

Appendix 1

**Kirklees Council
Statement of Community Involvement
March 2024**

Table of Contents

1. Introduction	1
Background and the Need for Review	1
Keeping You Informed	2
General Data Protection Regulation (GDPR)	3
2. Community Involvement in Planning Policy	3
What Do We Want to Achieve from the SCI?	3
Inclusive Community Framework	4
Place Standard	4
Who Will We Consult?	4
<i>Consultees</i>	4
<i>Duty to Co-operate</i>	5
<i>The Role of Councillors in Planning Policy</i>	6
How We Will Consult and Communicate.....	6
Our Principles.....	6
Methods.....	8
Hierarchy of Planning Documents	12
<i>Legislation and National Policy</i>	12
<i>Development Plan Documents</i>	12
<i>Supplementary Plans and Guidance Notes</i>	12
What Documents Will We Consult On?	12
<i>Local Plan</i>	13
<i>Supplementary Plans</i>	14
<i>Masterplans, Development Frameworks, or Briefs</i>	14
<i>Sustainability Appraisal and Strategic Environmental Assessment</i>	14
<i>Neighbourhood Plans</i>	14
<i>Planning Applications</i>	16
When Will We Consult and What is the Process?	17
<i>Process of Consultation</i>	17
<i>Feedback</i>	18
3. Levelling Up and Regeneration Act 2023 (LURA).....	18
4. Further Information	19
Appendix 1: Glossary	20
Appendix 2: Statutory Consultees	22

1. Introduction

- 1.1 This document sets out a series of guidelines on the scope of community involvement, how and when the council will engage and undertake consultation on planning policy documents and how you can become involved. For example, if you have an interest in, the Local Plan update, supplementary planning documents or neighbourhood planning, this document tells you how, and when you can get involved as well as how your comments will be used to influence and shape the council's planning policies.
- 1.2 It does not set out involvement in the planning application process. This is detailed in our Development Management Charter. This can be viewed on the council's website via the [following link](#).
- 1.3 The document updates the council's existing Statement of Community Involvement (SCI) which was adopted in December 2019.

Background and the Need for Review

- 1.4 National Planning Policy Framework (NPPF) September 2023, paragraph 16 states:
“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”.
- 1.5 The document seeks to promote community involvement in planning policy at an early stage to work towards a consensus and thereby reduce the scope for delays at later stages. By getting involved and having your say in the planning process you can help to shape the future of your area.
- 1.6 In addition, there are also statutory requirements that the council must meet at each stage of plan preparation.
- 1.7 Who is consulted may vary according to the issue under consideration as it is important to ensure that we reach out to individuals and communities affected by the issues raised. This may require some tailored consultation which could be addressed through for example, specific focus groups alongside the wider consultation.
- 1.8 The production of a SCI is a government requirement introduced by the Planning and Compulsory Purchase Act 2004. Legislative requirements state (regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), that the SCI must be reviewed (and amended where necessary) every five years from the date of adoption of the SCI. A review of the SCI has been undertaken to reflect the following:

- An update of the Local Plan commenced in November 2023. National Planning Policy Guidance advises Local Planning Authorities (LPA) to review and update their SCI at the same time to reflect what action is taken to involve the community in any changes to the plan.
- To promote new and increasingly standard digital communication and social media within planning, and more specifically, consultations in the light of the Government's increased emphasis on digital planning communications.
- To highlight the Council's new Inclusive Community Framework.
- To reflect good practice from other local authorities.

1.9 This SCI reflects council-wide changes in ways of working as set out in the [Council Plan July 2023 - January 2024](#), working with people, with and alongside partners, and in our places to achieve our ambitions. Our engagement and consultation can help develop the council's focus on place-based working which is at the heart of what we do.

Keeping You Informed

1.10 This document should be read alongside the following:

- The Local Plan Timetable (LPT) (formally known as the Local Development Scheme (LDS)), sets out our timelines for producing new planning documents and is updated periodically. It also sets out how the production of planning documents is resourced within the council, and other departments that we work with in producing planning policy. Our [LDS](#) is currently being updated and our Local Plan Timetable, will be presented to Cabinet for adoption in early 2024.
- The [Authority Monitoring Report](#) (AMR) which sets out the progress that has been made over the previous year in producing planning documents, and how much development has occurred within Housing and Employment. It must be published at least annually. The latest AMR was published in December 2022.
- Neighbourhood Planning Updates - the progress of current designated neighbourhood plans can be found on our [website](#) which will help you to know when there are opportunities to get involved. It should be noted that the council is not responsible for the consultation programmes for the neighbourhood plans as that is the responsibility of the Parish/Town Council or Neighbourhood Forum.
- Our Consultation Portal – You are able to register as a consultee or an agent on our [consultation portal](#), where you can register your interest in specific planning topics and receive notification via your preferred contact option when a consultation, relating to your interested topic, is taking place.

