

Somerset West and Taunton

SOMERSET WEST AND TAUNTON: STATEMENT OF COMMUNITY INVOLVEMENT

Draft for Consultation July 2019

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For further details about the Local Development Scheme and the timetable for the production of our New District wide Local Plan: to view and download this and other documents, please visit our website.

<https://www.somersetwestandtaunton.gov.uk/planning-policy/local-development-scheme/>

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Contents

Page

What is a Statement of Community Involvement?	4
Why have an SCI?	4
How can you get involved?	4
Corporate Context	5
Community Involvement in Plan Preparation	5
The Planning System	5
Development Plan Documents	6
Strategic Environmental Assessment and Sustainability Appraisal	7
Supplementary Planning Documents	7
Neighbourhood Planning	7
Who we will consult	9
Consultation methods	9
Equalities and Diversity	11
What we do with representations received	11
What we will do if you feel unfairly treated	12
Community Involvement in Development Management	12
The Planning System	12
Pre-application (for the applicant to undertake)	13
Application (for the Council)	14
Who we will consult	14
How we will consult	15
What we do with representations received	15
Decisions	16
Post-application (the Council)	16
What we will do if you feel unfairly treated	16
Monitoring and Review	17
Appendix A – Stakeholders to be involved in local planning policy	18
Appendix B – Stakeholders to be involved in development management	20
Appendix C - Definition of application type	21
Appendix D – Neighbourhood Planning	23

What is a Statement of Community Involvement?

1. This Statement of Community Involvement (SCI) sets out how Somerset West and Taunton will involve the community and stakeholders in the preparation, alteration and review of local planning policy and the consideration of planning applications within the Local Planning Authority area. This is our first SCI for the new Council and has been prepared to take account of changes to planning policy nationally, as well as learning from elements of the former SCI's for Taunton Deane BC and West Somerset Council respectively. The Exmoor National Park Authority is the Local Planning Authority for the parts of the former West Somerset District which lie within the Exmoor National Park. The National Park Authority is responsible for publishing its own SCI.

Why have an SCI?

2. Decisions on where new homes, jobs, shops, services and facilities should go must take account of the capacity of a range of things including infrastructure, environmental and social constraints as well as opportunities. Often, local communities have the best understanding of how their areas work. To this end it is vital that the views of local communities and other stakeholders are taken into account through both plan-making and decision-taking (development management) processes. The Council also has legal duty to prepare an SCI.
3. The Council also has a legal duty to consult in the preparation of local plans and on planning applications. These duties and responsibilities are set out in a number of pieces of legislation including:
 - the Planning and Compulsory Purchase Act (2004),
 - Localism Act (2011),
 - Town and Country Planning Act (1990),
 - Town & Country Planning (Development Management Procedure) (England) Order (2010)
 - the Town and Country Planning (Local Planning) (England) Regulations 2012, and;
 - the Neighbourhood Planning Regulations (2012).

How can you get involved?

4. There are two areas of planning that you can be involved in:
 - **Planning policy preparation** (The Local Plan and other planning policy documents) - setting the policy framework against which development proposals will be assessed. Decisions on planning applications are made in line with these local planning documents.
 - **Planning applications** (Development Management) - most types of development require a planning application to be submitted and approved. Anyone can view and make comments on a planning application.

Corporate Context

5. This is the Council's first SCI. It is one of a suite of documents aimed at developing a shared Vision for the future of the Somerset West and Taunton Local Planning Authority area.

Community Involvement in Plan Preparation

The Planning System

6. The planning system requires local authorities to produce Local Plans. These set out the spatial strategy for an area - where people will live, work and spend their leisure time - and provide the basis on which planning applications are determined.
7. Planning Legislation, Regulations and Guidance set out what documents must be produced, how they must be developed and examined by an independent examiner.
8. Further information regarding the Council's programme for preparing development plan documents is contained in the Local Development Scheme. Copies of the Local Development Scheme are available from:
 - the Council's website at <https://www.somersetwestandtaunton.gov.uk/planning-policy/local-development->
 - or may be inspected at the Council's offices:
 - West Somerset House, Killick Way, Williton, Somerset TA4 4QA, and;
 - The Council office – Deane House, Belvedere Road, Taunton, TA1 1HE
9. The Statement of Community Involvement will be used by the Council to guide the approach to the consultation undertaken in the preparation of its local plans. There are two types of local plans:
 - Development Plan Documents (such as the West Somerset Local Plan to 2032 and the Taunton Deane Core Strategy to 2028), and;
 - Supplementary Planning Documents (these may include planning obligations SPD, strategic site masterplans etc. which provide more detail for the application of statutory planning policies).
10. The Statement of Community Involvement should be used by those producing the documents to guide the approach to the consultation undertaken in their preparation.

Community Involvement in Plan Preparation

Development Plan Documents

11. Development Plan Documents (DPDs) set out policies and proposals for the regulation and use of land within the LPA area. The Taunton Deane Local Plan 2012-2028 and West Somerset Local Plan 2016-2032 are examples of DPDs. Going forward, we will be producing a new Local Plan covering the new Somerset West and Taunton LPA area to 2039. Other DPDs may also be produced for specific sites or issues and these will be set out in the LDS.
12. Each DPD goes through a series of formal stages of production prior to adoption. These involve the consideration of alternative options, public consultation, and a publication stage at which formal representations are made and submission for independent examination.
13. The formal stages in the production of a development plan document are:
 - **Pre-publication consultation** – this could be undertaken once or a number of times. The exact scale and extent of consultation may depend on the scope and content of the Plan being prepared. For a Local Plan, issues, strategy options and preferred strategy consultations are likely to be appropriate, as well as other engagement outside these specific exercises. This gives communities a chance to input early into strategic and policy direction for plans. Representations received will be collated into a report which also says how the issues raised have been addressed.
 - **Publication** – Following further evidence gathering and strategy and policy development, in which comments from previous consultations have been taken account, the plan will be formally published for consultation. At this stage, the DPD will essentially be the Plan that the LPA want to submit it in for Examination. At this point stakeholders and members of the community can make formal representations on the Plan's soundness. These representations are then considered by an Examiner considering the soundness of the Plan.
 - **Submission** – the Council must submit the published plan to the Secretary of State along with all representations received at the publication stage.
 - **Examination** – an independently appointed Inspector will consider the soundness of the Development Plan Document against several tests as well as whether the Council has complied with the relevant Regulations. The Examination will consist of a series of Examination Hearing Sessions where those who have made representations at the Publication stage may be permitted to appear and provide oral representations to the Inspector. The Inspector may then make recommendations for Main (and minor) Modifications to the submitted DPD. Where Main Modifications are recommended, there would be further public consultation.

