

Mendip District Council Statement of Community Involvement

Consultation Draft - September 2020 v1

**Mendip District Council
Draft Statement of Community Involvement -
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Mendip District Council Statement of Community Involvement Draft for consultation – September 2020

Foreword

We are committed to involving as many people and organisations as possible in planning the future of Mendip. Involvement will help the local community shape the future use of land, achieving better outcomes and ensuring that everyone who wants to make an input is able to.

This Statement of Community Involvement sets out the Council's approach to consultation and engagement in the planning process, including the local plan, neighbourhood plans, supplementary planning documents and planning applications. We will provide opportunities and make it as simple as possible for people and organisations to become involved. We will seek to include those who find it difficult to participate or who do not often engage with the Council.

The Statement of Community Involvement is a legal requirement in plan making, we aim to provide opportunities beyond those legally required. We will seek methods of consultation that encourage people to participate and we will show how views expressed have been included in decision making.

We believe that early and meaningful involvement by the community can lead to better outcomes for land use planning. We hope that local people will move towards a shared understanding of the future of land use in the District.

It is important for all those that live, work and visit Mendip to have the opportunity to engage, and we hope this will help us make the best possible planning decisions for the future.

Ros Wyke, Leader of the Council

1: Introduction

Background

1. A Statement of Community Involvement (or SCI) explains how the Council will engage local communities, individuals and organisations in the preparation of its planning documents. It also gives details on how the Council involves the public when consulting on planning applications.
2. The purpose of the SCI is to ensure that the public, community and organisations can be involved in the process of preparing development plans. Many of the steps involved in preparing planning policies and making decisions must meet minimum legal requirements or standards. These are described in the SCI as well as the Councils proposals, which exceed these requirements.
3. The SCI has a formal 'status' in its own right. Once agreed, the Council must demonstrate how it has followed the requirements and commitments made in this document when plans are submitted for examination or adopted.
4. The SCI does not give details of when or where consultation will take place. These are set out in the the Council's timetable for plan making: the Local Development Scheme. Details of consultations will also be published on the [planning policy consultation](#) page on the Mendip website and planning policy newsletter on the '[plan summary and news](#)' page.
5. The consultation version of the SCI has been updated to take into account comments and review made by the Mendip Local Plan Oversight Group.
6. The SCI will be kept under review taking into account feedback from formal and informal consultations and other surveys. Changes to national legislation, regulations and policies on the preparation of SCIs, DPDs, SPDs and Neighbourhood Plans will be monitored and any significant changes may require a review of this document. The SCI will also be updated in relation to emergency coronavirus measures. The SCI will must also be compliant with any legal requirements for the processing of data or changes to anti-discrimination laws, and respond to changes in Council policy.

Status of this document and changes to this draft

This SCI is a Draft for Consultation.

Coronavirus

Section 8 of this document lists emergency measures affecting notification, consultation and publicity in association with plan making and consideration of planning applications as at September 2020. This likely to be subject to regular change and the latest information should be found online.

Planning for the Future – Changes to Local Plans from 2021

In August 2020, the Government published **Planning for the Future** which sets out high level proposals to reform the planning system. The proposals envisage fundamental changes to the role and format of local plans and a step-change in public engagement in their preparation. Mendip expects formal changes to the system will be introduced via legislation and planning guidance in 2021.

This 2020 SCI once adopted will remain in force until replaced by new procedures

Proposals for new Council structures in Somerset

In September 2020, the Somerset District Councils in response to Government approved an outline business case to reform local government. More information can be found on the [Stronger Somerset](#) website. Somerset County Council are supporting an alternative option based on a single unitary authority, see [One Somerset](#).

Government will set the timetable for taking forward these proposals and further announcements and consultation may take place in 2020. A decision on reform is expected in early 2021 with any new administrative area coming in to effect in 2022. Responsibility for work and production of Local Plans would then rest with a new administration.

The programme for the Mendip Local Plan Part 1 will be kept under review and a formal update to the Local Development Scheme will take place in early 2021. The form of early engagement on a Mendip District Local plan may change.

Making Responses to this Document

The Council welcome comments on this document, responses should be made via email to planningpolicy@mendip.gov.uk

2. Local Plans and Planning Documents

Local Plans in Mendip

7. The planning strategy for Mendip and its development policies are set out in the adopted Mendip Local Plan Part I. Additional policies and sites are included in Local Plan Part II, which is currently at examination. A full list of all development Plans, planning documents and other guidance relevant to making planning decisions in Mendip can be found online (see section x) .
8. Mendip District Council will be preparing a new Single Local Plan Review (SLPR), which will update the Local Plan Part 1 and incorporate Local Plan Part II. The SLPR will set out a strategy for the future development of the District from 2020 to 2040. It will be based on a clear and locally distinct vision. This vision should engage the local community and there should be commitment by all relevant agencies to its delivery.
9. The Council must produce a Local Development Scheme (LDS), which sets out the main planning documents it intends to produce. The LDS sets out the broad scope of these plans and a timetable for their preparation. The content and progress against the LDS will be subject to annual review and updates reported to Cabinet
10. Somerset County Council (SCC) are the responsible authority for producing a Minerals Local Plan and Waste Local Plan. These specialist Local Plans set out a strategic approach to existing and future minerals and waste sites and contain policies for planning applications on matters decided by the County Council. These are subject to a separate SCI.

Types of documents and Plans

11. There are different types of planning documents that can be prepared as set out below. The Planning Policy team is mainly responsible for preparing Development Plans and guidance and supporting Parish Councils in preparing Neighbourhood Plans. The Council can also 'adopt' guidance produced jointly or by other agencies where they are relevant to the area.

