

LONDON BOROUGH OF BARKING AND DAGENHAM

# Statement of Community Involvement Refresh

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**August 2020**

# Executive Summary

## What is the Statement of Community Involvement?

The Statement of Community Involvement (SCI) is a statutory document that explains how and when we will consult and engage the community in the planning of the local area. This applies to the preparation of the Local Plan and other associated planning policy documents, as well as assessing planning applications and making decisions on new developments in your neighbourhood.

## Who is the 'community'?

Community refers to residents, resident associations, businesses, community and interest groups, neighbourhood planning forums, landowners, developers, Councillors, neighbouring local planning authorities, government agencies and any other individuals, groups and organisations interested in, and affected by development and use of land in London Borough of Barking and Dagenham.

## Our principles of consultation and engagement

We are committed to continuous and meaningful engagement. Our principles of consultation and engagement focus on being clear about what we are consulting on, how it affects you, and how we will involve you to participate through various consultation methods.

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## 1. Purpose of the Statement of Community Involvement

- 1.1 This Statement of Community Involvement (SCI) explains how the council will involve the community in the planning of the local area. This includes the preparation of the Local Plan and other associated planning policy documents<sup>1</sup>, as well as assessing planning applications and making decisions on new developments. Through the SCI it will ensure that the planning processes of the council are clearly set out and enable more people to get involved in shaping plans and planning decisions.
- 1.2 The SCI sets out:
- What the council will consult and engage the community on;
  - When the council will consult and engage the community;
  - How the council will consult and engage the community; and
  - Who within the community the council will consult and engage with.
- 1.3 In July 2015, the council adopted its SCI. Be First<sup>2</sup>, the council's regeneration company has prepared this SCI Refresh and undertaken public consultation as part of the Local Plan preparation in Autumn 2019 (as approved by Cabinet on 18 June 2019). Details of the consultation responses are available to view on the LBBB website: [https://www.lbbd.gov.uk/sites/default/files/attachments/SCI-Refresh-Summary-of-Consultation-Responses-report-2019\\_0.pdf](https://www.lbbd.gov.uk/sites/default/files/attachments/SCI-Refresh-Summary-of-Consultation-Responses-report-2019_0.pdf) The SCI Refresh 2019 takes account of a few matters, which relate to changes to the planning legislation and regulations.
- 1.4 In early 2020, we also include modifications in response to the ongoing Coronavirus (COVID-19) pandemic by focusing more on digital methods of engagement and limiting the display of 'hard copy' planning documents. These also respond to the temporary changes to the Town and Country Planning (Local Planning) (England)(Coronavirus) (Amendment) Regulations 2020 which change the way local planning authorities are required to consult with local communities until 31 December 2020. These amendments to the regulations take into account the Government's required social distancing measures when consulting on planning matters including enabling publication of documents without corresponding legal requirements to have hard copies on display. **Addendum to the London Borough of Barking & Dagenham SCI Refresh** (at end), provides further details on our approaches.
- 1.5 A full review of the SCI will be undertaken following the submission of the Local Plan, by which stage the impact of the Government's recently published planning reforms may also be clearer.

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<sup>1</sup> The council publish a Local Development Scheme, which sets out the documents that will be prepared by London Borough of Barking and Dagenham as part of the Development Plan for the borough.

<sup>2</sup> Since the consultation concluded, the council has established a new regeneration company – Be First, on 1<sup>st</sup> October 2017. Be First is engaged by the council, to undertake, inter alia, the preparation of planning policy documentation. The council continues to exercise its statutory duties and powers as a Local Planning Authority (LPA), including the approval of all planning policy documentation.

## 2. Our Principle

- 2.1 The council is committed to continuous and meaningful engagement throughout the development lifecycle and continuous feedback mechanisms in respect of consultation type/size linking to the scale of proposed development, transparency of planning process, and decision making.
- 2.2 Our principles of consultation and engagement are set out below:
- Being clear on what each consultation is about, how it affects you, and how you can get involved
  - Making it as easy as possible for you to respond to consultations by thinking about what method is best for you, not what is most convenient for the council, for example, public engagement sessions for a planning policy document. All relevant information will be published on the council's website
  - Giving you enough time to respond to both planning applications and planning policy consultation
  - Keeping the process as simple as possible and writing in plain English. If technical words are required, we will make sure these are explained

## 3. Policy and legislative context

- 3.1 The SCI update has been prepared under the following legislation:
- The Town and Country Planning (Local Planning) (England) Regulations 2012
  - The Town and Country Planning (Development Management) (Procedure)(England) Order 2015
  - Equality Act 2010
  - The Localism Act 2011
  - The Amendments to the General Permitted Development Order 2015
  - The Community Infrastructure Regulations 2010 (as Amended)
- 3.2 To find out more information about the above legislation, please visit: <https://www.planningportal.co.uk>
- 3.3 The government has published a guide "Plain English guide to the planning system", which provides an explanation of how the planning system in England works. To access the guide, please visit: <https://www.gov.uk/government/publications/plain-english-guide-to-the-planning-system>

## 4. The Barking and Dagenham Community

### ***The Barking and Dagenham Community***

- 4.1 Barking and Dagenham has seen rapid population growth since 2001 by 13.4 per cent overall compared to 7 per cent for England according to the 2011 Census. There has been

a large increase in the number of younger people (particularly children aged 0-4 years) living in the borough due to high birth rates.

- 4.2 Barking and Dagenham is an ethnically diverse borough. Of local authorities in England and Wales, the borough had the fifth largest growth in residents born outside the United Kingdom and Ireland between the 2001 and 2011 censuses. This has brought up social and cultural diversity, for instance, 72 different non-English languages were recorded in the 2011 census as the main language in the household.
- 4.3 The borough has also experienced a shift in ethnic group proportions with a larger decrease in the White British ethnic group and a large increase in the Black African ethnic group. The White British group are almost 10 per cent lower in Barking and Dagenham than the rest of London, whilst the Black African ethnic group is substantially higher than the rest of London.
- 4.4 Barking is the home for an extraordinary range of businesses, shops, and restaurants. The current trends show that new businesses are growing at a rate substantially faster than both eastern London and London in general, but they tend to be less successful in the long run.
- 4.5 The council recognises the challenges and opportunities to engage with the planning system due to various reasons such as language barriers, cultural perceptions, traditions, or social expectations. To overcome these barriers, we will continue to explore interactive ways of involving community, apply more modern consultation tools, select accessible venues and facilities, and provide documents in accessible formats on request. We also recognise that some individuals, groups, and businesses may have a greater capacity to get involved in planning matters than others and so, where appropriate, we will support those who find it difficult to get involved with planning issues.