1.11 The latest documents updates for all the above, and any other planning policy related information, can be found on the [Planning Policy webpage](#).

General Data Protection Regulation (GDPR)

- 1.12 We will notify contacts on our Planning Policy online system where individuals or organisations have opted in to be consulted at the relevant statutory consultation stages for each type of document. Consultees will be encouraged to supply an e-mail contact as this is more time and cost efficient than sending letters and will be encouraged to submit comments electronically where they are able to do so.
- 1.13 You can register as a consultee or an agent on our [Planning Consultations website](#). The information saved on the system will be used in accordance with the Council's registration under GDPR (2018). This includes personal information such as name, address, phone number and land ownership information. Consultation responses cannot be treated as confidential as this would inhibit Kirklees Council's fulfilment of its duties regarding consultation. It is recommended that consultees operate under a 'presumption of transparency'.
- 1.14 For the purposes of public consultation, the council collect and process information about you in order to fulfil its public duties under Article 6(1) (e) Public Task and Article 6(1) (c) Compliance with a Legal Obligation of the General Data Protection Regulations. You have a qualified right to object to the use of personal information verbally or in writing. For more information on how the Planning Policy Team at Kirklees council collects, uses and shares your information, see our [Privacy Notice](#).

2. Community Involvement in Planning Policy

What Do We Want to Achieve from the SCI?

- 2.1 In setting out clear guidance we aim to:
- Increase public awareness of the planning process and how to get involved.
 - Provide an opportunity to help groups and individuals shape development plan documents including the local plan and make representations on its contents.
 - Help create a sense of ownership on planning issues; and
 - Ensure a transparent process based on consideration of a range of options and local priorities and concerns.
- 2.2 Production of planning policy documents is governed by statutory requirements with specific requirements to undertake early engagement and consultation at set stages of the plan making process. As part of meeting these requirements, we can use and promote different methods to ensure that we involve our communities effectively to get the best results. This has the added benefit of improving place-based working and promoting engagement in a way which best fits the issue and the area being addressed. The purpose of the SCI is to make these processes clearer, so it is easier to get involved.

Inclusive Community Framework

- 2.3 The council's Inclusive Community Framework (ICF) is a commitment to work better with communities and guides different parts of the council on how they can improve the way they work with communities. The information in this framework will help us improve how we consult on our planning documents, ensuring that the consultation methods used enable individuals/communities to engage in the planning process. [More information on the ICF can be found here.](#)

Place Standard

- 2.4 Our active citizens and engagement team are involved in Place Standard engagements. Place Standard engagements provide an opportunity to have a conversation about the place people live or work including buildings, spaces, and transport as well as how they can get involved in making decisions for their area. There have been a number of engagements that have taken place in Kirklees. Examples include Thornhill, which aims to address issues in; traffic and parking, play and recreation, and housing to name a few and the comments received from the Holmfirth Place Standard have informed the Holmfirth Blueprint consultation for the town centre. Further information on the Place Standard can be found here: [How good is our place?](#)
- 2.5 In terms of future planning consultations, the work undertaken so far provides us with lots of evidence to help shape place making and an opportunity to learn from the good practice in community-based engagement.

Who Will We Consult?

Consultees

- 2.6 This depends on the type of document and the nature of the consultation. Regulations and government guidance specify the bodies and organisations that we must notify when preparing the Local Plan or Supplementary Planning Documents (SPDs)/Supplementary Plans (SPs). The regulations do provide some discretion over whether to notify certain bodies particularly if that document or issue is not likely to be of interest or relevance to it.
- 2.7 We will aim to consult relevant groups where a proposal will directly affect them. Generally, we will seek the views of those who live or work in the district relevant to the document being consulted on such as:
- Residents.
 - Adjoining local authorities.
 - Parish and town councils.
 - Specific consultee bodies - See Appendix 1 - organisations defined by The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) that are required to be consulted at key stages of plan production. These include

neighbouring and parish councils, key service providers, Government departments and non-government organisations.