- **Adoption** – following receipt of the Examiner’s Report (and subject to the Plan being found sound) the Council can formally adopt the Plan as a Development Plan Document.

Strategic Environmental Assessment and Sustainability Appraisal

14. A Sustainability Appraisal (SA) incorporating Strategic Environmental Assessment (SEA) Scoping Report is produced when starting the process of DPD preparation; it is consulted on to allow interested parties to make representations on what the SA/SEA should contain.
15. An SA/SEA is an iterative process undertaken when preparing each stage of a DPD, documenting and evidencing decisions taken on options for the DPD in relation to strategies, policies and allocations. A report is consulted on at key points throughout the plan-making process, at the same time as the DPD.
16. Where both these documents are required The Council may combine them into one publication.

Supplementary Planning Documents

17. Supplementary Planning Documents (SPD) are non-statutory planning policy documents which provide additional information or detail on the how particular policies in a DPD should be applied. Examples include: masterplans, development briefs and design guidance. The process for the preparation of SPDs is simpler than the more formal requirements laid down in the Regulations for preparing DPDs.
18. The 2012 Local Planning Regulations require the following stages for the production of an SPD:
 - **Publication** – at which point stakeholders and members of the community can make formal representations on the draft SPD. Representations received will be collated into a report which also says how the issues raised have been addressed.
 - **Adoption** – following consideration of the consultation responses and the making of any appropriate amendments, the document will be considered by the Council for formal adoption.

Neighbourhood Planning

19. The Localism Act 2011 introduced a new, locally prepared, tier of statutory planning policy: Neighbourhood Development Plans and Neighbourhood Development Orders. These Documents, when successfully completed, form part of the Statutory Development Plan for the area, used to determine planning applications. The qualifying body (the Town or Parish Council) is responsible for research, drafting and consultation during the development of the document. The District Council is responsible for certain regulatory stages in the process, the details of which are set out in Appendix D.

20. The Council expects the relevant qualifying body to undertake appropriate and effective consultation with the community and stakeholders. Such engagement will identify issues that will shape the form and content of the Neighbourhood Plan or Development Order.
21. Every Neighbourhood Plan or Development Order is individual and therefore the scope and form of consultation will vary. Statutory stakeholders have specialist knowledge, information and expertise which can assist in the development and production of the Neighbourhood Plan. Voluntary Bodies have locally specific knowledge on the range of groups and people in the area. Those who live, work and play in the area may also have specific insights which can be invaluable.
22. The Council expects the town or parish council preparing the Plan to provide details of the engagement undertaken; including a list of organisations, associations and bodies who were consulted, a summary of their input, how the Neighbourhood Planning group have taken account of any relevant issues and how the draft neighbourhood plan has been shaped to take account of them.
23. A number of bodies can advise and provide training and support to neighbourhood plan groups. The Council can assist in identifying appropriate organisations and sources of information.
24. The Council is responsible for notification and facilitating the following regulatory stages in the Neighbourhood Plan process:
- **Designation of a neighbourhood planning area** – Stakeholders and members of the community can make formal representations on the compliance with the regulations of the proposed Neighbourhood Planning Area. In parished areas, the relevant qualifying body for neighbourhood planning purposes will always be the local town or parish council. In unparished areas of the district (i.e. within Taunton itself), the relevant qualifying body may be a neighbourhood forum or other community organisation. Once a neighbourhood area has been designated by the Council the designation must be formally advertised.
 - The Council will check that the Draft Neighbourhood Plan complies with the criteria for a Neighbourhood Plan in the Legislation and Regulations.
 - **Publicising the Draft Neighbourhood Plan** – Stakeholders and members of the community can make formal representations on the plan. These representations are submitted alongside the plan for consideration by the Independent Person appointed to consider the soundness of the neighbourhood plan.
 - **Examination of the Neighbourhood Plan** - The Council will appoint an appropriately qualified Independent Person to consider whether the draft Neighbourhood Plan is in compliance with the relevant Regulations and Legislation.
 - The Council considers the Independent Person's recommendations and amends the plan accordingly where appropriate. Assuming that the draft

Neighbourhood Plan can be made compliant it is subject to a referendum within the Neighbourhood Planning Area.

- **Decision on the Neighbourhood Development Plan proposal:** Following the referendum, if a simple majority of those voting support adoption of the Neighbourhood Plan, then the Council must formally “make” the Neighbourhood Development Plan. Once it has been “made” it becomes part of the Statutory Development Plan for the area.

25. The Neighbourhood Planning Regulations³ set out who must be consulted at which Stage.

Who we will consult

26. We will consult people at various stages in the development of local plans. The Town and Country Planning Regulations require Local Planning Authorities to involve the community and stakeholders in Local Plan preparation and specify a number of organisations which must be consulted on local plan matters relevant to them (the Specific Consultation Bodies) and also describes a number of interest group types (General Consultation Bodies) to be included. A list of Specific Consultation Bodies, General Consultation Bodies, and other organisations and groups the Council seeks to involve in plan-making is included in Appendix A.