#### ***Specific and General Consultation Bodies***

- 4.6 The council has a legal requirement to make information available to residents and organisations, and it also has a legal duty to consult Specific and General consultation bodies. Moreover, the council is committed to involving existing residents and workers in shaping planning policies. The Duty to Co-operate set out in the Planning and Compulsory Purchase Act 2004 (as Amended) and by the Localism Act 2011 establishes legal principles of co-operation with neighbouring boroughs, the Mayor of London and other authorities, public bodies and agencies when reviewing planning policies. See **Appendix A** for a list of these bodies.
- 4.7 In addition to Specific and General Consultees, the council maintains a Local Plan consultation database which contains information of individuals, landowners, developers, and businesses that have taken part in past consultations or wish to be involved in future planning policy consultation events. The consultation database is kept under review.

### **Monitoring**

- 4.8 Equalities monitoring forms will accompany all planning policy consultations. This will enable us to analyse data collected and identify specific issues relating to any individual groups should this arise.
- 4.9 Consultation methods will reflect the council's most up to date Participation and Engagement strategy<sup>3</sup>, and will be assessed for effectiveness through ongoing feedback and monitoring.

## **5. How we will consult and engage**

### **Channels of communication**

- 5.1 One of the council's consultation principles is that it will make it as easy as possible for the community to engage with and respond to consultations. Therefore, where appropriate, the council will apply different methods and learn from other good practice (including translation services, short summary documents of the consultation material etc.) to make sure that we engage with as many people and organisations when required in both plan making and assessing planning applications:

#### Digital platform

- Emails – Where we have email addresses of consultees, we will email them details regarding planning consultations
- Social media - We will use popular social media sites to promote consultation events before, during and after the consultation
- Surveys and information gathering exercise via the council's online consultation portal e.g. Engagement HQ
- Planning application search facility – Information of planning applications can be found via the planning search facility on the council's website
- Website – We will keep the relevant webpages up to date, publishing all consultation material, forthcoming consultation events on the council's Local Plan website and strategic development projects on the council's regeneration company – Be First's website.

#### Non-digital platform

- Consultation letters – We will post consultation letters to neighbouring and nearby properties to inform regarding nearby development proposals
- Press notices – We will post press notices in the local newspaper for key development proposals and Local Plan consultation events
- Site notices – We will display notices near and around the development site
- Public consultation events – We work with applicants to make sure that appropriate public consultation events are undertaken for major development schemes

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<sup>3</sup> The council is preparing a Participation and Engagement Strategy, anticipated for public consultation in autumn 2019.

- Hard copies – We will make hard copies of consultation materials available to read at Barking Town Hall and other community buildings as necessary
- Group meetings – We will engage with communities (particularly seldom heard groups) by attending community meetings where appropriate to discuss what we are consulting on and listen to feedback
- Public exhibitions – We will present the information in accessible locations and show a summary of consultation material which outlines what we are consulting on; the council officers will also listen to feedback from individuals who come to the event.

## 6. Development Management

### What is development management?

- 6.1 Development Management is the implementation of plans, policies, and legislation to achieve sustainable development. This incorporates the process and determination of planning applications.
- 6.2 The council is responsible for determining all the planning applications made in the borough. Obtaining feedback from those affected by the development proposal is regarded as an important part of the process of deciding whether to approve or refuse a planning application. In the case of a residential extension this can be a neighbour, and for larger developments, this can be people who live further away.
- 6.3 One of the council's consultation principles is that it will make it as easy as possible for the community to respond to planning notifications. Therefore, the council will use the following methods to make sure the community and other interested parties can respond to planning applications:
- We will continue to put all planning applications and supporting information on the council's website and encourage people to respond online
  - We will continue to seek electronic submission of all applications, to improve the quality of online submissions
  - In nearly all circumstances where there is a planning application next to your property, we will write to you to ask for your comments
  - Where necessary we will put up site notices to make sure that people are aware of major and strategic applications in their neighbourhood
  - Where required we will put newspaper notices up to make sure that people are aware of certain applications
  - As well as making planning applications available online members of the public will be able to view them at Be First, 9<sup>th</sup> Floor, Maritime House, 1 Linton Road, Barking IG11 8HG if they make an appointment.

### Stages of Development Chart

#### i) Pre-application Stage

6.4 **Pre-Application Consultation**

Although not a legal requirement, developers are strongly encouraged to arrange for some form of engagement with residents, local stakeholders and relevant statutory bodies during the pre-application stage. During this stage, various consultations methods can be utilised depending on the size of the scheme. For example, for larger schemes, drop-in events with the local community generally should take place whereas for smaller schemes leaflets can be distributed. In addition, residents and local stakeholders can also discuss their concerns with local councillors. Early community involvement can help improve the efficiency and effectiveness of the planning application once submitted because local concerns can be resolved earlier on.

### **Pre-Application Advice**

- 6.5 The council also encourages developers to discuss their development proposals with planning officers during the pre-application stage. There is a schedule of charges for pre-application guidance on [the council's website](#). Fees are generally set depending on the size and type of development.

### **ii) Application Stage**

- 6.6 In the application stage, the council organises a formal notification where residents can make comments on the submitted planning application. During this stage comments made by residents and local stakeholders will be taken into consideration and help inform the planning decision. Therefore, residents and local stakeholders are encouraged to read proposal documents and submit specific comments regarding whether the development should be approved.
- 6.7 Table 4 shows how the council will publicise different types of planning applications. Many of these are requirements set by law. The Statutory Period for consultation on planning applications is 21 days. This is clearly stated on all advertisements, site notices, and notification letters.
- 6.8 The easiest way to comment on a planning application is through the council's website<sup>4</sup>. Alternatively, you can submit your comments by email or failing that in writing to Planning Service via email: [planning@befirst.london](mailto:planning@befirst.london) or postal address: 9<sup>th</sup> Floor, Maritime House, 1 Linton Road, Barking IG11 8HG.

### **iii) Decision Making Stage**

- 6.9 Around 95% of planning applications are decided by officers. The remaining 5% of planning applications are decided at the council's planning committee. This includes any planning applications recommended for approval where five or more people have objected to in writing. If you object to a planning application which goes to the Planning Committee for a decision, the council will send you the details of how to register to speak at the council's Planning Committee if you wish.
- 6.10 The council has also held monthly's briefing sessions, including officer and developer presentations. These sessions seek to inform the Planning Committee and relevant Ward Members about planning applications which are likely to be determined at a future Planning Committee. Developers can get views from members early on, however, no pre-determination of planning applications prior to the Planning Committee and that all councillors must declare any interests.
- 6.11 Once the council has decided whether to approve or refuse a planning application under delegated authority it confirms this by publishing a decision notice on the council's website.