- General consultee bodies - organisations defined by The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) that are required to be consulted at key stages of plan production. They include bodies which represent the interests of different racial, ethnic, religious, or national groups, disabled persons, and business in the LPAs area.
- Interest groups.
- Voluntary organisations.
- Businesses.
- Developers and landowners.
- Marginalised groups - which includes those with protected characteristics under the Equality Act 2010 (Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex, and Sexual Orientation). The Council also assesses the impact on unpaid carers, Gypsy, Roma and Traveller Communities, low income, and Members of the Armed Forces; and
- ‘Seldom heard’ - there is some overlap between marginalised groups and those ‘seldom heard’, who may be disengaged with the planning system. Additional effort should be taken to ensure that consultation is accessible to those who are seldom heard, rather than only those who usually engage with the planning system. Where a ‘seldom heard’ group is also a group with a protected characteristic, this is an important consideration in line with our duties under the Equality Act (2010). ‘Seldom heard’ groups include those who find engaging in planning issues less accessible for practical reasons – such as single parents, carers, those in full time or irregular work, rural communities, and those without adequate access to or knowledge of the internet.

Duty to Co-operate

- 2.8 The Localism Act (2011) places a “duty to co-operate” on all local authorities and a number of public bodies which requires on-going, constructive, and effective engagement on areas of plan making which may have strategic cross boundary implications.
- 2.9 The public bodies are set out in Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013. These include the Environment Agency, Natural England, Local Enterprise Partnerships, and Primary Care Trusts.
- 2.10 These bodies play a key role in delivering local aspirations, and cooperation between the bodies and Local Planning Authorities is vital to make Local Plans as effective as possible on strategic cross boundary matters. The bodies should make proportionate responses in how they do this and tailor their degree of cooperation to maximise the effectiveness of plans.

- 2.11 The duty to co-operate is in addition to continuing to consult statutory defined groups such as neighbouring authorities or local or national agencies.

The Role of Councillors in Planning Policy

- 2.12 Councillors have an extremely important role to play in the planning process, both as decision makers and as representatives for the views of local people. Councillors will help you to understand the planning process and assist you to respond to consultations on planning policy documents. They will also communicate your views to officers and other councillors to ensure that all views are considered when determining how the council should proceed.

How We Will Consult and Communicate

- 2.13 All consultation, engagement and feedback documents will be placed on the council's website, and other forms of social media. This is the fastest, most efficient, and cost-effective way of consulting.
- 2.14 However, to ensure all members of communities can access consultations, hard copies of documents will be made available at customer service centres, and other deposit locations, as defined by the Local Plan regulations¹, subject to the nature and scope of the consultation. We may publicise the availability of documents using posters in local information centres/libraries. Furthermore, hard copies of the consultation documents are available on request.
- 2.15 Consultees will be informed of the nature and scope of the consultation and any additional locations prior to the start of the consultation period/event to raise public awareness. Details will be available on the website. Where possible summary leaflets will be produced for documents being consulted on.
- 2.16 The council will seek to maximise the use of its own Planning Policy online system by using it for consultation and for respondents making comments. This has time and cost savings as all the contacts for the Local Plan and associated documents are contained on the system and the use of the system for inputting and analysing comments makes it quicker and easier to run reports on comments made, especially when undertaking multiple rounds of consultation on a single policy document. The use of the online system will be in accordance with GDPR requirements set out at 1.12 - 1.14.

Our Principles

- 2.17 We will:
- Produce a Local Plan Timetable which sets out the key documents to be produced, timescales and associated consultation stages.