27. In addition to meeting its statutory obligations, the Council is committed to ensuring that local groups, organisations and individuals are provided with the opportunity to be involved in the preparation of local development documents.

28. The Council has a database of consultees, who have either commented upon, or expressed an interest in being involved with the development of local plans. This database is used to keep individuals, companies and organisations informed on the production of the Local Plan and other planning policy documents. New consultees are added to the consultation database via e-mail or letter to the Strategy Team requesting inclusion on to the database. The General Data Protection Regulations will be followed to ensure that personal data is only required and retained where proportionate and necessary, is only gathered where explicit consent has been provided, is kept securely and is not disclosed to others.

Consultation methods

29. The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the minimum requirements for public participation in the preparation of Development Plan Documents. These are marked in the following list of methods with an “M”. The Council aims to go beyond these requirements; examples of ways we may do this are listed after the statutory requirements.

30. A variety of methods will be used at various stages of the planning process to enable community involvement in the preparation of local plans. These methods include, but are not limited to:

- **The Council’s website (M)** – consultation activities will be publicised through the Council's website, on the Planning Policy home page at: <https://www.somersetwestandtaunton.gov.uk/planning-policy/> Local plan

evidence base studies and related information are also available to view and download.

- **Inspection Points (M)** – hard copies of documents will be available for inspection at the Council's Offices (at Deane House, Taunton and West Somerset House, Williton) during consultation periods. In addition we will also make them available at selected local libraries in the area. Copies of the evidence base studies are also be available to view on request in these locations.
- **E-mail (M)** – notifications will be sent to statutory bodies, stakeholders, relevant groups and other individuals and organisations on our consultation database. The Council's Strategy t team is contactable via the following generic e-mail address_- strategy@somersetwestandtaunton.gov.uk
- **Letters (M)** –postal notifications will be sent to statutory bodies, stakeholders, relevant groups and other individuals and organisations on our consultation database where we only have a postal address or they have specifically requested to be contacted by post.
- **Local News Media** – Public Notices will be placed in the Somerset Gazette Advertisements will include details on when and where planning documents can be inspected, how copies can be obtained, the closing date for representations and where to send them. We will also issue a press release to appropriate local news media.
- **Public exhibitions / drop-in sessions** – these events, staffed by planning policy officers, provide information and detail on the emerging proposals. They offer the opportunity for the public and stakeholders to ask questions about the Plan and collect information and literature about the consultation exercise. This helps to target members of the community who may not get involved through electronic media or more formal methods.
- **One-to-one meetings** – with individuals, groups, organisations and stakeholders as appropriate, to provide the opportunity for exchange on information, discussions and problem solving. However, it is the responsibility of the individual, group or organisation to submit written comments after the meeting if they wish.
- **Presentations** – to groups, organisations and stakeholders as appropriate, to target particular people in the community who may be interested in a specific issue.
- **Community and resident meetings and groups** – use of pre-existing community and resident meetings to target people with specific characteristics or interests.
- **Local Plan Newsletter** – this will be published from time to time via the Council's website to provide information about the progress of planning policy document preparation and public engagement opportunities.
- **Local Plan Workshops and Focus Groups** – Round table workshop

sessions and focus groups can provide a valuable opportunity to discuss proposals in some detail and to receive feedback and answer questions. This informal environment may also help to reach people who might not get involved with more formal processes.

- **Social Media** – we may advertise consultations through the Council's Twitter and Facebook accounts with additional tweets if appropriate during the course of the consultation.

31. It is recognised that some of the methods outlined above may not suit everybody, however it is hoped that the variety of methods will enable a wide range of people to get involved in the consultation process.

32. In line with Equalities legislation, all of our publications will be written clearly and concisely, explaining any technical terms or language. A translation facilities box will be included on all consultation and adopted DPDs and SPDs. We will also offer an appropriate timescale for representations to be received to allow everyone to have the chance to participate.

Equalities and Diversity

33. The Equality Act (2010) defines nine “protected characteristics”: age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Council will ensure that these characteristics do not affect people’s ability to respond to our consultation and have their views heard.

34. It is recognised that some groups are harder to engage with than others. These can include: those for whom English is not their first language, people with disabilities, children and young people, older people, gypsies and travellers, ethnic minorities, and the homeless. Such groups may not be engaged by or may be unable or unwilling to engage in traditional consultation methods. The Council will endeavour to take account of barriers faced by these groups and try to overcome these by using alternative methods of consultation, or by asking affected groups or individuals how they would like to be involved.

35. A list of community and voluntary organisations operating in Somerset West & Taunton with links to equality and diversity groups is included in Appendix A. This is not an exhaustive list, it provides an indication of the variety of harder to reach groups in the District.

What we do with representations received

36. We will read all representations received and take into account those which are related to planning policy matters. Because we get a large number of responses we cannot always respond individually to them, but we will produce a summary document which will be published on our website.

37. All representations received will be public documents and as such will be available for others to see. In line with the General Data Protection Regulations we will not publish personal data such as personal e-mail addresses, signatures, telephone numbers or postal addresses. We cannot keep your name secret.

38. The Council will not accept or publish comments that are offensive, obscene, racist or illegal. We may pass any such material to the Police.
39. A statement of consultation will be produced containing an overview of the consultation activities undertaken, summary of representations received and how or what the Council will do to take these into account in the final document. This statement will form part of the publication documentation for local planning documents.
40. A response report on the consultation exercise will be presented to the Council's Executive and where appropriate Full Council Local Development Panel. All responses will be considered although not all will justify amendment to the Plan's content. Responses suggesting changes to the Plan's strategy or policies should be supported by appropriate evidence where possible.
41. When submitting a DPD to the Secretary of State, the Council is also required to submit a statement of compliance setting out which bodies and other persons have been consulted, how they have been consulted, the main issues that were raised and how these have been addressed.