Development Plan Documents (DPD's)

12. Development Plan Documents (DPDs) are planning documents that cover policies, proposals and allocations. These are plans prepared in accordance with set legal procedures and are subject to a public examination undertaken by an independent Planning Inspector. Preparation of these plans must include community involvement throughout the process in accordance with this SCI.
13. A policies map for the district (also known as proposals map) accompanies a DPD to identify land use designations and allocations. The policies map is revised when new DPDs are adopted.

Supplementary Planning Documents

14. A Supplementary Planning Document (SPD) provides guidance on adopted or emerging planning policies. SPDs are used to provide advice on information required in a planning application and how the council will interpret its published policies. SPDs can also be used to provide detail on design or masterplanning for an area or site
15. The main restriction on SPD is that it cannot introduce new 'policy'. It should be linked to an existing adopted policy or draft policy. SPDs must be subject to public consultation and a review of responses carried out in accordance with this SCI. However an SPD is not subject to an independent examination before it comes into effect.

Neighbourhood Plans

16. The *Localism Act 2011* introduced a new level of local plan making that enables parishes, city and town councils to produce a Neighbourhood Plan for their area. Policies in a 'made' neighbourhood plan carry the same weight in planning decisions as the local plan policies adopted by the Council.
17. The Mendip SCI must explain the role of the Council in supporting Neighbourhood Plans
18. When developing the Local Plan, Neighbourhood Plans and SPDs, consultation is required at various stages of their preparation. These are described for each of these plans in the next section. Table 10 compares the requirements and approach in terms of community involvement for all three types of plan documents.

Responsibility for Planning decisions in Mendip

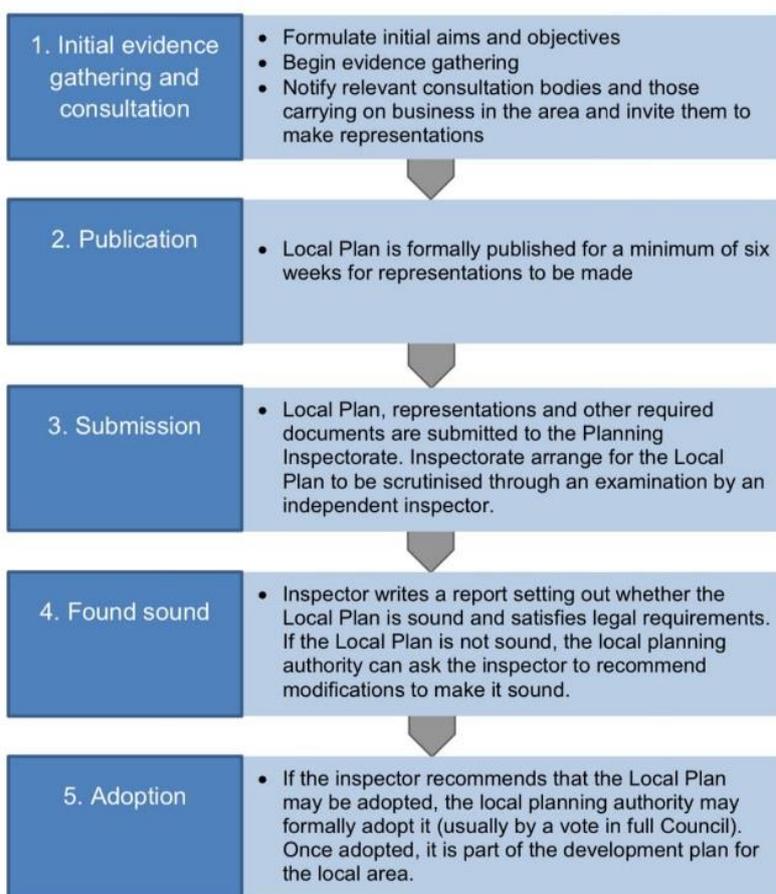
19. The Mendip **Full Council** is responsible for endorsing local plan documents at key stages in the process such as submission and adoption.
20. **Cabinet** makes decisions on draft plan documents and approval for consultation. It is a function of Cabinet to monitor and keep under review the policies, plans, documents and strategies making up the Policy Framework, and any others adopted by the Council. Cabinet is also responsible for certain decisions in relation to Neighbourhood Plans, Neighbourhood Development Orders and Community Right to Build Orders including approval of a plan (following examination) to go to referendum.
21. Decisions relating to planning applications are the responsibility of **Planning Board**. Further information is set out in the Council leaflet *How We Make Planning Decisions* (see section 9)

Preparing Plans and Documents

Steps in preparing a Local Plan (Development Plan Document)

22. The key stages in the preparation of a Development Plan Documents (DPDs) are shown in figure 1 below. These are based on Planning regulations¹ which set out minimum requirements necessary for public participation in the preparation of a DPD. Mendip's approach will go beyond these requirements.

Figure 1 : Key Stages in the Preparation of a local plan



Initial evidence gathering and 'early engagement'

23. The initial stage of plan preparation includes:

Scoping work on the content of the plan and review of existing policies/ national policies
Survey, evidence gathering and mapping of social, environmental and economic matters.
Consultation on the key issues affecting the area, objectives and vision for the plan
Development and consultation on different approaches/ policy options

¹ Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

24. The consultation stages for preparing a Local Plan are not set out in detail within planning regulations. This will depend on the scope and content of the DPD. There needs to be at least one period of public consultation.
25. In relation to the SLPR, the Council envisage three separate consultation ‘stages’ which are described in Table 1. The responses made at these stages are a matter for the Council to review and consider on the way to producing a final publication plan.
26. The Council is expected to demonstrate in its submission documents that consultation has been effective, how it has used the consultation process in shaping the plan and what changes have been made as a result. Responses received as a result of consultation will be published (with personal data removed in accordance with GDPR) and the Council’s response to the issues raised will be made public. Responses will be fully considered in reaching decisions.
27. Engagement on preparing a plan not limited to ‘public consultations’ inviting written responses and the Council will be engaging using other methods as described in this SCI. This may include consultation in relation to studies and evidence used to prepare the plan.