¹ Regulation 35(1)(a) of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

- Meet, and where practicably possible and necessary will exceed, the minimum standards for community involvement as set out in legislation.
- Make every effort to avoid consulting over holiday periods. However, where this is not possible due to the project timescales/funding etc. then the council will seek to extend the consultation period, where appropriate.
- Give guidance on the purpose, aims and scope of the consultation so respondents know what they can comment on and how their comments will be considered.
- Wherever practicably possible, and in accordance with GDPR regulations, co-ordinate consultation internally using the council's corporate consultation systems in order to make cost efficiencies.
- Where consultation is not subject to statutory timescales, give people sufficient time to respond to the consultation.
- Make widespread use of electronic and modern media techniques wherever possible to make consultation more cost-effective, easier, and quicker. This may include digital surveys/questionnaires and standardised, digital forms which will guide the user through the response process. The use of social media also helps us to better reach 'seldom heard' groups outlined at 2.7. The [council's website](#) and other forms of social media, will be used to advertise events/stages and host information.
- While progressing to a more digital consultation process, we will also provide other options for consultation for those with low internet access and/or low internet skill. This will also include ensuring that consultation is accessible to all to make it easy for groups or individuals with limited knowledge of the planning policy process to get involved.
- Where possible, we will ensure that written information can be made available in alternative, accessible formats if requested, such as large print, Braille, audio or translated into another language.
- Produce documents that meet accessibility standards and, where possible, make use of plain English. Where we use complex terms, these will be explained in a glossary.
- Use consultation methods that are appropriate to the stage of plan making to maximise opportunities for involvement, while making sure the resources they require are proportionate and cost-effective.
- Whenever possible, provide feedback to reflect how comments received have been incorporated into the process.
- Evaluate and monitor the effectiveness of consultation.
- Prepare questionnaires and leaflets which summarise the key issues to be addressed or seek views on specific questions. They could also be used to direct interested parties to more detailed documents, evidence, or details of events. The questionnaires and leaflets will be available to view online or paper copies will be made available at customer service centres, and where practicable in other locations in the area where there is a high turnover of visitors. These locations may vary according to the nature and scope of the consultation and will be advertised on the council's website.

- Co-ordinate consultation within the council using its Involve database to avoid consultation fatigue with residents and to use existing consultation feedback more effectively.

Methods

- 2.18 The following methods may be used for consultation and engagement. The methods chosen will be tailored to the specific stage and will be proportionate to the importance of the document. Each method has pros and cons, and stating these will help us to decide the best combination of methods. We will work with our corporate communications team to identify the most effective channels of communication. This may include the use of local media by preparing press releases to circulate to local newspapers and radio stations or working with newspapers to prepare articles or advertisements to raise awareness and promote issues. For example, in the case of neighbourhood plans, the council must assist in publicising a neighbourhood area boundary or a proposed neighbourhood forum, and this will be done through the local press/media, as well as posting on the Council's website.
- 2.19 The Levelling Up and Regeneration Act (LURA), which sets out reforms to planning, received Royal Assent on 26 October 2023. The Act will be supported by new secondary legislation which will be subject to further consultation. Part of these reforms includes a more digital focused approach to planning. This will influence how we consult on documents, as it will become more online through online consultations, virtual consultation events, digital mapping, and standardised forms. However, a balance with more traditional forms of consultation needs to be found to ensure everyone can be included.

We May:	Pros:	Cons:	Things to consider:
Share information internally and maximise the use of networks or communication channels used by other services or local community websites where required.	This helps us to target consultation more effectively and/or to reach “marginalised groups” or communities.	Targeted consultation may mean a smaller number of responses. Risks associated with keeping several types of personal information about each person to identify groups.	Use to support usual mass communication methods to ensure a wide range of views that are representative. Consider anonymisation of sensitive data.
Make use of council publications such as Kirklees Together to include articles.	Kirklees Together sends out weekly news bulletins via email across the district so can reach a large number of residents.	May not be read by everyone, may be inaccessible for those with disabilities or for whom English is not a first language.	Kirklees Council Library Service offers a ‘Kirklees Talking News’ service. A free audio newspaper is available via an App, Podcast, and USB. More information can be found here .
Make use of social networking sites in accordance with the council’s policy on social media.	Local Authorities increasingly use this to consult with ‘seldom heard’ groups, such as young people.	May be inaccessible for those who are uncomfortable or unfamiliar with social media, or those without a good internet connection. Risk of harassment of members of the public using social media to connect with Kirklees Council.	Kirklees council social media policy, secure use of personal data, moderation.
Make use of interactive workshops or discussion groups with key stakeholders. This could involve the use of external facilitators.	They were used to great effect at the early engagement stage of the existing Local Plan with targeted organisations to debate specific elements of the plan process.	May be difficult for those in rural communities to attend, can be costly.	Holding workshops in accessible locations, holding workshops in rural communities, using the opportunity to make use of diverse range of communication methods to appeal to different ages and abilities. An example would be a model making workshop.