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<sup>4</sup> <https://www.lbbd.gov.uk/search-for-or-comment-on-a-planning-application>

- 6.12 Where the council has refused planning permission an applicant has the right to appeal the decision. Where an appeal is lodged an inspector from the Planning Inspectorate is appointed. If you have objected to a planning application that is subsequently appealed against, the council will write to you via email or letter to explain the next steps. In some circumstances, the Inspector will instruct the council to begin a consultation with the public at the appeal stage. At this point, the Inspector will consider these comments alongside any comments which were submitted at the planning application stage.
- 6.13 Planning Aid for London is a registered charity, which can provide free and independent town planning related advice to individuals and groups unable to afford professional consultants. Planning Aid can assist people with their own planning applications or can help them to comment on planning applications or planning policy consultation documents. It can also advise groups on fundraising strategies, community development and consultation methods.

**Planning Aid for London, Planning Aid Resource Centre  
Unit 3.01 Whitechapel Technology Centre  
65/75 Whitechapel Road  
London, E1 1DU  
Tel: 020 7247 4900**

**Table 4: Consultation/ Publicity for Planning Applications**

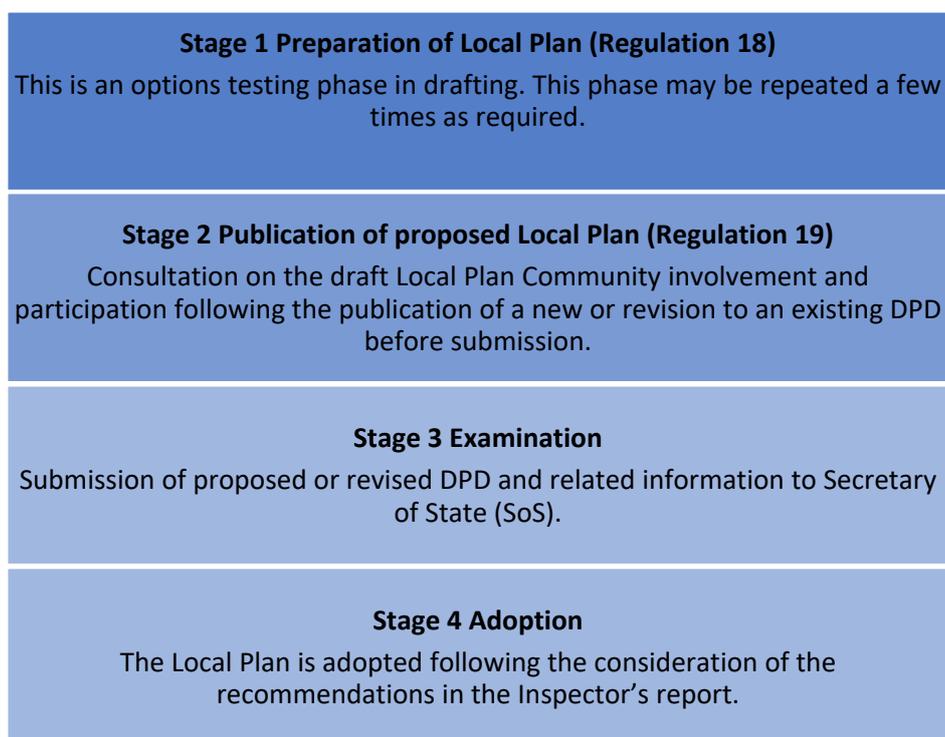
| Type of Application  | Publicity Normally undertaken for each type of application. |              |                                | Notes  |
|--|---|--------------|--------------------------------|--|
|  | Site Notice   | Press Notice | Neighbour Notification Letters |  |
| <b>Major Planning Applications</b>   | Yes   | Yes          | Yes                            | Letters will be sent to properties adjoining the application site, where they can be identified, or/ and a site notice will be placed on or near the application site. The council may consult more widely if the application is likely to be controversial.                   |
| <b>Other Applications Including Minor and Household</b>                                | No  | No           | Yes                            | Letters will be sent to properties adjoining the application site, where they can be identified, or/ and a site notice will be placed on or near the application site. The council may consult more widely if the application is likely to be controversial.                   |
| <b>Applications for Listed Building Consent and Conservation Area Consent</b>          | Yes   | Yes          | Yes                            | Site notices are not normally required if the proposed works only affect the interior of a Grade II listed building.   |
| <b>Application for Certificates of Lawfulness of Proposed Use or Development</b>       | No  | No           | No                             | There is no need to carry out publicity on applications for Certificated of Lawfulness of an existing use or development because the decision is a legal judgement.  |
| <b>Applications Required by a Condition Attached to a Grant of Planning Permission</b> | No  | No           | No                             | No publicity is undertaken with regards to these types of application.   |
| <b>Prior Approval Applications – Telecommunications</b>                                | No  | No           | No                             | In some very specific circumstances, a press notice is required by law.  |
| <b>Prior Approval Applications Demolition</b>  | Yes   | No           | No                             | Publicity is undertaken by the applicant. The applicant shall display a site notice on or near the land on which the building to be demolished is sited. The notice should be in place for not less than 21 days in the period of 28 days beginning with the date on which the |

|  |           |           |           |   |
|--|-----------|-----------|-----------|---|
|  |           |           |           | application was submitted by the LPA. Publicity is for information purposes only. |
| <b>Application Accompanied by an Environmental Statement</b> | See notes | See notes | See notes | Advertisement in the local newspaper and a site notice or neighbour notification. |
| <b>Proposals departing from the Development Plan</b>         | See notes | See notes | See notes | Advertisement in the local newspaper and a site notice or neighbour notification. |
| <b>Proposals affecting Public Right of Way</b>               | See notes | See notes | See notes | Advertisement in the local newspaper and a site notice or neighbour notification. |

## 7. Consultation of Supporting Documents

- 7.1 The planning policy documents will be mainly supported by several documents listed below. Details about the emerging Local Plan and supplementary planning documents can be found in the latest Local Development Scheme published on the council's website.
- 7.2 Figure 1 and 2 illustrate the consultation processes for both the Local Plan and Supplementary Planning Documents. Table 1 and 2 explain how the council will undertake the consultation and engagement at different stages of the process.

**Figure 1: Local Plan Process**



**Figure 2: Supplementary Planning Document Process**



### **Sustainability Appraisal**

- 7.3 As part of the preparation of the Local Plan Review, the council must assess the social, environmental, and economic impacts of Local Plan policies. The Sustainability Appraisal needs to be prepared alongside the development of the Local Plan. This is the purpose of a Sustainability Appraisal. To begin with, the council must consult on a draft Scoping Report, but this only involves Natural England, Historic England, and the Environment Agency. Its purpose is to make sure the council has identified the right sustainability issues and indicators to assess draft policies and allocations against. When the draft Local Plan is consulted on a Sustainability Appraisal report will be published alongside it.