Table 1 - Single Local Plan Review - Initial evidence gathering and consultation			
Stage	Content	Who is notified	Timescales
Early Engagement (Pre-commencement)	Consultation on the SCI and broad scope/timing and content of plan	Specific organisations (see Table 6)	at least 4 weeks
Initial preferred options (or Issues and Options for other DPDs)	Key issues and broad options Plan vision and objectives. Direction of policy	Specific & general organisations (see Tables 6 and 7) Individuals on consultation database	at least 6 weeks
Revised preferred options	Policy Detail development allocations	Specific & general organisations (see Tables 6 and 7) Individuals on consultation database	at least 6 weeks
Consultation related to specific studies/evidence gathering	Specialist or public input into scope/method or review of findings	Specific organisations with a relevant interest and others	

Legal Requirements in relation to plan preparation

28. In addition to consultation, plan making includes additional legal requirements. These include ‘Sustainability Appraisal’ of plans to inform the DPD and to assess social, environmental and economic needs of (and effect on) the area are taken into account. In the preparation stage, the sustainability appraisal can be used to assess the impacts of different options.
29. A Habitats Regulation Assessment will also be required to establish whether the DPD has likely significant effects on internationally protected nature conservation sites.
30. The Localism Act and the National Planning Policy Framework (NPPF) also places a duty on local planning authorities and other bodies to cooperate with each other to address strategic issues relevant to their areas. The duty requires ongoing constructive and active engagement on the preparation of development plan documents and other activities relating to the sustainable development and use of land, in particular in connection with strategic infrastructure.
31. In order to demonstrate effective and on-going joint working, the NPPF requires LPAs to maintain Statements of Common Ground (SOCG) on cross-boundary matters. These will state the matter(s) being addressed and progress made through co-operation to address them. The information required

for the production of SOCGs is covered in National Planning Practice Guidance. Progress on statements of Common ground will be published and reported,

Publication

After considering the responses to the revised preferred options document, the Council will publish, what they consider the final version of the document (usually called the Pre Submission Document). This will contain finalised policies and proposals. The submission will be accompanied by a document that sets out how representations have been dealt with in accordance with this SCI. This will make clear how consultation has informed decision making.

32. Responses made to the Pre-submission plan at this stage form part of the examination process. Representations should therefore relate to whether policies and plans have been prepared in accordance with legal and procedural requirements, and whether they are considered to be 'sound' (see paragraph 4.15 below). At the same time the Sustainability Appraisal and Habitats Regulations Assessment will be published together with other supporting documents as appropriate.

Public Examination

33. Copies of all representations received during the period for consultation on the Submission DPD together with a summary of previous issues and how they were dealt with, will be forwarded to Secretary of State who will appoint an Inspector to carry out the examination into the soundness of the document. The tests of soundness (NPPF Paragraph 35) are set out below:

- a) Positively Prepared – providing a strategy which, as a minimum, seek to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with sustainable development;
- b) Justified – an appropriate strategy, taking into account the reasonable alternatives, based on proportionate evidence;
- c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this framework.

34. The Council will appoint a Programme Officer who will be the point of contact for the Inspector. The name of and details for how to get in contact with, the inspector will be published on the Council’s website. A notice detailing the time and place of the examination and pre-hearing meeting (if necessary) will be published on the Council’s website.

Adoption

35. Following receipt of the Inspector’s report the Council will make the necessary changes to the document and then adopt the document together with its Sustainability Appraisal. These documents will be advertised and made available at the Council offices and be available on the Council’s website.

Supplementary Planning Documents

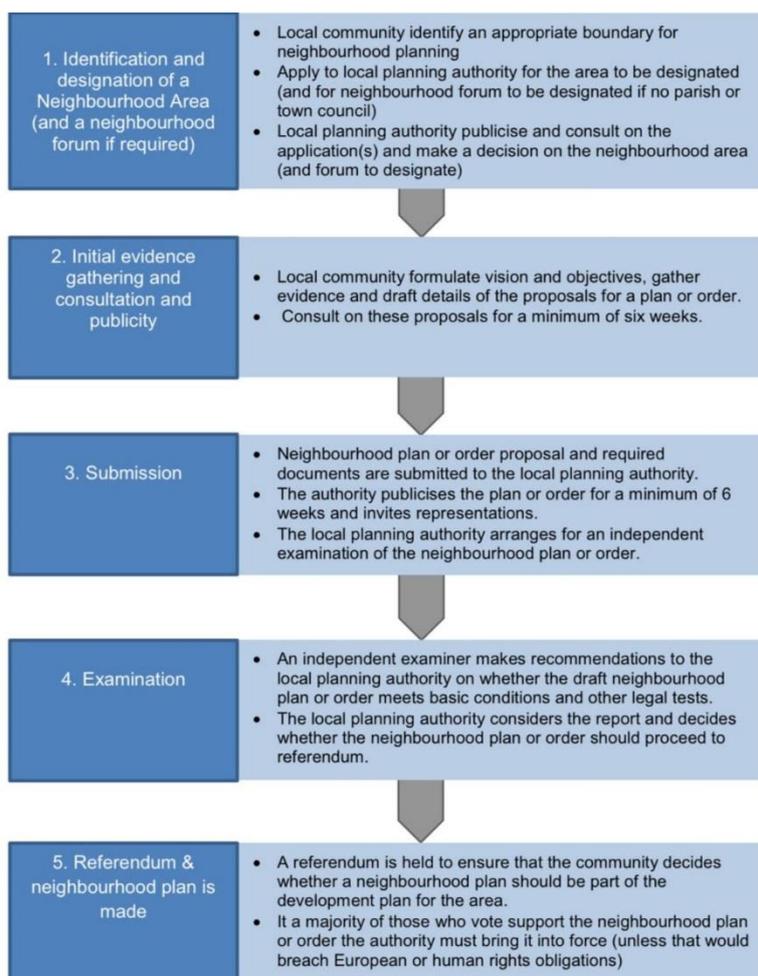
36. SPD’s provide detail and guidance on the policies included in the Local Plan. They are subject to a statutory process, including consultation but are not required to be independently examined. As with