We May:	Pros:	Cons:	Things to consider:
<p>Deliver presentations or hold question and answer sessions at meetings of existing groups where resources allow. This could include, Parish and Town Council meetings, Residents' Associations, Business Groups, interest groups or neighbourhood plan groups and schools/youth parliaments.</p>	<p>Facilitates discussion. Sessions at schools and youth parliaments helps us to reach young people. Kirklees Youth Council has now been running for more than 10 years and the report 'growing a stronger youth council', was published in October 2019, outlining how Kirklees Council will improve participation in local democracy among young people.</p>	<p>Can be difficult for everyone to be heard if some attendees are able to dominate discussion. Can be intimidating for those who are uncomfortable with confrontation. May be costly.</p>	<p>How such presentations/question and answer sessions can be structured to enable everyone to speak.</p>
<p>Make use of posters, flyers, or site notices – these may be used to raise awareness of consultation events or meetings or to make residents aware of proposals that could affect their area. These could be displayed in public places or places where there is a high volume of people.</p>	<p>Easy to reach many people with one poster or site notice.</p>	<p>May be missed if it is placed in an area that isn't used. For example, if there is a development proposal on a derelict site.</p>	<p>Use of advertising in several places.</p>

We May:	Pros:	Cons:	Things to consider:
Hold exhibitions or road shows with unmanned displays or staffed drop-in sessions.	Allows people to take in information in an easy-to-understand way if used correctly, can be used to reach rural communities.	Unstaffed exhibitions may mean that questions can't be asked and answered efficiently, staffed exhibitions are costly.	Accessibility of locations and the timing of the event. We will produce summary information and frequently asked questions (FAQ's) to inform consultation stages and provide the scope of the event.
Hold meetings with elected members – members will be kept informed of progress and plans through briefings, workshops, and e-mail.	Elected members can communicate with their communities and have the means and experience to advocate for them.	Indirect form of communication.	Use with a range of other methods.
Work with parish / town councils.	The parish / town councils can help arrange meetings for consultations, which could lead to better community engagement.	Not every area has a parish / town council, so this could lead to areas being less represented.	Communication with the parish / town councils would be key for this method to be successful.

Table 1: Methods of Consultation

Hierarchy of Planning Documents

Legislation and National Policy

- 2.20 Legislation sets out the statutory requirements for developing, consulting on, adopting, and reviewing the different documents that form planning policy.
- 2.21 The National Planning Policy Framework (NPPF) sets out the Government’s economic, environmental, and social planning policies for England. The policies in this document apply to the preparation of local, and neighbourhood plans.
- 2.22 The National Planning Policy Guidance (NPPG) supplements the NPPF by providing more detailed guidance on specific policy areas.

Development Plan Documents

- 2.23 The Development Plan Documents (DPD) are produced by the Local Planning Authority (LPA) and provide the policy framework in which planning applications are decided against. The DPD is made up of the Local Plan, Minerals and Waste Plan, Supplementary Plans, and any “Made” Neighbourhood Plans adopted in the LPA area.

Supplementary Plans and Guidance Notes

- 2.24 Supplementary Plans (SPs) address site-specific needs or opportunities which require a new planning framework to be prepared quickly. Guidance notes such as Technical Documents are produced by the Local Planning Authority to provide further guidance on documents to support the development plan.

What Documents Will We Consult On?

- 2.25 We have set out a timetable for producing planning policy documents. This timetable is known as the Local Plan Timetable (LPT) and tells you when documents will be produced and when you can expect to get involved. The LPT contains the key planning policy documents to be consulted on and opportunities for early engagement. This is updated periodically to reflect up to date planning policy priorities. In developing the policy documents, we may also undertake some consultation which includes targeted workshops on key pieces of evidence. The scope of consultation will vary according to the issues to be debated.
- 2.26 The following documents are examples of planning policy documents which are/may be identified in the Local Plan Timetable for consultation.

Local Plan

Local Plan Stage	Actions
Initial evidence gathering and consultation	<ul style="list-style-type: none"> • Formulate initial aims and objectives. • Begin evidence gathering. • Notify relevant consultation bodies and invite them to make representations.
Publication	<ul style="list-style-type: none"> • Local Plan is formally published for a minimum of six weeks for representations to be made.
Submission	<ul style="list-style-type: none"> • Local Plan, representations and other required documents are submitted to the Planning Inspectorate. • The Planning Inspectorate arrange for the Local Plan to be scrutinised through an examination by an independent examiner.
Found sound	<ul style="list-style-type: none"> • The inspector writes a report setting out whether the Local Plan is sound and satisfies legal requirements. • If the Local Plan is not found sound, the LPA can ask the inspector to recommend modifications to make it sound.
Adoption	<ul style="list-style-type: none"> • If the inspector recommends that the Local Plan may be adopted, the LPA may formally adopt it (usually by a vote in full Council). • Once adopted, it is part of the development plan for the local area.