### **Equalities Impact Assessment (EIA)**

- 7.4 An Equality Impact Assessment (EIA) is an essential tool that demonstrates whether planning policies have negative impacts on equality target groups and ensures that any adverse impacts identified are appropriately mitigated and where possible equalities are promoted. All Planning documents are subject to an initial EIA screening stage. This screening takes place during the initial stage of development of a policy or strategy and is designed to look at positive and negative/adverse impacts. A Full Impact Assessment is undertaken for all policies, projects and strategies that have identified an adverse/negative impact during the Initial Screening stage. Further information relating to EIA can be found on the [council's website](#).

### **Conservation Area Appraisal (CAA)**

- 7.5 CAAs identify the important characteristics of an area as well as provide residents with an idea of what alterations could be made. This document is used as a material consideration in planning application decisions. The preparation of CAAs includes a public consultation where properties within the conservation area are notified of the consultation event by letter, notice or in the local press. Other relevant parties such as

Historic England, amenity societies and local area heritage associations and societies will also be consulted on the draft CAA. Comments made during the consultation period will be considered when finalising the CAA. The council will notify key consultation participants of the adoption of the CAA.

#### **Article 4 (1) Directions**

- 7.6 Article 4 (1) Directions can be used by an LPA to remove permitted development (PD) rights. More information can be found in the [Town and Country Planning \(General Permitted Development\) Order 2015](#). PD rights allow certain building works and changes of use to occur without the submission of a planning application.
- 7.7 Following the creation of a draft Article 4 (1) Direction the council will:
- publish a notice of direction in the local press
  - display site notices in at least two locations for at least six weeks
  - notify landowners and occupiers of affected properties and land
  - publish a notice of Article 4 (1) Direction on the council's website
  - sent a copy of Article 4 (1) Direction to the Secretary of State
- 7.8 The council will accept representations regarding Article 4 (1) Direction for at least 21 days. Once the Secretary of State gives approval the direction is then confirmed. Once Article 4 (1) is confirmed, the council will inform affected landowners and occupiers through local press and websites.

#### **Tree preservation orders (TPOs)**

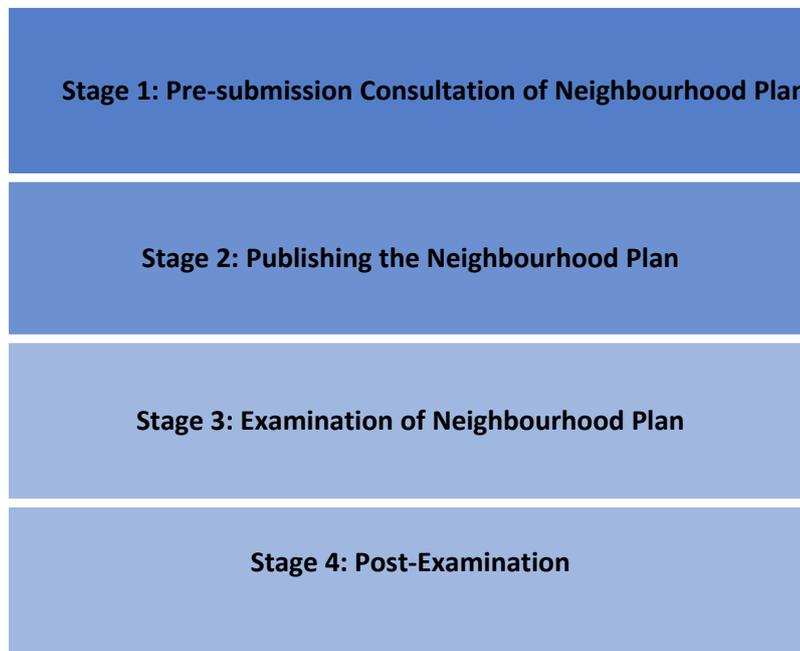
- 7.9 Local Planning Authorities (LPA) issue Tree Preservation Orders (TPOs) to protect specific trees or all trees within a defined area or woodland. A TPO makes the cutting down, topping, lopping, uprooting or wilful damage or destruction of a protected tree without the LPA's permission a criminal offence. The council will notify the landowner and any affected neighbours by letter about the placement of a provisional TPO. Where it is not possible to identify all landowners or occupiers, the council will post a site notice.
- 7.10 Owner / occupiers and affected neighbours have the right to object to the provisional TPO. The council will consider the objections to see if they can be resolved by making acceptable changes to the TPO. If this is achievable and the objector is satisfied with the changed TPO, the delegated officer will approve confirmation of the TPO. If this is not achievable, the Planning Committee needs to make the decision on whether the TPO should be confirmed (made permanent), within six months of the provisional TPO being made.
- 7.11 Trees in Conservation Areas that are not protected by a TPOs are protected by section 211 of the Town and Country Planning Act 1990 and the council must be given six weeks' notice of proposed works. Applications for Tree Works and Notices for works on trees in Conservation Areas can be viewed on the [council's website](#).

## 8. Consultation of neighbourhood development plans and Community Infrastructure Levy

### Neighbourhood Development Plan /Neighbourhood Development Orders

- 8.1 The Localism Act 2011 includes statutory policies that enable communities to create a Neighbourhood Plan<sup>5</sup> for their area. Neighbourhood Planning enables communities to shape the development and growth of their local area. Neighbourhood Planning can include the production of a Neighbourhood Plan or a Neighbourhood Development Order (NDO). The Neighbourhood Planning consultation process is illustrated in Figure 3 and the consultation requirements are outlined in Table 3 of this document as well in the Neighbourhood Planning (General) Regulations 2012<sup>6</sup>.