What we will do if you feel unfairly treated

42. The level of service you can expect from the Council is set out in our Service Standards. If a person is not happy with the service they have received they should contact the Strategy team in the first instance via the generic email address: strategy@somersetwestandtaunton.gov.uk . If they are dissatisfied with the response they can make a formal complaint through the Council's Complaint Procedure, set out on the website at <https://www.somersetwestandtaunton.gov.uk/contact-us/complaints-and-compliments/>.
43. The Local Government Ombudsman investigates complaints of injustice arising from misadministration by Local Government and certain other bodies. The Ombudsman can investigate complaints about how a Council has done something. However, they cannot question what a Council has done simply because someone does not agree with it. www.lgo.org.uk

Community Involvement in Development Management

The Planning System

44. The Planning System requires Local Authorities to determine applications for changes of use of land and buildings.
45. Planning Legislation, Regulations and Guidance set out what should be in an application and the process for making decisions on its acceptability.
46. Development Management decisions shape the character of an area. The Council determines a range of applications, inter alia, household extensions, fences, listed building applications, changes of use, advertisements to major

housing and business premises.

47. Applications for nationally significant infrastructure projects are considered by the Planning Inspectorate. As Somerset is a two tier local authority area, planning applications for waste, minerals and major highway schemes are considered by Somerset County Council.
48. There are four stages at which the local community and stakeholders may be consulted and/or notified about development proposals:
- pre-application stage - undertaken by the applicant once or a number of times. The exact scale and extent of consultation will depend on the scope and content of the planning application being prepared;
 - application stage - undertaken by the Council this is formal consultation on the application;
 - when a decision has been made - undertaken by the Council; and
 - appeal on a decision - undertaken by the Council on behalf of the Planning Inspectorate (PINS), additional formal comments may be submitted.
49. Planning Acts, Orders and Regulations set out the approach that the Council and applicants are required to undertake in regard to consultation.
50. The SCI will be used by the Council to set expectations for applicant led consultation and guide our approach to consultation in the planning application process.

Pre-application (for the applicant to undertake)

51. Because the Council is rarely the applicant for planning permission, this section of the SCI is primarily focused on setting the standards we would expect an applicant to follow prior to making an application for planning permission.
52. We recommend that all applicants undertake appropriate and effective pre-application consultation with the community before submitting an application. Early engagement with the Council, local community and key stakeholders can identify and address issues before applications are submitted, shape the design of the development and ensure sufficient information is submitted for an application to be registered and a recommendation made.
53. Engagement with the Council is important and can vary from a short conversation with a Council Officer to a number of meetings with various Council Services and Elected Members. Pre-application advice is subject to the payment of an appropriate fee. The fee is based on the size and type of development. Details of the Pre-application advice service and fees are available on the [Council](https://www.somersetwestandtaunton.gov.uk/planning/pre-planning-advice/) web site: <https://www.somersetwestandtaunton.gov.uk/planning/pre-planning-advice/>
54. Open and transparent consultation with Parish and Town Councils as well as members of the public at public meetings is recommended. Advice from the Council and Parish or Town Councils is confidential and will be “without prejudice” to

any eventual decision of an application. Views from a wide number and range of community members; utilising local and community media, publications and knowledge is expected.

55. The Council expects an applicant to provide details of the pre-application engagement undertaken; including a list of the organisations, bodies and people who engaged with the consultation, a summary of their responses and an explanation of how they have taken account of any relevant issues raised as well as how the developer has amended their scheme to take account of them. This should also be presented within the appropriate policy context, relevant national and local policies and links to local strategies.
56. Every planning application is individual therefore the scale of community consultation and techniques used will vary. The Council can advise on relevant issues and suggest ways to involve and inform the community.
57. A number of bodies can advise and provide training to communities on a range of planning issues including pre-application engagement, representations to planning applications and planning policy consultations. Planning Aid England provides a range of advice and support to individuals and communities. See their web site for more information: <http://www.rtpi.org.uk/planning-aid>. The Planning Portal also provides information on the planning system to individuals, developers and Councils: <http://www.planningportal.gov.uk>.

Application (for the Council)

58. When an application is received it will be registered and checked to make sure that all the information the Council expects is submitted. When it has been validated it will be included on the weekly application register. The register as well as all information and correspondence pertaining to the application will be put on the case file. This will be available on the Council's website <https://www.somersetwestandtaunton.gov.uk/planning/find-a-planning-application/>. Paper copies of current planning applications can also be made available to view on request at West Somerset House's Reception in Williton and Deane House Reception, Taunton.

Community Involvement in Development Management

Who we will consult

59. The Town and Country Planning (Development Management Procedure) (England) Order 2010 requires the Council to consult the community. For certain types of application the Council is also obliged to consult with specific groups and organisations, often referred to as statutory consultees, these are listed in Appendix B. Consultation will be proportionate to the application being considered.

How we will consult

60. The Council has a duty to ensure applications and decisions are properly publicised in order that the public and stakeholders can meaningfully influence the process. The Council is required to publicise the application, either by site notice or by writing to neighbours. Site notice/s will be placed in a prominent position on or near the site. For some larger developments, applications contrary to the local plan and some statutory applications, such as those affecting Listed Buildings or Conservation Areas, a Public Notice will also be placed in that section of the local newspaper⁷.
61. The letter, notice or advert will contain details of the planning application and information on where plans and any supporting documents accompanying the application can be viewed. It will also explain where to make representations and when they have to be returned to the Council.
62. Sometimes planning applications are revised after they have been submitted; this could be as a result of matters of concern or items raised in objections. In these cases, the Council may re-consult those people originally notified of the application to give them the opportunity to comment on the amendments. The Council has a statutory time limit within which SWT has to determine most applications. Given this a 14 day response period will usually apply for re-consultation.
63. Parish and town councils are consulted on the planning applications within their area, other than those that are determined by them Under the Council's Delegated Scheme – Milverton, Pitminster and Wellington.