the Local Plan, SPDs must be formally adopted by the Council. Supplementary Planning Documents (including AAPs) must accord with a separate part of the Town and Country Planning (General) regulations 2012 to DPDs (regulations 12 to 15).

4. How will the Council Support Neighbourhood Plans

37. Neighbourhood planning provides a route for local communities to shape development within their area. Introduced through the Localism Act 2011, a Parish Council may prepare a neighbourhood plan, neighbourhood development order or a community right to build order. A 'Development Order' can grant planning permission for specific types of development within a specific neighbourhood area.
38. The Parish Council may appoint a Neighbourhood Plan group to prepare the plan. The Parish Council remains the "Qualifying Body" and is responsible for ensuring community engagement. once "made" (adopted) by the council the Neighbourhood Plan will become part of the council's statutory development plan.
39. Neighbourhood Plans are prepared in accordance with regulations 14 to 20 of the Neighbourhood Planning (General) Regulations 2012. The Neighbourhood Planning Regulations stipulate how Neighbourhood plan documents should be prepared. The preparation stages are set out in Figure 2.

Figure 2 – Key Stages in the preparation of a Neighbourhood Plan



40. The Council publish an [information pack](#) which sets out information on its support for neighbourhood plans. The Council will keep this document up to date. Table 2 summarises the responsibilities of the Council and those of the Group preparing the Neighbourhood Plan.
41. We will appoint a dedicated officer/s who will be a point of contact for any neighbourhood planning group. Council officers will meet the neighbourhood planning group early on and will assist the group at regular intervals throughout the process. They will also provide support through
- Directing the group to any relevant helpful resources / guidance
 - Provision of information and evidence held by the Council
 - Basic Mapping to support the plan
 - Specialist advice and guidance in relation to studies, consultations and legal matters

Table 2 The Council's and the Qualifying Body's roles and responsibilities are as follows:	
District Council	
	Provide a dedicated contact officer for the neighbourhood planning group who will provide informal advice and guidance throughout the plan-making process.
	Make decisions on neighbourhood area applications promptly and publicise the application and decision as required by legislation
	Share relevant background evidence at the earliest opportunity

	Review compliance of draft neighbourhood plans against relevant legislation, basic conditions and the council's statutory development plan informally and offer guidance and advice on these matters prior to finalising the of the plan
	Undertake Screening Reports for Strategic Environmental Assessment (SEA) and Habitat Regulation Assessment (HRA) stages
	Publicise and consult on the submitted Neighbourhood Plan (Regulation 16 version) for a period of six weeks and collate responses
	Appoint an independent 'examiner' to assess the Plan in conjunction with the qualifying body
	Consider the examiner's recommendations and publicise the examiner's report and a decision statement
	Check compliance with 'basic conditions' and regulations
	Arrange and manage the local referendum / Meet the costs of the examination and referendum stages
Qualifying Body	
	Advise the Council of their intention to designate a neighbourhood plan area and to make a plan
	Define the neighbourhood planning area and make any relevant application to the council
	Provide project plans, timescales and regular updates for expected key stages of the Neighbourhood Plan production to the council so that they can assist and act in a timely manner when required
	Apply for funding and manage the budget and finances for the NP
	Draft and finalise the evidence base for and the neighbourhood plan and undertake an appropriate community and statutory consultation on the contents of the plan at Regulation 14 stage.
	Undertake a Sustainability Appraisal, Strategic Environmental Assessment and Habitats Regulation Assessment on the NP if required (the Council will provide advice on this)
	Prepare a 'Basic Conditions' statement and consultation statement to submit with the NP.
	Finalise the plan, and all required supporting documentation and submit to the Council for consultation at Regulation 16 stage.
	Prepare the required documentation and statements for the Examination
	Respond to written representations and appear at any public hearing concerning the neighbourhood plan at Examination stages
	Formally adopt the neighbourhood plan as a development plan document and produce the required adoption statement/s (subject to the result of the referendum)

How we will Consult ?

Principles and Objectives

42. NPPF para 16 states that plans should *'be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees; [and] be accessible through the use of digital tools to assist public involvement and policy presentation;'*
43. The preparation of a major development plan document is a complex process and can unfold over several years. The Council will therefore seek to maintain a process of ongoing community involvement in plan making. It also aims to encourage early involvement in the preparation of planning documents. The aim is that all parties can consider that they have had an opportunity to influence the outcome of a plan or planning document. Liaison with community and stakeholders will be important and the Council will seek consultation methods to encourage participation by all those who should or wish to be involved.