**Figure 3: Neighbourhood Plan Process**



### Community Infrastructure Levy (CIL)

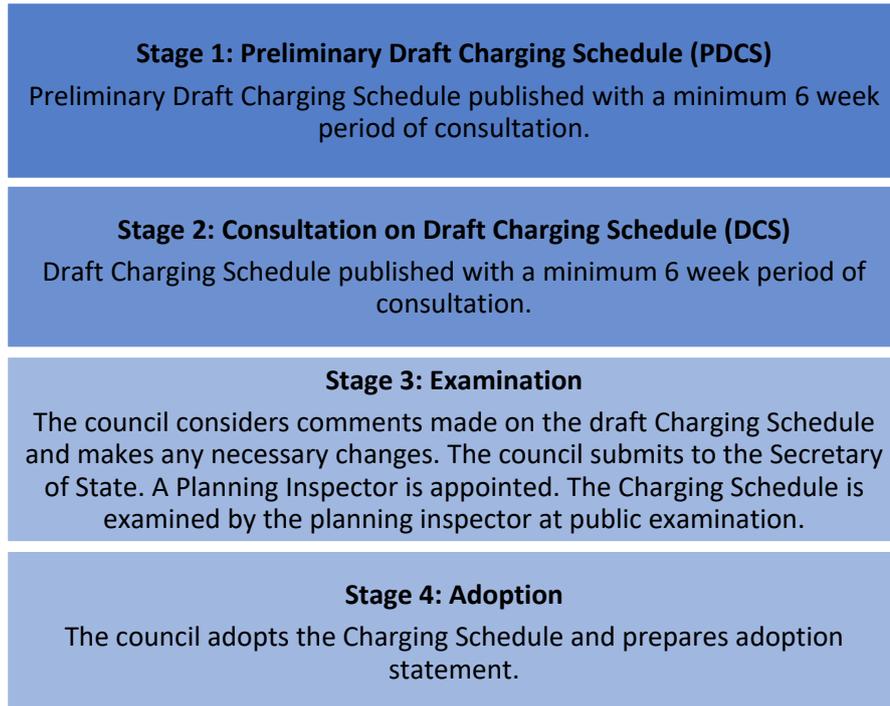
- 8.2 The Community Infrastructure Levy (CIL) is a charge on most types of new developments over a certain size. Figure 4 illustrates the CIL consultation process. The consultation requirements for a CIL charging schedule are set out under the CIL Regulations 2010 (as amended) and are in accordance with the consultation process for the Development Plan Documents (as shown in Table 1 of this document).

<sup>5</sup> Communities can prepare Neighbourhood Development Plans, which set out policies for the development and use of the area concerned. Neighbourhood Plans must be consistent with national policies and Development Plans adopted by the Local Planning Authority including the London Plan and Local Plan. Once adopted the Neighbourhood Plan becomes part of the statutory development plan and will be used in determining planning applications in the area. Neighbourhood Development Orders grant planning permission without the need to submit a planning application.

<sup>6</sup> Neighbourhood Planning (General) Regulations: <http://www.legislation.gov.uk/ukxi/2012/637/contents/made>

- 8.3 The CIL money collected should be spent on infrastructure to support growth in the borough. There are opportunities for community groups to bid for Neighbourhood CIL funding (NCIL) to fund local neighbourhood schemes, such as community projects and environmental improvements, with projects being assessed against the themes of the Borough Manifesto<sup>7</sup>. This version of the SCI does not include the consultation approach to NCIL. For details of how to apply for the NCIL, please contact:[community@lbbd.gov.uk](mailto:community@lbbd.gov.uk).

**Figure 4: Community Infrastructure Levy Process**



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<sup>7</sup> <https://www.lbbd.gov.uk/sites/default/files/attachments/Barking-and-Dagenham-Together-Borough-Manifesto.pdf>

**Table 1: Consultation on Development Plan Documents**

| Key Stages  | What we will consult on  | How we will inform you   | Regulatory Requirements   |
|---|--|--|---|
| <b>All DPD documents including the Local Plan and Area Action Plans as well as CIL</b>                                |  |  |   |
| <p><b>Stage 1:</b></p> <p><b>Issues and Options Stage</b></p> <p><b>Preliminary Draft Charging Schedule (CIL)</b></p> | <p>We will ask what you think are the most important planning issues facing the borough over the next 15 years and what you think of the options for addressing these.</p> | <p>We will inform you through:</p> <ul style="list-style-type: none"> <li>• Publishing an Issues and Options report on the council’s website along with the Sustainability Appraisal Scoping Report for a minimum of six weeks<sup>8</sup></li> <li>• Notifying all those people on the council’s consultation database of the start of the consultation using their preferred method of contact.</li> <li>• Making hard copies of the Issue and Options report available in Barking Town Hall and Dagenham Library</li> <li>• Publicising the Issues and Options consultation on the council’s Facebook and twitter.</li> <li>• Attending relevant existing community group meetings.</li> <li>• Undertaking a number of consultation events in accessible locations across the borough.</li> </ul> | <p>Before preparing a new DPD (Regulation 18), we will need to notify specific consultation bodies who have an interest in the subject of the proposed plan, appropriate general consultation bodies, residents, and businesses (from the Consultation Database) in the area which the LPA consider it appropriate to invite representations.</p> |

<sup>8</sup> A longer consultation period will be considered appropriate where the council is consulting on more than one document or where the majority of the supporting information (including evidence base studies) is published for the first time.

| Key Stages  | What we will consult on  | How we will inform you  | Regulatory Requirements   |
|---|--|---|---|
| <p><b>Stage 2: Consulting the community on the draft Plan</b></p> | <p>We will ask you what you think of our draft Plan in accordance with a formal procedure. We will make it clear that members of the public have a right to comment at this stage. And if they comment they then have the right to be involved in the EIP.</p> | <p>We will consult on a draft Plan for a minimum of six weeks<sup>9</sup>. We will inform you through:</p> <ul style="list-style-type: none"> <li>• publishing the draft Plan on the council’s website along with: <ul style="list-style-type: none"> <li>a) A Sustainability Appraisal Report</li> <li>b) A statement of the representations procedure and a copy of the official representations form you must use to provide your comments</li> <li>c) A consultation statement summarising all the feedback received on the Issues and Options consultation and how comments have been considered and considered in preparing the draft Plan</li> <li>d) The supporting documents that have been used to inform the draft Plan</li> </ul> </li> <li>• notifying people on the council’s consultation database</li> <li>• making hard copies of the draft Plan and representation forms available in Barking Town Hall and Dagenham</li> </ul> | <p><b>Publication of a Local Plan (Regulation 19)</b></p> <ul style="list-style-type: none"> <li>• Before submitting a Plan to the Secretary of State under Section 20 of the Planning and Compulsory Purchase Act 2004 the LPA must (a) make a copy of each of the proposed submission document and a statement of representation procedures in accordance with Regulation 35 and (b) ensure that a statement of the representations procedure (including, where and when for inspection) is sent to each of the general consultation bodies and each of the specific consultation bodies and each of the specific consultation bodies invited to make representation under Regulation 19.</li> </ul> <p><b>Representations relating to a Local Plan (Regulation 20)</b></p> <ul style="list-style-type: none"> <li>• Any person may make representations to an LPA about a local plan which the LPA proposes to submit to the Secretary of State. Any such representations must be</li> </ul> |

<sup>9</sup> A longer consultation period will be considered appropriate where the council is consulting on more than one document or where the majority of the supporting information (including evidence base studies) is published for the first time.