Community Involvement in Development Management

What we do with representations received

64. Representations received will be put in the case file and published on the Council's website. The Council will only be able to consider matters relating to planning and the planning application. The Council will not accept comments that are offensive, obscene, racist or illegal. We may pass such material to the Police.
65. Where appropriate, comments may result in changes to an application, conditions attached to an application decision to address particular issues or refusal of an application. There are nearly always differing views and competing interests, we are required to make informed decisions having regard to national and local planning policies, development impacts and what will be in the best interest of the community.

Decisions

66. For most minor and householder applications decisions are made by Principal Planner Specialist under powers delegated and set out in the Somerset West and Taunton Council Constitution (April 2019). Ward Councillors may request that any application be determined by the Planning Committee. Such requests received within 14 days of validation will be considered by the Chair & Vice Chair of the Committee.
67. For major, significant and controversial applications decisions are made by Councillors on the Planning Committee. The Development Management Officers prepare a report for committee outlining the proposal, issues raised and recommendations of either approval, approval with conditions or refusal.
68. Any person who has made a representation will be notified when the application is to be reported to the Planning Committee for determination.
69. On occasion the Secretary of State will call in an application rather than let the Local Authority decide. If this happens the Council will provide copies of all correspondence to the Secretary of State and publicise the call-in on its website.

Post-application (the Council)

70. Once a decision has been made on an application, the Council will publish it on the weekly decision register and in the local newspaper. For locations in the former district of West Somerset, a copy of the decision notice for all applications since 1974 is available on the Council's website. For location in Taunton Deane they are available from 1986.
71. Where an applicant is unhappy with the Council's decision they have the right to appeal. Applicants must lodge an appeal with the Planning Inspectorate who will determine its validity before initiating proceedings and setting a start date. When an appeal is accepted the Council has one week from the start date to notify all statutory consultees and interested persons. Statutory consultees and interested persons may have the opportunity to make any additional comments on the application. Within five weeks the Council will submit all relevant information, including further representations received, and an appeal statement to the Planning Inspectorate. The Inspectorate will re-evaluate the information and determine whether the Council's decision was correct or if it should be overturned. The Council will publish the decision on its website.

What we will do if you feel unfairly treated

72. The level of service you can expect from the Council is set out in our Service Standards. If a person is not happy with the planning service they have received they should contact either the Head of Strategy or the Principal Planner Specialist in the first instance. If they are dissatisfied with the response they can make a formal complaint through the Council's Complaint Procedure at: <https://www.somersetwestandtaunton.gov.uk/contact-us/complaints-and-compliments/>
73. The Local Government Ombudsman investigates complaints of injustice arising

from misadministration by Local Government and certain other bodies. The Ombudsman can investigate complaints about how a Council has done something. However, they cannot question what a Council has done simply because someone does not agree with it. www.lgo.org.uk

Monitoring and Review

74. The contents of the Statement of Community Involvement will be regularly reviewed in order to keep up to date with any changes in policy, to update consultee groups, where necessary, and to review the relative success of the various community involvement measures undertaken.

Appendix A – Stakeholders to be involved in local planning policy

To be checked and confirmed before publication

Specific Consultation Bodies - These are the statutory consultees defined in the Regulations	
Marine Management Organisation	The Highways Agency
English Heritage	Parrett Internal Drainage Board
Natural England	Somerset County Council
Environment Agency	Devon County Council
Sedgemoor District Council	British Telecom PLC
East Devon District Council	Commpro Telecommunications
Exmoor National Park Authority	Mobile Operators Association (MOA)
North Devon District Council	Mono Consultants Ltd.
Mid Devon District Council	T-Mobile (UK) Ltd
South Somerset District Council	
Homes and Communities Agency	O2 (UK) Ltd
Somerset Supporting People Partnership	Orange Personal Communications
NHS Clinical Commissioning Group and NHS Commissioning Board	Vodafone Ltd
Somerset Health & Wellbeing Board	South West Water
RWE npower renewables	Wessex Water
EDF Energy	Network Rail Infrastructure Limited
National Grid UK Transmission	Avon and Somerset Constabulary
National Grid	British Transco
Western Power Distribution	Wales and West Utilities
Blackdown Hills and Quantocks AONB's	Heart of South West LEP.
Local Nature Partnership (LNP)	
Town and parish councils	
Town and Parish Councils in and adjacent to the new Council area.	

General Consultation Bodies – The Regulations also require the Council to consult such general consultation bodies as it considers appropriate, this lists below are not exclusive and additional organisations can be added on request.	
a. Voluntary bodies some or all of whose activities benefit any part of the authority's area	
The West Somerset Initiative	Seaward Way Community Group
Minehead Conservation Society	Somerset Activity & Sports Partnership
POPP team leader, Age Concern Somerset	West Somerset and Exmoor Bridleways Association
Somerset Playing Fields Association	Community Council for Somerset
Rural Women's Network c/o Council for Somerset	Somerset Gay Health
Age Concern Somerset	Forum 21
Ecos Trust	Friends of Watchet Station
Single Parent Action Network	Scout movement and over 60 club
Cycle Somerset	Engage (formerly W Somerset CVS)
West Somerset Seniors' Forum	Transition Minehead and Alcombe
Somerset Wildlife Trust	Somerset County Federation of Womens' Institutes