44. The planning policy pages of the Mendip website will be the main route to inform individuals and organisations on the progress of plan making, hosting consultation documents and background studies and publishing details of consultation events and responses.
45. The expectation of government is that local authorities make the most of publishing material online, make use of digital mapping, documents and encourage written responses via email. There are legal requirements for copies of plan documents to be available for inspection and for responses to be made in writing. The Council recognise that not all individuals and groups affected by plans have internet or have the capacity /reliability of access. It will seek to ensure plan engagement does not prejudice participation through non-electronic methods of communications
46. Table 3 sets out a set of principles to be pursued by the Council in relation to plan consultation and engagement. These will form the basis for communication and action plans to be drawn up in advance of consultation events.
47. A councillor group (the Local Plan oversight group) will meet regularly to guide our approach to public participation in the preparation of the Local Plan preparation.

Means of Community Engagement

48. Different approaches and methods will be employed depending on the nature of the consultation, audience and Council resources. This will help to ensure effective and wide ranging community involvement.
49. Table 4 details some of the methods and activities the Council will consider using. It is not exhaustive, nor does it represent a list of activities that will be used in every instance. Some methods are tried and tested and activities such as drop in sessions and attendance at organisations regular meetings have proved popular in past plans. However, virtual and online participation will be increasingly important in securing participation. Temporary procedures in relation to consultation due to Covid-19 are set out in section 8

Table 3 Principles of Consultation and Engagement
Approach
To engage communities as early as practicable in the plan-making process
To prepare and update a consultation/engagement plan to cover major planning consultations
To maintain an update a list of individuals and organisations relevant to plan making
To work with elected Members and City, Town and Parish Councils who have an important role to play in representing and supporting their communities in plan consultations
To provide guidance and explanation what can be realistically influenced and changed in response to the comments received.
To ensure that consultation is <u>proportionate</u> to the scale and importance of the issue/matter under consideration
To take the opportunity to co-ordinate policy with other consultations and corporate engagement
Consultations in practice
To ensure sufficient notice is given and the means of raising awareness is considered in advance
To ensure that the purpose of consultation and means of response is clear

<p>To ensure that consultation methods/ meetings are accessible and inclusive</p> <p>To allow for flexibility in approach to timescales and deadlines so parties are not excluded</p> <p>To use plain English and avoid jargon documents and online material and to provide supporting explanation for technical terms and processes where this cannot be avoided.</p> <p>To seek to ensure there are clear links between plan proposals and options and supporting documents</p> <p>To ensure respondents are clear how their representations will be used and data protection</p> <p>To ensure consultations explain how and when decisions will be made after consultation</p>
<p>Following Consultation</p>
<p>To treat views expressed in consultations and in writing impartially</p> <p>To publish representations or a summary of responses in a timely manner for formal consultations this will be in a statement of consultation/ report)</p> <p>To ensure those who have contributed to a consultation are</p> <ol style="list-style-type: none"> (1) able to find information about the conclusions or decisions made from a consultation (2) kept informed of further opportunities for being involved or for 'opting out' <p>To report to members on the effectiveness of consultations and reflect this in its communications plans and approaches to subsequent engagement/ consultation stages</p>

Table 4 - Methods of Consultation	
Consultation Method/Activity	How it will be used
Mendip Website - Planning Policy homepage	<p>www.mendip.gov.uk/planningpolicy</p> <p>Host information on the timescales and progress of the Local Plan.</p> <p>Viewing and downloading of Local Plan documents, studies and monitoring</p> <p>Separate pages for submission documents and to support Examinations in Public</p> <p>Publication of FAQs and Guidance</p>
Mendip Website	<p>Publication of progress updates and reports for council meetings</p> <p>Publication of Press releases</p> <p>Hosting of virtual events</p>
Social Media	Mendip's corporate social media presence on Twitter and Facebook
Local Press/ media	<p>Press releases and updates</p> <p>Briefings for the local media at key stages in the plan-making process.</p>
Planning Bulletins	Publication of a regular newsletter online /circulation to stakeholders.
Posters, leaflets and displays	<p>To summarise detailed information and capture a wider audience.</p> <p>Leaflets normally circulated at events or for community boards and deposit at community venues</p>

Public exhibitions, planning surgeries and 'Roadshows'	These may be unstaffed exhibitions in public places or staffed events at town and village public halls and other venues ² .
Council Forums and panels	Mendip Parish Forum Other panels under consideration (e.g. youth panel, residents forum)
Virtual events	Webinars and videos (either passive or interactive)
Surveys and Questionnaires	Either post or online - where relevant to support studies or local need assessments
Specific Workshops and Focussed Groups	Interactive sessions to focus discussion around difficult issues, specialist areas key themes.
Paper copies at Inspection points	Hard copies of planning documents and response forms will be available to inspect at the Council offices. Key planning documents will also be available at Council Access Points (CAPs). Documents will be available online at all times.