Table 2: Stages in a Local Plan. Taken from Plain English Guide to the Planning System. ©Department for Communities and Local Government 2015

2.27 **We are legally required to consult on a Local Plan.** A Local Plan sets out a vision and a framework for the future development of the area. It will address needs and opportunities in relation to housing, the economy, community facilities and infrastructure, as well as a basis for safeguarding the environment, adapting to climate change, and securing good design. It is a critical tool in guiding decisions about individual development proposals since Local Plans (together with any neighbourhood plans that have been made) form the DPD, which is the starting point for considering planning applications decisions.

2.28 It is important for Local Authorities to put an up-to-date plan in place to positively guide development decisions. Section 19(1B) - (1E) of the Planning and Compulsory Purchase Act 2004 sets out that each LPA must identify their strategic priorities and have policies to address these in their development plan documents (taken as a whole). The existing Kirklees [Local Plan \(2016-2031\)](#) was adopted in February 2019

following the appropriate consultation, and is made up of two documents - strategy and policies, and site allocations. The local plan is now in the process of being updated.

Supplementary Plans

- 2.29 **We are legally required to consult on Supplementary Plans.** These are replacing Supplementary Planning Documents which focused on specific topics or areas in greater detail, providing policy guidance to support the Local Plan policies. You can view our [current adopted SPD here](#).
- 2.30 The Levelling-up and Regeneration Act 2023 has introduced Supplementary Plans which form part of the Development Plan and are also subject to independent examination by an inspector. We are legally required to consult on Supplementary Plans, and the general rule of Supplementary Plans is that the examination is to take the form of written representations.

Masterplans, Development Frameworks, or Briefs

- 2.31 These documents relate to individual site allocations and set out the specific details required at a planning application stage. There is no statutory process for preparing these documents, but we will consult and engage on them to increase awareness of planning issues and involve the community.

Sustainability Appraisal and Strategic Environmental Assessment

- 2.32 There are three statutory consultees on Sustainability Appraisal: Environment Agency, Historic England, and Natural England.
- 2.33 A Sustainability Appraisal is a process which evaluates the environmental, social, and economic impacts of a plan, policy or programme and its reasonable alternatives. A Strategic Environmental Assessment only considers the environmental effects of a plan, so is usually not required if a sustainability appraisal has been completed. Both take place alongside the Local Plan/DPDs and some SPDs and can be found with the relevant document on our website. The first stage of the sustainability process is to produce a Scoping Report to find out whether a further, more detailed, assessment is required.

Neighbourhood Plans

- 2.34 Neighbourhood Planning gives communities direct powers to develop a shared vision for their neighbourhood and shape the development and growth of their local area. Neighbourhood Plans include policies specific to the local area and are backed up by local evidence. Once made, Neighbourhood Plans form part of the Local Development Plan, and carry weight in determining planning applications.

Neighbourhood Plan Stage	Actions
Identification and designation of Neighbourhood Area (and a Neighbourhood Forum if required)	<ul style="list-style-type: none"> • Local community identify an appropriate boundary for neighbourhood planning. • Apply to LPA for the area to be designated (and for a Neighbourhood Forum to be designated if no parish or town council • LPA publicise and consult on the application(s) and decide to designate the neighbourhood area (and forum)
Initial evidence gathering and consultation and publicity	<ul style="list-style-type: none"> • Local community formulate vision and objectives, gather evidence and draft details of the proposals for a plan or order. • Consult on these proposals for a minimum of six weeks.
Submission	<ul style="list-style-type: none"> • Neighbourhood plan or order proposal and required documents are submitted to the LPA. • The authority publicises the plan or order for a minimum of six weeks and invites representatives. • The LPA arranges for an independent examination of the neighbourhood plan or order.
Examination	<ul style="list-style-type: none"> • An independent examiner makes recommendations to the LPA on whether the draft neighbourhood plan or order meets basic conditions and other legal tests. • The LPA considers the report and decides whether the neighbourhood plan or order should proceed to referendum.
Referendum & neighbourhood plan is made	<ul style="list-style-type: none"> • A referendum is held to ensure that the community decides whether a neighbourhood plan should be part of the development plan for the area. • If a majority of these who vote support the neighbourhood plan or order the authority must bring it into force.

Table 3: Stages in a Neighbourhood Plan or Order. Taken from Plain English Guide to the Planning System. ©Department for Communities and Local Government 2015

2.35 Neighbourhood Planning groups must consult on their Neighbourhood Plans and Neighbourhood Plans are subject to a referendum.