The Woodcombe Society	Somerset Association of Local Councils
West Somerset LETS Group	West Somerset Citizens Advice Bureau
Williton Regeneration Partnership	CPRE, West Somerset District Committee
The Ramblers	CPRE South West
Magna Tenants Panel	RSPB SWRO
FWAG South West England Office	The Exmoor Society
10 Parishes	Artlife
Friends of the Earth	SUSTRANS
The Council's Registered housing providers	House Builders Federation
Transition Town Taunton	Onion Collective CIC
b. Bodies which represent the interests of different racial, ethnic or national groups in the authority's area.	
Equality South West	Traveller Education Service
Somerset Racial Equality Council	Friends, Families and Travellers
c. Bodies which represent the interests of different religious groups in the authority's area	
Faithnet South West	Property Officer and Secretary of the Houses and Glebe Committee of the Bath and Wells Diocesan Board of Finance
Minehead Baptist Church	West Somerset Methodist Circuit
Somerset Circuit of Jehovah Witnesses	Catholic Church, Clifton Diocese
d. Bodies which represent the interests of disabled persons in the authority's area	
Compass Disability Services	Taunton and District Mencap Society
Open Daws - Disabled Activities in West Somerset	Somerset Cancer Care, Minehead West Somerset Group
	Mind in West Somerset
e. Bodies which represent the interests of persons carrying on business in the authority's area	
Somerset Chamber of Commerce	West Somerset Business Forum
Federation of Small Businesses, Taunton and District	Minehead Chamber of Trade
Country Land and Business Association – South West	Road Haulage Association Bristol/Avonmouth, Cornwall, Dorset, Devon, Somerset, Wiltshire
South West Tourism Ltd	Regen
Business Link Somerset	WACET

Appendix B – Stakeholders to be involved in development management

The Regulations require the Council to consult specific consultation bodies when considering some planning applications.

The statutory consultees for Development Management include:

Local highway authorities

Local planning authorities

Natural England

Town and Parish councils

Rail network operators

Regional development agencies

The British Waterways Board

The Coal Authority

The English Sports Council

The Environment Agency

The Health and Safety Executive

The Historic Buildings and Monuments Commission for England

The National Park Authority

The Secretary of State for the Environment, Food and Rural Affairs

The Secretary of State for Transport

The Theatres Trust

The Office for Nuclear Regulation

The statutory consultees which need to be consulted vary depending on the type of application submitted, and the specific site circumstances. Therefore, the detailed table within Schedule 5 of The Town and Country Planning (Development Management Procedure) (England) Order 2010 should be referred to for more detailed information.

Appendix C - Definition of application type

The following is a general guide. As sites and applications are uniquely individual there may be deviations from these categories.

Application type	Description	Examples
Significant applications	Applications where there are considerable issues of scale and controversy	<ul style="list-style-type: none"> • Strategic Site Allocations • Large scale retail or residential development, i.e.: <ul style="list-style-type: none"> ○ 10 or more dwellings or where the site is more than 0.5 hectares; ○ All uses where floor space is more than 1,000m² or the site is more than 1 hectare. • Applications requiring a full transport assessment • Proposals to remove community facilities – such as development on playing fields • Schedule 1 and 2 developments under Environmental Impact Assessment Regulations⁹ • Applications are normally determined within 13 weeks
Departure applications	Applications contrary to or out of line with the Development Plan	<ul style="list-style-type: none"> • Applications considered to be in breach of and/or may significantly compromise the delivery of Local Planning Policy, i.e. <ul style="list-style-type: none"> ○ Core Strategy; ○ Local Plan; ○ Site Allocations and Development Management Plan; ○ Town Centre Area Action Plan. • Applications which must be submitted to DCLG for their consideration.
Small Scale applications	Applications for sites that are of local significance or are sensitive to development pressures and allocated sites that have not generated significant objection in the Development Plan Document process.	<ul style="list-style-type: none"> • Less than 10 dwellings • For all other uses where floor space is less than 1,000m² • Normally determined within 8 weeks

<p>Other minor applications</p>	<p>Applications for minor items which are of local significance or are sensitive to development pressures and allocated sites that have not generated significant objection in the Development Plan Document process.</p>	<ul style="list-style-type: none"> • Applications which impact on a local landmark • Applications in the Area of Outstanding Natural Beauty (AONB) or Site of Special Scientific Interest (SSSI) • Applications which propose the loss of a community facility - such as post office, public house • Applications for: <ul style="list-style-type: none"> ○ Advertising consent ○ Tree works ○ Conservation Area Consent ○ Listed Building Consent ○ Householder applications ○ Change of use for non-major developments where no building or engineering works are proposed ○ Normally determined within 8 weeks
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Appendix D – Neighbourhood Planning

In accordance with legislation set out in the Neighbourhood Planning Act 2017 Local Planning Authorities (LPA's) have to set out in their Statements of Community Involvement (SCI) their policy for discharging their duty to:

- give advice or assistance to neighbourhood development plan Qualifying Bodies (QB's) on proposals for making neighbourhood development plans (NDP's);
- the process for making neighbourhood development plans;
- give advice or assistance to neighbourhood development plan QB's in regard to proposals for modification of NDP's);

General Advice and Support:

To this end, West Somerset and Taunton will provide general information about Neighbourhood Planning on its website and specific information about Neighbourhood Planning for a defined areas on request. The type of information may include, amongst other things:

- Advice on setting up Qualifying Bodies (including Neighbourhood Forums, where applicable);
- Advice on designating the Neighbourhood Plan Areas;
- Advice on context such as: the Councils local planning policy, national designations (i.e. AONB's), Permitted Development Rights and national legislation such as what Neighbourhood Plans can and cannot do, and how these may affect the scope and content of a Neighbourhood Plan;
- Advice on engagement and consultation;
- A copy of any surveys, assessments, monitoring or mapping information that the Councils hold which is of relevance;

The LPA will also support QB's as they develop their community-led neighbourhood development plans by, amongst other things:

- Advice on due process, such as: regulation 14 consultation (undertaken by the qualifying body), submission documentation, Independent Examination, Referendum and the Neighbourhood Plan being made;
- Advice on compliance with the provision concerning neighbourhood development plans made by or under Sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011):
 - relates to the development and use of land;
 - date for the period for which it is to have effect it is clearly indicated;
 - does not include excluded development;
 - relates to the designated Neighbourhood Plan Area.
- Advice on meeting all the Basic Conditions (as set out in Schedule 4B to the Town & Country planning Act 1990):
 - has regard to national policies and advice contained in guidance issued by the Secretary of State;
 - contributes to achieving sustainable development;
 - is in general conformity with strategic policies in the TDBC development plan;
 - is compatible with EU Environmental Obligations and does not breach European Convention Rights;

The LPA have obligations at various stages of the neighbourhood plan process. There are

eight stages in statute where the LPA has responsibility. These are:

- Designation of a neighbourhood plan area;
- Designation of a neighbourhood forum;
- Publication of all documentation submitted to the LPA for a neighbourhood plan and consultation on those documents;
- Appointment of Independent Examiner;
- Submission to Independent Examiner;
- Publication of Examiners report;
- Referendum on a neighbourhood plan;
- Decision to make a neighbourhood plan.