6. Who will we consult?

50. There are various types of bodies, groups and organisations that the council, where appropriate, will involve and consult during the preparation and development of the Local Plan. These lists are not exhaustive and also relate to successor bodies where re-organisations occur. It may also be appropriate to consult specialist teams within the Council.
51. Regulation 18 (2) of the *Town and Country Planning (Local Planning) (England) Regulations 2012* (as amended) state that the local planning authority must notify and invite to make representations on the Local Plan, the following bodies:
- (a) Specific consultation bodies (statutory consultees)
 - (b) general consultation bodies
 - (c) residents or other persons carrying on business

More details of the bodies and organisations is set out in tables 6 - 8

Parish, Town and City Councils

52. The Council will maintain an ongoing dialogue with Parish, Town and City Councils on its policy work, including support for Neighbourhood Planning and supporting their role in representing the views of

² The Council have a duty to safeguard vulnerable adults and ensure they have regard to the welfare of children at public events

local residents. Planning, Plan Making and policy development will also feature in forums, briefings and training for Parishes provided by the Council

Voluntary Sector Involvement

53. The Council will consult with the voluntary and community sector on all major planning consultations and any proposals that may have a significant effect on their services. The Council will seek to make documents available prior to the statutory consultation period but this may not always be possible.

Engaging ‘Hard to reach’ communities

54. It is recognised that some individuals and ‘groups’ of the community often have more limited opportunities to be involved in policy consultation. This means their views are under-represented in the planning process and in policy development.
55. Examples of these ‘hard to reach’ communities include young people, the homeless, those in temporary forms of accommodation, gypsies and travellers, people with physical, learning or mental disabilities and BME communities and LGBT members.
56. Positive action will be taken to ensure that all communities have the opportunity to be involved in plan making and policy development. These actions also link to Mendip’s equality duties and objectives and action plans. Some examples of how this should be addressed in the context of the SCI are listed in Table 5.

Table 5 : Engaging ‘hard to reach’ communities	
	Developing consultation/ communications plans, which take into account participation of ‘hard to reach’ communities. To seek advice from the council’s equalities officer and those with roles/responsibilities within the Council/County Council who already engage with include hard to reach communities.
	To promote and develop links with agencies and community representatives and voluntary sector organisations with direct access to specific groups and communities.
	To consider all aspects of ‘accessibility’ in respect of organising consultation events and meetings
	Provision of consultation methods to include the views of people with sensory, physical and learning disabilities. Providing assistance in access and providing responses to consultation documents

Consideration of plan responses and representations

57. Depending on the type and stage of consultation on a planning document the Council will always seek to publish a summary of the responses received and the engagement that has taken place.
58. DPDs and SPDs will be accompanied by a Consultation Statement which sets out compliance with the SCI in the preparation of the document, the main issues raised and how these have been addressed.

The report will summarise the representations received, provide officer comment on the matters raised, make recommendations with reasons to be used to inform future stages of plan preparation.

59. For key stages in plan making, schedules of original representations (redacted of personal details) will be published and/or made available for Inspection. The Council will seek to publish these as soon as practicable. This will not happen immediately as all representations must be reviewed by officers.
60. Significant time and resource is spent on post consultation analysis and the Council will keep under review the most effective means to summarise and feedback on matters raised in responses. Responses will be considered within the decision making process. The Council is not required to respond to responses individually made in the plan process or comment on every point raised. In addition, the testing of a local plan document by the Planning Inspectorate is not conducted on the basis of resolving individual objections.

Local Plan Consultation Database

61. The Council maintains a mailing list of individuals and organisations to undertake its plan making duties. The Council will also use this information to help draw up local contacts to assist neighbourhood plan groups. Where practicable, this will be maintained online so that users can 'opt-in' or out from notification.
62. A comprehensive review of the contact database will be undertaken in association with the Single Local Plan Review, particularly coverage of 'general consultation' bodies with an interest in the plan. In general, individuals who have commented on existing and emerging planning documents will only be retained on request.
63. All those on the mailing list will be notified of consultations as set out in the SCI and planning regulations.
64. The database of individuals and organisations to be consulted will be kept up-to-date and managed to comply with the General Data Protection Regulations.

Who will we consult with?

Table 6 'Specific' organisations we must notify and consult.(*1)	
National Agencies and organisations●	Environment Agency, Highways England Homes England, Natural England, The Coal Authority, Network Rail (Infrastructure) Civil Aviation Authority Marine Management Organisation Office of Rail and Road
Regional Agencies and Strategic Bodies	Highways Authority (Somerset County Council)● Local Enterprise Partnership● Local Nature Partnership● Police / Emergency Services / Police Crime Commissioner Sport England Somerset Clinical Commissioning Group● Somerset NHS Foundation Trust● West of England Strategic Body
Somerset County Council●	Includes SCC responsibilities covering minerals and waste, flooding, rights of way, biodiversity, environmental protection, equality)
Other planning authorities relevant to Mendip●	Bath and NE Somerset (B&NES), Wiltshire Council, NE Somerset, Mendip AONB, Cranbourne Chase AONB
Town, City and Parish Councils	All councils in the District plus areas with 'parish meetings' Parishes adjoining the boundaries of Mendip Neighbourhood Plan Groups
Infrastructure Providers	Telecommunications operators Electricity and Gas companies Sewage and Water Companies
(*1) includes any successor organisations plus other bodies added through planning regulations or the Council consider have a relevant interest to planning in Mendip. ● indicates where the council have a legal 'duty to co-operate' as part of its engagement	

Table 7: General Consultation bodies	
The Council will seek to notify and engage with relevant general consultation bodies in the broad categories below. These include: Voluntary and community groups which work or benefit any part of Mendip Bodies which represent the interests of racial, ethnic or national groups Bodies which represent the interests of different religious groups Organisations which represent or are engaged in business relating to Mendip	
Community Support and Hard to Reach Community	Older peoples groups , Youth groups Mental health and well-being Disability groups Churches and Faith groups Cultural Organisations Individuals and Groups representing Gypsies, Travellers & Showpeople
Housing	Housing Associations/Registered social landlords, Tenants Groups & Housing Initiatives Residents and Neighbourhood Groups
Environmental Organisations & Groups	Environmental organisations Local amenity societies and Trusts Wildlife groups