| Key Stages                     | What we will consult on | How we will inform you  | Regulatory Requirements  |
|--------------------------------|-------------------------|---|--|
|                                |                         | Library. publicising the draft Plan consultation on the council's Facebook and Twitter  | received by the LPA by the date specified in the statement of the representations procedure.   |
| <b>Stage 3:<br/>Submission</b> | N/A                     | We will provide information through various media platforms where appropriate and notifying all the people registered on the council's consultation database. Please note that all your previous comments will be submitted to the Planning Inspectorate. | <p><b>Submission of documents and information to the Secretary of State (Regulation 22)</b></p> <p>Following submission of the proposed or revised DPD to the SoS, as soon as reasonably practicable we need to:</p> <ul style="list-style-type: none"> <li>• Make the DPD and all documents submitted to the SoS available at the places the DPD was made available during Stage 2.</li> <li>• Send to each of the specific consultation bodies mentioned in Stage 1 the DPD and other documents sent to the SoS, as well as a statement detailing where the DPD and information documents can be viewed.</li> <li>• Notify each of the general consultation bodies invited during Stage 1 details of where, when and how the DPD and other information can be viewed.</li> </ul> |

| Key Stages                                  | What we will consult on | How we will inform you   | Regulatory Requirements  |
|---|-------------------------|--|--|
|   |                         |  | <ul style="list-style-type: none"> <li>• Advertise locally the submission of the DPD and details of where, when, and how the DPD can be viewed.</li> <li>• Notify anyone who requested to be notified of the submission of the DPD.</li> <li>• Publish on the website the DPD and all related documents sent to the SoS including details of where, when, and how the DPD and other information can be viewed. We will also publish a summary of the comments made in relation to the DPD on the website.</li> </ul> |
| <b>Stage 4:<br/>Examination of the Plan</b> | N/A                     | <p>We will provide examination information on various media platforms where appropriate.</p> <p>If you commented on the draft Plan, you will be invited to attend the examination to make representations.</p> | <p><b>Independent Examination (Regulation 24)</b></p> <p>At least six (6) weeks before the examination starts, we need to:</p> <ul style="list-style-type: none"> <li>• Make the DPD and all documents submitted to the SoS available at the places the DPD was made available during Stage 2.</li> <li>• Publish on our website as well as advertise the time and place of where the examination will be taking place and the name of the person carrying out the examination.</li> </ul>                           |

| Key Stages               | What we will consult on | How we will inform you  | Regulatory Requirements   |
|--------------------------|-------------------------|---|---|
|                          |                         |   | <ul style="list-style-type: none"> <li>• Notify anyone who has made comments under Stage 2 and has not withdrawn that comments of the time and date of the examination.</li> </ul>  |
| <b>Stage 5: Adoption</b> | N/A                     | We will provide information on various media platforms where appropriate and notify all the people registered on the council's consultation database. | <p><b>Adoption of a Local Plan (Regulation 26)</b><br/>Once the DPD has been adopted, as soon as practicable we need to:</p> <ul style="list-style-type: none"> <li>• Make the DPD and an adoption statement available for viewing in the places where the proposed DPD was provided in Stage 2.</li> <li>• Publish the adoption statement on our website.</li> <li>• Advertise details of where and when the DPD and the adoption statement is available to view.</li> <li>• Send the adoption statement to anyone who has asked to be notified of the adoption of the DPD.</li> <li>• Send a copy of the adoption statement to the SoS</li> </ul> |

**Table 2: Consultation on Supplementary Planning Documents**

| Key Stages   | What we will consult on   | How we will inform you   | Regulations   |
|--|---|--|---|
| <p><b>Stage 1: Preparing the draft Supplementary Planning Document</b></p>                   | <p>Scope of the SPD, which could include high level discussions around what should be included in the document and what evidence base is required to support to formulate the document etc.</p> | <p>We will inform you through:</p> <ul style="list-style-type: none"> <li>• engaging interested parties in deciding the detail to be included in the SPD and we will identify key issues that need to be addressed.</li> <li>• consulting Natural England, Historic England, and the Environment Agency during the Sustainability Appraisal process; and</li> <li>• where it is deemed necessary carrying out consultation prior to the publication of draft SPDs</li> </ul>   | <p>N/A</p>  |
| <p><b>Stage 2: Consulting the community on the draft Supplementary Planning Document</b></p> | <p>We will consult you on the draft SPD and if you have any comments to make, we will take your views into account.</p>   | <p>We will inform you through:</p> <ul style="list-style-type: none"> <li>• publishing the draft SPD and supporting documents on the council’s website for a minimum of six weeks</li> <li>• notifying all those people on the council’s consultation database of the start of the consultation using their preferred method of contact</li> <li>• making hard copies of the draft SPD available in Barking Town Hall and Dagenham Library. Publicising the draft SPD on the council’s Facebook and twitter</li> </ul> | <p><b>Public participation (Regulation 12)</b></p> <p>Before we can adopt an SPD we need to:</p> <ul style="list-style-type: none"> <li>• Prepare a statement that outlines the persons we consulted when preparing the SPD; a summary of the main issues raised by those persons; and how the issues have been addressed in the SPD.</li> <li>• Make copies of the statement and the SPD available with details regarding the date by</li> </ul> |

| Key Stages                                 | What we will consult on | How we will inform you   | Regulations  |
|--|-------------------------|--|--|
|  |                         |  | <p>which representations must be submitted and the address to which they must be sent.</p>   |
| <p><b>Stage 3: Adoption of the SPD</b></p> | <p>N/A</p>              | <p>We will inform you through:</p> <ul style="list-style-type: none"> <li>• publishing the adopted SPD and evidence base documents on the council’s website. This will include a consultation statement summarising all the comments received from the previous stages and how the comments were considered and taken into account.</li> <li>• sending an adoption statement to those who commented on the draft and those who have asked to be notified of the adoption of the SPD. making hard copies of the draft Local Plan and representation forms available in Barking Town Hall and Dagenham Library.</li> </ul> | <p><b>Application and interpretation (Regulation 11)</b><br/> Once the SPD is adopted, we must publish an adoption statement that specifies:</p> <ul style="list-style-type: none"> <li>• The date that the SPD was adopted.</li> <li>• Any modification made pursuant to section 23 (1) of the Act.</li> <li>• That any person with sufficient interest in the decision to adopt the SPD may seek permission from the High Court for judicial review of that decision, and</li> <li>• Such an application must be made no later than 3 months after the date on which the SPD was adopted.</li> </ul> <p><b>Adoption of supplementary planning documents (Regulation 14)</b><br/> Once we adopt the SPD we must:</p> <ul style="list-style-type: none"> <li>• Make the SPD and an adoption statement available in accordance with regulation 35.</li> </ul> |

| Key Stages | What we will consult on | How we will inform you | Regulations   |
|------------|-------------------------|------------------------|---|
|            |                         |                        | <ul style="list-style-type: none"><li data-bbox="1592 276 2002 408">• Send a copy of the adoption statement to any person that has asked to be notified of the adoption of the SPD.</li></ul> |