To provide transparency of procedures, the LPA has set out what is required of it at each stage, any prescriptive timescales for this, how this is brought to people's attention, and who makes any decisions (if relevant).

Stage	LPA's Legal Obligations	Decision taken by	Notification
Neighbourhood plan area	<p>Following receipt of an application to designate a neighbourhood plan area the LPA must make and publish a decision on the designation:</p> <p>Where a Qualifying Body (QB) is a Parish Council, within 8 weeks from the date on which the area application is first publicised;</p> <p>In Forum Areas 13 weeks;</p> <p>If the area straddles two LPA's 20 weeks;</p> <p>Note: if consultation is required this must be a minimum of 6 weeks.</p>	<p>Officer technical decision in consultation with Portfolio Holder.</p> <p>If consultation is required a decision will also involve the Local Development Framework Steering Group.</p>	<p>The LPA will make the proposed designation, and its decision on it, available as:</p> <ul style="list-style-type: none"> • a hard copy at the Councils building and at location(s), as agreed with the QB, in the neighbourhood plan area; • a digital copy on the Councils website; • issue notifications via e-mail to statutory bodies, elected members and anyone who has asked to be kept informed of the plans in the LPA area. <p>If consultation is required notification will include where documents can be viewed, how representations can be made, and timescale for those.</p> <p>The LPA may also publicise this via Press Release (includes local news organisations), TDBC website, and Weekly Bulletin.</p>

Neighbourhood forum	<p>Following receipt of an application to designate a neighbourhood forum the LPA must make and publicise a decision on the application as soon as possible. The Secretary of State has powers to set timescales, or to intervene in the process.</p> <p>Note: A minimum of 6 weeks consultation</p>	Officer technical decision in consultation with Portfolio Holder and Local Development Framework Steering Group.	<p>The LPA will make the proposed designation, and its decision on it, available as:</p> <ul style="list-style-type: none"> • a hard copy at the Councils building and at location(s), as agreed with the QB, in the neighbourhood plan area; • a digital copy on the Councils website; • issue notifications via e-mail to statutory bodies, elected members and anyone who has asked to be kept informed of the plans in the LPA area. <p>If consultation is required notification will include where documents can be viewed, how representations can be made, and timescale for those.</p> <p>The LPA may also publicise this via Press Release (includes local news organisations) and Weekly Bulletin.</p>
Voluntary withdraw of designation of a neighbourhood forum*	Following receipt of an application to withdraw of designation of a neighbourhood forum the LPA must, as soon as possible, acknowledge and publish the request.	Not applicable.	<p>The LPA will publish:</p> <ul style="list-style-type: none"> • a hard copy at the Councils building and location(s), as agreed with the QB, in the neighbourhood plan area;

<p>*whilst there is no decision to make the LPA must publish and acknowledge the request.</p>			<ul style="list-style-type: none"> • a digital copy on the Councils website; • via e-mail to statutory bodies, elected members and anyone who has asked to be kept informed of the plans in the LPA area. <p>The LPA may also publicise this via Press Release (includes local news organisations) and Weekly Bulletin.</p>
<p>Publication of plan or order proposals (Reg16)</p>	<p>As soon as possible the LPA must publicise on its website and in such other manner as it considers likely to bring to the attention to those who live, work out carry on business in the Neighbourhood Area:</p> <ul style="list-style-type: none"> • The Plan/Order proposal; • Details of where and when the Order/Plan proposal may be inspected; • Details of how to make representations; • A statement that any representations may include a request to be notified of the Council's decision; • A deadline for the representations; and • Notify any consultation body which is referred to in the Consultation Statement that the proposal has been received. <p>The Secretary of State has powers to set timescales, or to intervene in the process. Note: A minimum of 6 weeks consultation from the date the proposal is first published.</p>	<p>Officer technical decision in consultation with Portfolio Holder.</p>	<p>The LPA will publish:</p> <ul style="list-style-type: none"> • a hard copy at the Councils building and at location(s), as agreed with the QB, in the neighbourhood plan area; • a digital copy on the Councils website; • issue notifications via e-mail to statutory bodies, elected members and body or person referred to in the Consultation Statement submitted by the QB and anyone who has asked to be kept informed of the plans in the LPA area. <p>The LPA may also publicise this via Press Release (includes local news organisations) and Weekly Bulletin.</p>

<p>Appointment of Independent Examiner</p>	<p>As soon as possible, with the provision that the Secretary of State has powers to set timescales, or to intervene in the process.</p>	<p>Officer technical decision with the Qualifying Body, in consultation with Portfolio Holder.</p>	<p>The LPA will publish this:</p> <ul style="list-style-type: none"> • on the Councils website; • via e-mail to statutory bodies, elected members and anyone who has asked to be kept informed of the plans in the LPA area. <p>The LPA may also publicise this via Press Release (includes local news organisations) and Weekly Bulletin.</p>
<p>Submission to Independent Examiner (Reg 17)</p>	<p>As soon as possible, with the provision that the Secretary of State has powers to set timescales, or to intervene in the process.</p>	<p>Officer technical decision in consultation with Portfolio Holder and Local Development Framework Steering Group.</p>	<p>The LPA will publish this:</p> <ul style="list-style-type: none"> • on the Councils website; • via e-mail to statutory bodies, elected members, body or person referred to in the Consultation Statement submitted by the QB and anyone who has asked to be kept informed of the plans in the LPA area. <p>The LPA may also publicise this via Press Release (includes local news organisations) and Weekly Bulletin.</p>

