum consultation period required for SPDs is four weeks, and no Independent Examination is required.

Please refer to paragraph 4.65 of the full SCI report for details of each stage of the SPD process.

4.10 Neighbourhood Plans:

Neighbourhood planning enables communities to develop a shared vision and set of policies for the future development for their neighbourhood areas in the form of a Neighbourhood Development Plan (NDP) or Neighbourhood Development Order (NDO). These can be used to choose where new homes, shops and employment should be built, protect important green spaces and influence what new buildings should look like, and to directly grant planning permission for specific types of development within the defined neighbourhood area. On completion, the Neighbourhood Plan becomes part of the Council's statutory development plan to be used in the determination of planning applications.

It is the responsibility of local councils and designated neighbourhood forums to ensure that the local community is kept informed of progress on the plan. The regulations governing the preparation of Neighbourhood Plans also place various statutory duties and responsibilities on the Council in providing advice and support to assist local councils and neighbourhood forums in the preparation of NDPs and NDOs, and to carry out certain duties such as take them through a process of examination and referendum. 'Table 4.5: Basildon Council Statutory Support for Neighbourhood Plans' and 'Appendix 3: Basildon Borough Neighbourhood Planning Support Policy' of the full SCI report sets out the support and advice that Basildon Council will deliver to qualifying bodies, to facilitate proposals for making and modifying neighbourhood development plans and orders.

4.11 Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA)

The Sustainability Appraisal (SA) looks at the social, economic and environmental implications of a plan, seeking to ensure that the document contributes to a sustainable development and that the plan takes the most appropriate approach given reasonable alternatives.

The SA will be subjected to targeted consultation at its 'scoping' stage, and wider consultation when published for comment alongside a consultation draft Local Plan and submission Local Plan. At each stage of the Local Plan preparation there is a corresponding stage of the SA and the SA documents are made available for comment during public consultation.

The SA, where appropriate, will incorporate the Strategic Environmental Assessment (SEA) in accordance with European Directive EC/2001/42. The process is laid out in government guidance. The SEA requires the formal environmental assessment of certain plans and programmes which are likely to have significant effects on the environment.

4.12 Community Infrastructure Levy (CIL) Schedules:

The Community Infrastructure Levy (CIL) is a charge that is levied on new development floor space which is intended to contribute towards the provision of infrastructure to support growth. Basildon Council is currently preparing a CIL charging schedule in tandem with the LDS timetable for the emerging Local Plan.

There is a statutory process for preparing a CIL Charging Schedule. Regulations 15 and 16 of the Community Infrastructure Regulations 2010 (as amended) require local authorities to undertake a clearly defined procedure prior to adopting a CIL Charging Schedule. The key stages are set as follows:

- Preparation stage
- Consultation stage
- Examination and Adoption stage

4.13 Community Infrastructure Levy: Neighbourhood Portion

At least 15% of funds received through the Community Infrastructure Levy are passed directly to those parish and town councils where development has taken place to be spent on projects that have taken account of the views of the communities in which development is taking place. Where a neighbourhood plan is made, the neighbourhood portion of CIL may rise from 15% to 25% to be spent on local priorities.

5.0 Personal Privacy

The introduction of the General Data Protection Regulation (GDPR) 2018 has triggered a review of the way Basildon Council manages data as a local planning authority. The Council's Privacy Notices explain how and for what purposes we process your personal data. It applies to personal data that is processed electronically and on paper.

Section 5 of the full SCI report explains what to expect when Basildon Council collects your personal data, and how we protect your privacy in accordance with our obligations under both the Data Protection Act 2018 and GDPR 2018.

6.0 Monitoring and Review

The Town and County Planning (Local Planning) (England) (Amendments) Regulations 2017 requires a review of the SCI to be completed every five years, starting from the date of adoption.

Changes to the SCI will only be made in the following circumstances:

- Where changes to planning legislation or government guidance affect consultation procedures and requirements;
- Where in the light of experience and feedback from community involvement exercises, changes are necessary to improve arrangements;
- Where the Council makes new arrangements for community engagement, which are not reflected in the existing SCI;
- The need to reflect examples of best practice emerging from elsewhere.
- Any necessary changes to the SCI will be noted for review and will be reported through the Council's Annual Monitoring Report (AMR).