**Table 3: Consultation on Neighbourhood Development Plan and Local Development Orders**

| Key Stages  | What we will consult on   | How we will inform you  | The Neighbourhood Planning (2012) Regulatory Requirements  |
|---|---|---|--|
| <p><b>Stage 1: Pre-submission Consultation<sup>10</sup></b></p> | <p>We will consult on the Neighbourhood Development Plan/Local Development Orders and all supporting documents including evidence base studies.</p> | <p>The council will assist a designated Neighbourhood Forum to arrange for a formal consultation on the proposed document prior to submission. All the detailed information of the consultation will be published on the council's website.</p> | <p><b>Pre-submission consultation and publicity (Regulation 14)</b><br/>           Prior to submitting a plan proposal to an LPA, a qualifying body must:</p> <ul style="list-style-type: none"> <li>• Publicise the plan and bring it to the attention of the people who live, work, or carry on business in the neighbourhood area.</li> <li>• Provide details regarding:               <ul style="list-style-type: none"> <li>○ the proposals for an NDP</li> <li>○ where and when the proposals for an NDP may be inspected</li> <li>○ how to make representations</li> <li>○ the date by which representations must be received, not being less than 6 weeks from the date in which the draft proposal was first published</li> </ul> </li> </ul> |

<sup>10</sup> Following consultation, the Neighbourhood Forum must assess and take into consideration all comments received and make changes to the document if necessary. The Neighbourhood Forum will then use its findings to create a document called the 'Consultation Statement'. The document can then be finalised and submitted to the council.

| Key Stages                              | What we will consult on                                     | How we will inform you  | The Neighbourhood Planning (2012) Regulatory Requirements  |
|---|---|---|--|
|   |   |   | <ul style="list-style-type: none"> <li>• Consult any consultation body whose interests may be affected by the proposals for an NDP; and</li> <li>• Send a copy of the NDP proposal to the LPA</li> </ul>   |
| <b>Stage 2: Publishing the document</b> | All proposed documents prepared by the Neighbourhood Forum. | Once submitted the council will assist a designated Neighbourhood Forum to consult on the draft document for a minimum of six weeks <sup>11</sup> . | <p><b>Plan proposals (Regulation 15)</b><br/>When submitting a plan proposal to the LPA the qualifying body must include:</p> <ul style="list-style-type: none"> <li>• A map or statement that identifies the areas to which the proposed NDP relates</li> <li>• A consultation statement</li> <li>• The proposed NDP; and</li> <li>• A statement explaining how the proposed NDP meets the requirements of paragraph 8 of Schedule 4B to the 1990 Act</li> </ul> <p><b>Publicising a plan proposal (Regulation 16)</b><br/>After receiving an NDP proposal, the LPA must:</p> |

<sup>11</sup> A longer consultation period will be considered appropriate where the council is consulting on more than one document or where the majority of the supporting information (including evidence base studies) is published for the first time.

| Key Stages                  | What we will consult on | How we will inform you   | The Neighbourhood Planning (2012) Regulatory Requirements   |
|-----------------------------|-------------------------|--|---|
|                             |                         |  | <ul style="list-style-type: none"> <li>• Publicise the plan proposal on their website</li> <li>• Provide details about the plan proposal</li> <li>• Provide details of where and when the plan proposal may be inspected</li> <li>• Provide details how to make representations</li> <li>• Issue a statement that any representations may include a request to be notified of the LPA's decision in relation to the NDP; and</li> <li>• the date by which representations must be received, not being less than 6 weeks from the date in which the draft proposal was first published.</li> </ul> |
| <b>Stage 3: Examination</b> | N/A                     | The council will arrange for an independent examination of the document and notify those who are interested in the proposed plan of the examination process. An independent examiner will review the proposed plan, additional documents and representations made by consultees. | <p><b>Submission of plan proposal to examination (Regulation 17)</b></p> <p>As soon as a person to carry out the examination is appointed, the LPA must send the following to the examiner:</p> <ul style="list-style-type: none"> <li>• the plan proposal</li> <li>• the documents referred to in regulation 15 and all other</li> </ul>   |

| Key Stages                       | What we will consult on | How we will inform you  | The Neighbourhood Planning (2012) Regulatory Requirements   |
|----------------------------------|-------------------------|---|---|
|                                  |                         |   | <p>documents submitted to the LPA by the qualifying body regarding the plan proposal</p> <ul style="list-style-type: none"> <li>• if the Conservation of Habitats and Species Regulations 2010 applies, the information submitted in accordance with regulation 102A of those Regulations</li> <li>• a copy of any representations that have been made in accordance with Regulation 16</li> </ul>  |
| <b>Stage 4: Post Examination</b> | N/A                     | The council will publish a decision statement and notify those who work and live in the neighbourhood area. | <p><b>Publication of the examiner's report and plan proposals decisions (Regulation 18)</b></p> <p>Following examination of the plan, the examiner will write a report stating that:</p> <ul style="list-style-type: none"> <li>• further modifications are required before the plan can proceed to the referendum stage</li> <li>• the plan does not meet the basic conditions and therefore should not proceed to the referendum stage</li> </ul> |

| Key Stages | What we will consult on | How we will inform you | The Neighbourhood Planning (2012) Regulatory Requirements  |
|------------|-------------------------|------------------------|--|
|            |                         |                        | <ul style="list-style-type: none"> <li>• the plan can proceed to the referendum stage without any changes</li> </ul> <p><b>Decision on a plan proposal (Regulation 19)</b><br/>Once a decision is made, the LPA must:</p> <ul style="list-style-type: none"> <li>• publish a statement outlining the decision and their reasons for making the decision on their website</li> <li>• provide details of where and when the decision statement may be inspected</li> <li>• A copy of the decision statement must also be sent to the qualifying body and any person who asked to be notified of the decision</li> </ul> <p><b>Publicising a neighbourhood development plan (Regulation 20)</b><br/>Once the neighbourhood development plan is made the LPA must:</p> |

| Key Stages | What we will consult on | How we will inform you | The Neighbourhood Planning (2012) Regulatory Requirements   |
|------------|-------------------------|------------------------|---|
|            |                         |                        | <ul style="list-style-type: none"> <li>• Publish the neighbourhood development plan on their website</li> <li>• Provide details of where and when the NDP may be inspected</li> <li>• Notify any person who asked to be notified of the making of the NDP that is has been made and where and when they can inspect it</li> </ul> |