2.36 Neighbourhood Plans are produced by statutory defined qualifying bodies which include Parish/Town Council or a designated Neighbourhood Planning Forum (where a Parish/Town Council does not exist) to develop a shared vision for their neighbourhood and shape the development and growth within the local area.

- 2.37 They are subject to a statutory process and must be in conformity with the strategic policies in the Kirklees Local Plan and have regard to national planning policy. Following examination by an independent examiner and a favourable vote in a referendum, they are 'made' (adopted) by the council and form part of the development plan. As such they have significant weight in determining planning applications.
- 2.38 The council has statutory duties to support the development of the Neighbourhood Plan. This includes checking and publicising the initial application to set up a Neighbourhood Area (and Forum if required), publicising the draft plan for consultation, appoint an inspector and organise the examination, and to organise the referendum. The plan is made, and forms part of the DPD, within 8 weeks if more than 50% of those who vote in support of the Neighbourhood Plan.
- 2.39 The council also offers non-statutory support, which includes, but not exclusive to, providing a named officer as a contact, provide information on the preparation of plans, informal comments on the draft, technical and planning advice, and offering mapping support.
- 2.40 However, the council will not offer advice or assistance on the following areas: document writing, undertaking survey work, attending every meeting and consultation events, and direct financial support.
- 2.41 It is the role of the neighbourhood plans responsible body to ensure that the plan is representative and shaped by consultation. How and when this is undertaken is decided by the neighbourhood planning body.
- 2.42 [See here for the current Neighbourhood Plan areas in Kirklees.](#)
- 2.43 A community does not have to produce a Neighbourhood Plan to shape development in their area. There are other opportunities for community involvement in planning, like a Neighbourhood Development Order (more information is contained in [Planning Practice Guidance](#)), a Community Right to Build (for more information see [Planning Portal](#)), or a Community Right to Bid (more information is available from [locality](#)).

Planning Applications

- 2.44 All planning applications are publicly available and can be commented on. The Development Management (DM) department have their own adopted charter that sets out how the different types of planning applications will be consulted on. [This can be viewed here.](#)

When Will We Consult and What is the Process?

- 2.45 Consultation ‘fatigue’ can happen when consultation is repeated too often, or when communities are consulted on too many things at the same time. To prevent this, the council uses its own ‘involve’ online system to co-ordinate consultation across the council, and those conducting consultation across the council can meet through the Citizen Engagement Reference Group to co-ordinate activities and outcomes.

Process of Consultation

Stage of consultation	At what stage of document production	Reason
Early Engagement	Before any detailed work is done	To identify key issues to be dealt with in planning documents, and ideas and aspirations of the community.
Consultation	On a draft document, this may need to be done several times, e.g., for modifications	To get input on a draft and identify any issues.
Analysis	Once consultation has closed. This will need to be done after any consultation	To identify common themes in responses and make necessary amendments.
Final Draft	Once the document is ready. The appropriate consultation will need to have been completed, analysed, and responded to	To create a document that is informed by views from the local community and stakeholders, but with the Local Authority having ultimate responsibility. Consultation responses form part of the evidence base to support a planning document. Local Plans must be ‘justified’ with evidence to be considered ‘sound’.
Consultation Statement	Must be published alongside DPDs and SPDs	To inform the public on how the document was consulted on and how consultation informed the document.

Stage of consultation	At what stage of document production	Reason
Adoption	The document is approved by the council and now forms part of the planning policy for the area until it is replaced by new policy.	To shape how the area looks according to up-to-date evidence and informed by consultation. New policy is needed when existing policy is out-of-date, or circumstances make existing policy inadequate. The process begins again at this point.

Table 4: The Process of Consultation for Planning Documents

Feedback

- 2.46 A feedback report will be produced documenting the level and nature of comments made and how comments have been used to inform the next stage of the planning policy document or process. This will be available alongside the relevant document consulted on under the title ‘Consultation Statement’, ‘Statement of Consultation’, or similar. There are some exceptions to the publication of comments, where a comment is abusive, defamatory, obscene, or discriminatory it will not be published at all. A consultation statement will also set out how the document has been changed, where necessary, to address issues raised.
- 2.47 In the case of producing the existing Local Plan, as part of determining the soundness² of the plan at Examination, the council needed to provide an audit trail of how views have shaped the document. In some cases, the council may identify specific modifications to a plan which may then be subject to further consultation. Information will be available on the council’s website.