	Local food initiatives
Sport & Recreation	National/local sports organisations Sport clubs Cultural organisations
Heritage & Culture	Historical/Archaeological organisations Town and village societies and associations Arts organisations
Transport & Accessibility	Rail and bus groups Groups supporting cycling and walking Community sustainable transport initiatives
Education & Health	Schools, colleges and other education/training providers Health organisations
Development Industry	Housebuilders, developers Professional interest (agents, promoters, architects, consultants) Significant Landowners. Other landowners promoting sites for development
Businesses	Chambers of trade and commerce Key Employers Town centre strategy groups Business groups, Farming organisations
Individuals & Others	Individuals and organisations requesting to be on planning policy mailing list and those added to the list through making a response to a planning document (and have not opted out)

**Table 8 Local Plans, SPDs and Neighbourhood Plans
Differences in steps for the purposes of community involvement**

	Development Plan Documents	Supplementary Planning Documents	Neighbourhood Plans
Legislation Regulations	Town and Country Planning (General) regulations 2012. Planning & Compulsory Purchase Act 2004	Town and Country Planning (General) regulations 2012 Regs 11, 12 and 35 Planning & Compulsory Purchase Act 2004	Neighbourhood Planning (General) Regulations 2012. Regs 14 – 20 Planning & Compulsory Purchase Act 2004
Preparation and DTC (duty to co-operate)	Information gathering to update social, environmental and economic matters. Early consultation on the broad subject of the DPD. DTC is a legal requirement	Information gathering to update social, environmental and economic matters. The DTC does not apply	Evidence gathering and public participation is decided by Neighbourhood Plan group. The DTC does not apply
Draft Consultation	Minimum 6 week public consultation Sustainability Appraisal required.	Optional – generally only one consultation period required	Minimum 6 week public consultation.
Publication	Minimum 6 week public consultation.	4-6 week public consultation on draft document	Minimum 6 week public consultation. SA/SEA and HRA may be required subject to screening.
Examination	Secretary of State will appoint an Inspector who will carry out	No examination required but council must summarise	A plan examiner is appointed by the LPA in with agreement with the

	an examination into the soundness of the Plan.	issues raised in consultation and how these have been addressed in a consultation statement and produce an adoption statement	Neighbourhood Planning Group. The examiner will determine if the Neighbourhood Plan meets the Basic Conditions.
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Planning Applications

Introduction

65. For many people, their main contact with the planning system is through planning applications, as either an applicant or someone who might be affected by proposed development. Advice for applicants and parties wanting to make comments can be found online and in section x.
66. This section of the SCI focuses on the Council’s approach for involving statutory bodies and the community in pre-application consultation and planning applications. It is not intended to cover all aspects of decision making provided by the planning service (eg trees, listed buildings) or different types of applications. Further guidance on specific applications can be found online.

Pre-application Advice to applicants

67. The Council encourages developers to discuss their proposals with the Council at the earliest possible opportunity, particularly for any major or significant application. This will help identify technical issues with the proposals that can be addressed prior to submission of a formal application. Pre-application discussions are treated confidentially because many proposals are commercially sensitive, or may not even progress to an application.

Pre-application consultation with the Community

68. Planning regulations do not require applicants, promoters and developers to consult with the local community before an application is submitted, but they are strongly encouraged by the Council to do so.³ The planning application process is not a substitute for proper pre-application consultation with local communities. In the first instance, applicants should make contact the relevant Town, City or Parish Council. A failure to discuss proposals with the Council at pre-application stage, or consult with local communities on significant proposals is likely to make progress towards granting an application less likely to succeed.
69. Applicants can also contact district councillors in early discussions of their proposals. The Council publishes a Code of Good Practice for planning on our website which sets out how they can be involved without prejudice to their role in decision-making.

Consultation on Planning Applications

70. Once an application for planning permission has been formally submitted, the Council will publicise and consult on proposals in accordance with the Town & Country Planning (Development Management) Procedure Order 2015 (and/or any amendment or replacement of this Order), and the Planning Team’s own Service Standards which are published online.

³ The exception is for certain types of wind turbine development

Decision Making

71. Following the consultation period, in most cases, the case officer will draft a report, which describes the site, and application, sets out policy considerations, summarises the representations received, provides an officer assessment and makes a recommendation to approve or refuse.
72. All applications are decided in accordance with the Planning Application Decision Making Process (Appendix K of the Council's Constitution). Generally, where applications are in accordance with planning policy and no objections are received, a decision will be made under delegated powers. Some applications, will be referred to Planning Board for determination. The decision process is set out online and in the leaflet [How We Deal With Planning Applications](#)

Appeals

73. If an application is refused by the Council or is not determined within the statutory timeframe, the applicant can appeal in accordance with s78 of the Town & Country Planning Act 1990. The Council will provide details of the responses made on the application and notify parties how they can participate in the appeal process. Further information is contained in the Planning Inspectorate Practice Guide.