## Addendum to the London Borough of Barking & Dagenham SCI Refresh

### Temporary Changes in Response to Covid-19 Until 31 December 2020

We have reviewed our SCI and identified policies which are inconsistent with government guidance to stay at home and socially distance from others. This addendum sets out where necessary temporary amendments to LBBD's SCI have been made so that we can continue to engage effectively with our local communities on plan-making processes and planning decisions while COVID-19 restrictions are in place. These changes are set out below:

#### Consultation on planning policy documents

Owing to the current closure of libraries and Council offices to the public, we are unable to hold public consultations in these locations, and physical copies of documents cannot be made available to view at the present time. We will adopt alternative approaches to engage with our communities and seldom heard groups by focusing on digital platforms, which may include:

- notifying interested parties by email and letter and receive comments by email or by letter;
- advertising consultation materials on social media (e.g. Facebook, Twitter) and local press;
- making phone calls to a number of interested parties (e.g. active community groups); and
- using information hubs to present our consultation documents, for example, interactive story maps for showing proposed site allocations and planning policies.

#### Responding to consultations

Anyone can respond to our consultation online, using the form supplied or by email to the relevant team. Paper response forms will not be available in our libraries and offices and we encourage you to respond online at this time. Any paper copies may not be received or acknowledged until this emergency period is over and normal office working is re-established.

#### Changes to publicity for planning applications

We may not be displaying a Site Notice for planning applications during the COVID-19 crisis. This will ensure officers are not increasing the risk of transmission by travelling out of their homes to protect the health of our staff and our residents.

**For any further enquiries, please contact: [info@befirst.london](mailto:info@befirst.london).**

## Appendix A: Statutory Consultees and General Consultees

### Statutory Consultees

- Canal & River Trust
- Civil Aviation Authority
- Coal Authority
- Department for Education
- Environment Agency (London)
- Essex County Council
- Historic England
- Highways England
- Homes England
- London Borough of Havering
- London Borough of Redbridge
- London Borough of Newham
- London Borough of Greenwich
- London Borough of Bexley
- London Legacy Development Corporation
- Mayor of London / GLA
- Marine Planning Authority
- Natural England
- National Grid
- Network Rail
- NHS Property Services (London)
- NHS Trust (London)
- Office of Rail Regulation
- Primary Care Trust
- Port of London Authority
- Sport England
- Thames Water
- Thurrock Council
- Transport for London

### General Consultees

- Ward councillors
- Resident associations
- Housing associations
- Police & emergency services
- Health trusts
- Other borough-wide groups and developers (where appropriate)
- Individuals and Organisations subscribed to the LBBB Consultation Mailing List

## Glossary

**Article 4 (1) Directions:** can be used by an LPA to remove permitted development (PD) rights.

**Community Infrastructure Levy (CIL):** is a new power which enables a charge to be levied on the net increase in gross internal area floorspace arising from development to fund infrastructure that is needed to support development in the area.

**Conservation Area Appraisal (CAA):** identifies the important characteristics of an area as well as provides residents with an idea of what alterations could be made. This document is used as a material consideration in planning application decisions.

**Development Plan:** a London local authority's development plan consists of the London Plan and the Development Plan Documents contained within its Local Plan and neighbourhood plans.

**Development Plan Documents (DPD):** are spatial planning documents that are subject to independent examination, and together with the London Plan, will form the development plan for the borough.

**Duty to co-operate:** a legal duty placed on all local authorities and several other public bodies which requires on-going, constructive, and effective engagement to develop strategic policies and consider joint approaches to plan making.

**Equalities Impact Assessment (EIA):** is an essential tool that demonstrates whether planning policies have negative impacts on equality target groups and ensures that any adverse impacts identified are appropriately mitigated and where possible equalities are promoted.

**Issues and Options:** produced during the initial stage of the preparation of Development Plan Documents.

**Localism Act 2011:** an act of parliament that changes the powers of local government in England. In terms of planning, the Act abolished regional strategies but introduced the duty to cooperate in the preparation of development plans. It also brought about changes to the way community infrastructure levies should operate.

**Local development document:** the collective term for Development Plan Documents and Supplementary Planning Documents.

**Local Development Scheme (LDS):** sets out the timetable for preparing the Local Plan.

**Local Plan:** consists of Development Plan Documents drawn up by the Local Planning Authority to guide the future development of the local area. It may also consist of Neighbourhood Plans for Neighbourhood Areas.

**London Plan:** The Spatial Development Strategy for London and provides the London wide context within which individual boroughs set their local planning policies as part of their Development Plan.

**Major Development:** refers to planning applications for residential development comprising 10 or more dwellings or if the site area is 0.5ha or more. Major development also includes any other use where the floor space proposed is 1,000 square metres or more or if the site area is one hectare or more.

**Material Consideration:** includes any planning matter which is relevant to a particular case.

**Neighbourhood Development Orders:** can grant permission for specific developments in a Neighbourhood Area. If there is an Order in place, there would be no need to apply to the council for planning permission for the development it covers.

**Neighbourhood Development Plan (NDP):** were introduced under the provisions of the Localism Act 2011 and enable neighbourhood forums to prepare statutory development plan documents which, once 'made' (adopted) form part of the council's Development Plan.

**Neighbourhood Planning:** a new tier of the planning system, introduced under the Localism Act 2011, to give communities more control over the future of their area.

**Permitted Development (PD) Rights:** allow certain building works and changes of use to occur without the submission of a planning application.

**Planning Inspectorate:** a government body whose main work involves processing planning and enforcement appeals and holding examination in public on local plans.

**Planning Portal:** a national website that offers a wide range of services and guidance on the planning system, advising on planning permission, online planning applications, planning appeals and how the planning system works (see <http://www.planningportal.gov.uk> ).

**Planning Obligations:** are legal agreements between a planning authority and a developer, or undertakings offered unilaterally by a developer, that ensure that certain extra works related to a development are undertaken. For example, the provision of highways. Sometimes called "Section 106" agreements or Planning Agreements.

**Representation:** a formal submission of comments on a plan during public consultation or on a planning application following notification and publicity.

**Stakeholder:** an individual or organisation that has specific knowledge and/or expertise of the subject matter.

**Supplementary Planning Documents:** provide supplementary information in respect of the policies in Development Plan Documents and may take the form of design guides, development briefs, master plans or issue-based documents that supplement the policies in a DPD. They do not form part of the Development Plan and are not subject to independent examination.

**Sustainability Appraisal:** a tool for appraising policies to ensure they reflect sustainable development objectives (i.e. social, environmental, and economic factors).

**Tree preservation orders (TPOs):** are issued by Local Planning Authorities (LPAs) to protect specific trees or all trees within a defined area or woodland.

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