<p>Publication of examiners report (Reg 18)</p> <p>LPA's decision on examiners report (Reg 19)</p>	<p>A decision must be taken by the LPA on whether to submit a neighbourhood plan or order to a referendum within 5 weeks from the date the LPA receive the examiner's report.</p> <p>The LPA must publicise on its website and in such other manner as it considers likely to bring to the attention to those who live, work out carry on business in the Neighbourhood Area:</p> <ul style="list-style-type: none"> • The examiner's report; • The Council's decision in light of the report and reasons for it; and • Details of where the decision may be inspected. <p>The Secretary of State has powers to set timescales, or to intervene in the process.</p>	<p>Portfolio Holder decision. Officer technical advice, in consultation with the Local Development Framework Steering Group, to the Portfolio Holder.</p>	<p>The LPA will publish:</p> <ul style="list-style-type: none"> • a hard copy at the Councils building and at location(s), as agreed with the QB, in the neighbourhood plan area; • a digital copy on the Councils website; • issue notifications via e-mail to statutory bodies, elected members and body or person referred to in the Consultation Statement submitted by the QB and anyone who has asked to be kept informed of the plans in the LPA area. <p>The LPA may also publicise this via Press Release (includes local news organisations) and Weekly Bulletin.</p>
<p>Referendum</p>	<p>LPAs should hold a referendum within 56 days* of the decision that a referendum should be held, or 84 days weeks where it is cross-boundary, not arranged by the LPA or there is a business referendum; unless the Qualifying Body agree the referendum need not be helped by the prescribed date or the poll is taken on the same day as another poll.</p> <p>The LPA must publish:</p> <p>at least 28 days* before the referendum date (56 working days when a business referendum is also to be held):</p>	<p>For the decision to hold the referendum: Portfolio Holder decision. Officer technical advice, in consultation with the Local Development Framework Steering Group, to the Portfolio Holder.</p> <p>For the referendum result: the Counting Officer, or in cross-</p>	<p>In regards to the information statement and specified documents, the LPA will publish:</p> <ul style="list-style-type: none"> • a hard copy at the Councils building and at location(s), as agreed with the QB, in the neighbourhood plan area; • a digital copy on the Councils website; • issue notifications via e-mail to statutory bodies, elected

	<p>Information statement , specifying:</p> <ul style="list-style-type: none"> • that a referendum will be held; • the date on which the referendum will be held; • (the question to be asked in the referendum; • a map of the referendum area; • where the referendum area is not identical to the neighbourhood area, a map of the neighbourhood area; • a description of persons entitled to vote in the referendum; • the referendum expenses limit that will apply in relation to the referendum and the number of persons entitled to vote by reference to which that limit has been calculated; • that the referendum will be conducted in accordance with procedures similar to those used at local government elections; and • the address and times at which a copy of the specified documents can be inspected; <p>and specific documents:</p> <ul style="list-style-type: none"> • draft neighbourhood plan/order; • independent examiners report; • summary of any representations submitted to the independent examiner; • a statement that the local planning authority are satisfied the order meets the basic conditions; • a statement that sets out general information as to town and country planning (including neighbourhood planning) and the referendum. <p>and, in the case of a community right to build order:</p>	<p>boundary referendum the Chief Counting Officer.</p>	<p>members and body or person referred to in the Consultation Statement submitted by the QB and anyone who has asked to be kept informed of the plans in the LPA area.</p> <p>The LPA may also publicise this via Press Release (includes local news organisations) and Weekly Bulletin.</p>
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	<ul style="list-style-type: none"> • that the independent examiner has recommended that the draft order is submitted to a referendum; • a statement that sets out details of any enfranchisement right which are not to be exercisable in relation to land the development of which is to be authorised by the draft order, and the properties, or types of properties, in relation to which, the qualifying body proposes that right is not exercisable. <p>At least 25 days* before the referendum date publish the notice of referendum;</p> <p>At least 6 days* before the referendum date publish the notice of poll;</p> <p>After the referendum the counting officer must: declare the result, inform proper officer of the relevant Council and publicise:</p> <ul style="list-style-type: none"> • the result of the referendum; • the number of ballot papers counted; • the total number of votes cast for each answer; and • the number of rejected ballot papers under each head shown in the statement of rejected ballot papers. <p>Note: * timescales are excluding Bank Holidays, weekends and public morning.</p>		
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<p>Decision to make plan (Reg 20)</p>	<p>A neighbourhood plan or order should be brought into force 8 weeks from the date of the referendum, unless there are unresolved legal challenges.</p> <p>The LPA must, as soon as possible after making the Order/Plan:</p> <p>publicise on its website and in such as manner to bring to the attention of the who live, work and carry out business in the Neighbourhood Area:</p> <ul style="list-style-type: none"> • The decision and reason(s); • Details of where the decision can be inspected; • If made, the Plan/Order and details where it can be inspected. <p>send a copy of the decision to the QB, any person who has asked to be notified of it and notify any person who has asked where and when the Plan/Order may be inspected.</p>	<p>Member decision. Portfolio Holders recommendation to Full Council with Officer technical advice in consultation with the Local Development Framework Steering Group.</p>	<p>The LPA will publish this:</p> <ul style="list-style-type: none"> • on the Councils website; • issue notifications via e-mail to statutory bodies, elected members and body or person referred to in the Consultation Statement submitted by the QB and anyone who has asked to be kept informed of the plans in the LPA area. <p>The LPA may also publicise this via Press Release (includes local news organisations) and Weekly Bulletin.</p>
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End