Publication of Information on Planning Applications and Decisions

74. These can be found via the Mendip [online planning register](#)

Table 9 Summary of Notification and Consultation requirements associated with Planning Applications	
	Publicise applications promptly and consult with directly adjoining neighbours in accordance with statutory requirements and the Planning Team's own Service Standards.
	Consult the parish councils on any applications for planning permission in their parish and consult additional parish councils where an application site adjoins a parish boundary.
	Consult other 'statutory consultees' (e.g. County Highways, Environment Agency, Natural England...etc.), depending on the scale, type and location of the development proposed
	Erect site notices and/or advertise applications for planning permission in the local press where statutorily required to do so or in accordance with the Planning Team's own service standards.
	Publicise a weekly list of planning applications received and planning decisions made on the council's website
	Upload planning application submissions on the council's website within one working week of the application being registered and ensure that customers can search applications using various criteria (i.e. address, applicant, date, etc.)
	Provide an opportunity for members of the public and parish councils to speak at meetings of the Planning Board where they have commented on an application that is being considered by the Board.
	Upload planning decisions on the website within one working week of the decision being made.
	All comments must be made in writing. Comments should either be submitted online using the same facility for viewing applications, emailed to consultations@mendip.gov.uk or posted to the Council Offices. All comments received before a decision is issued will be displayed online.
	If significant revisions are made to an application still under consideration, the Council will re-consult with neighbours and statutory consultees.

8. Coronavirus - Emergency Changes to Consultation Procedures

This annexe explains emergency changes to notification and consultation practice. They represent temporary amendments to the requirements and guidelines in the current and revised SCI. **The position is subject to change and will be updated on the [Mendip website](#).**

Plan Making

Information from the appointed Inspector to Local Plan Part II on the possibility of a virtual hearing can be found on the Mendip examination page. The requirements for local plan documents and SPDs to be available for public inspection associated with plan making stages have been lifted. This only applies between 16th July and 31st December 2020.

Consideration will be given to how the Council approach early engagement on the plan review in the light of restrictions on availability of council premises, face to face discussions and public meetings. The Council will offer advice to Neighbourhood Plan Groups where requested.

Planning Applications

Changes to how the Council receive, process and decide on planning applications during the Covid-19 emergency can be found [here](#) and will be continue to be updated

Publicity Requirements

Site Notices - on some applications it is a legal requirement that a site notice is erected, we will continue to seek to erect site notices where we are statutorily required to do so. If the Applicant is based at the site, the laminated site notice will be sent to the applicant for them to fix in a prominent position and take photographs as evidence of doing so. This is a process used by other Authorities as standard practice. If the site notice cannot be erected by the Applicant, subject to a suitable risk assessment an Officer will visit the site to erect the notice as soon as possible following validation. Officers can now carry out site visits, subject to a suitable risk assessment.

Publication of applications

Applications will be available via the Council's website to view and, where we are statutorily required to do so, we will publish in the local newspaper.

Neighbour Consultations

These will be posted out to individuals via the District Council post room unless the situation changes.

Parish Council Consultations

Mendip District Council Planning Officers will be as flexible as possible and understand that Parish Councils may have difficulty in meeting as normal. It will be up to the Parishes to decide how they meet and consider applications. If a Parish Council cannot meet, some decisions may need to be issued without a comment from the Parish Council, although hopefully these will be limited. Parish Councils can contact the Planning Officer to agree a date when comments can be made on an application. Unfortunately, we cannot provide hard copies of applications to Parishes until further notice, however, all details are available on the Council's website.

Public Comments on Applications

The Council is currently unable to accept comments on applications in hard copy. Comments should be submitted through the Council's website or via email (because we cannot guarantee that hard copy comments will be received in time). Officers are unable to redact documents currently so, in accordance

with Council procedures, we are unable to publish any comments with personal information i.e. addresses or signatures. As we are statutorily required to publish all comments in respect of an application, this has led the planning team to the conclusion that we are unable to accept hard copy comments at this time.

Prior Approvals - we will follow the guidance in the Chief Planners letter which states: *'We recognise that there may be circumstances where a local planning authority is unable to consider a permitted development prior approval application within the deemed consent period. It remains important to prioritise these so that important economic activity can continue. In these exceptional circumstances the authority can, if necessary, seek to agree an extended approval date with the applicant. Where agreement cannot be reached an authority may need to consider whether prior approval is refused if the application cannot be considered with the requisite attention'*.

Planning Board - following Central Government legislation received in April 2020, the Council are holding Planning Board meetings virtually. More information on the next virtual Planning Board [can be found here](#).

Appeals

Details of emergency procedures in relation to appeals can be found on the [Planning Inspectorate](#) website.

Section 9 More information and links

National Guidance on steps in preparing a Local Plan and Supplementary Documents

[Plain English Guide to the Planning System](#) (MHCLG 2015)

[National Planning Practice Guidance: Plan-Making](#)

[Planning Inspectorate webpage containing advice on Local Plan Examinations](#)

[National Guidance on Community Rights](#)

Legislation

[Town & Country Planning \(Local Planning\) \(England\) Regulations 2012](#)

[Emergency Provisions relating to inspection of documents](#)

Mendip Links to Local Plans / Documents

[Mendip Plan summary and news page](#) – includes Schedule of Documents making up the development plan for Mendip

[Mendip Consultations Page](#)

[Mendip/Somerset Equality Objectives](#)

Neighbourhood Plans

[Neighbourhood Planning in Mendip](#) (Information Pack)

[Mendip Neighbourhood Plan website page](#)

[National Planning Practice Guidance](#)

Mendip Guidance on the Making Planning Applications and Planning Decisions

Pre-application advice

[How to submit a planning application](#)

[View and Comment on Planning Applications](#)

[How we deal with Planning Applications](#)

[Service Charter for Applicants and Agents](#)

National Planning Guidance on Planning Applications

[Before submitting a Planning Application](#)

[Planning Portal](#)

[Making and Application](#) and [Determining a Planning Application](#) – National Guidance

Plan Making Steps