3. Levelling Up and Regeneration Act 2023 (LURA)

- 3.1 As mentioned above, the LURA, which sets out the upcoming planning reforms, received Royal Assent on 26 October 2023, and the changes that are introduced will impact the way we consult. Secondary Legislation will be released, and further consultations will be taken on this.
- 3.2 The changes will introduce more opportunities for community engagement during the plan-making process, which will allow planning documents that reflect the local communities more. There will be a more digital focus, meaning groups that previously may have not been reached will be able to be involved.

² Test of soundness include whether the plan is positively prepared, justified, effective and consistent with national policy (National Planning Policy Framework paragraphs 35 & 36 – December 2023 revision).

- 3.3 Greater legal weight will be given to Neighbourhood Plans, meaning communities have more control in shaping their area. A simpler 'Neighbourhood Priority Statements' will also be introduced, making neighbourhood planning more accessible.
- 3.4 It is important to note that as secondary legislation goes through consultation, these changes are still subject to change.
- 3.5 The SCI will be reviewed, and updated if needed, subject to future secondary legislation.

4. Further Information

- 4.1 If you have any questions on the information contained in this document, please contact us at:

E-mail: local.development@kirklees.gov.uk

Telephone: 01484 221 000

Postal Address:

Kirklees Council
Planning Policy Group
PO Box 1720
Huddersfield
HD1 9EL

- 4.2 Planning Aid England is an independent advice service run by volunteers who are qualified planners. It is part of the Royal Town Planning Institute and aims to make planning accessible to all. Their online advice service, [planning aid direct, is available here.](#)
- 4.3 [Locality](#) is a charity that provides information and support for local communities on areas including Neighbourhood Planning.

Appendix 1: Glossary

Adoption – The stage at which the development plan/Local Plan becomes the legal basis for all future planning decisions in the district?

Design Codes – Are a set of concise illustrated design requirements providing the parameters for the development of a site or area. These codes are tailored to local conditions and priorities, which seek to support well-designed places.

Development Plan Documents (DPD) – Documents prepared by the LPA (including the Local Plan) setting out the main spatial strategy, policies, and proposals for the area. These documents will be statutory documents and subject to an independent examination by an Inspector. They will undergo rigorous procedures of community involvement and consultation. DPDs must be consistent with and have regard to national planning policy.

Duty to Cooperate – Created by the Localism Act 2011. It places a legal duty on the Council to engage constructively, actively and on an ongoing basis with certain specified bodies to maximise the effectiveness of Local Plan preparation relating to strategic cross boundary matters.

Examination – The purpose of the Examination is to consider if the development plan is sound. Most representations made at Examination will usually be written representations. However, in some instances a Planning Inspector may allow representations to be examined by way of oral hearings, for example round table discussions, informal hearing sessions and formal hearing sessions.

General Consultation Bodies – Organisations defined by The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) that are required to be consulted at key stages of plan production. They include bodies which represent the interests of different racial, ethnic, religious, or national groups, disabled persons, and business in the LPAs area.

Local Development Document (LDD) – The collective term covering Development Plan Documents and Supplementary Planning Documents.

Local Development Scheme (LDS) – A three-year project plan outlining the Councils programme for preparing the Local Plan.

Local Plan – Collective term for the Development Plan Documents that set out the spatial vision and strategy for the district including policies and proposals. The Local Plan is a key part of the development plan.

Local Plan Timetable (LPT) – A project plan outlining the Council's programme for preparing the Local Plan.

Marginalised groups – Groups of people or organisations within the community who hold a ‘protected characteristic’ (Equality Act 2010) or are otherwise disadvantaged. They include Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex, and Sexual Orientation. The Council also assesses the impact on unpaid carers, Gypsy, Roma and Traveller Communities, low income, and Members of the Armed Forces. There is some overlap between marginalised groups and the ‘seldom heard’, but the two are not fully interchangeable.

National Planning Policy Framework (NPPF) – It sets out the government’s national planning requirements, policies, and objectives.

Neighbourhood Development Plan (NDP) – A plan for the neighbourhood area which is prepared by an authorised community group. The plan must be in general agreement with the overall plan for the local authority area and can include general planning policies and allocations for new development.

‘Seldom heard’ groups – Sometimes also referred to as ‘hard to reach’ which is used less frequently as it implies that this a shortcoming of these groups rather than an issue with consultors. These are groups who are not engaged with consultation, for various reasons including language, ability or social or geographical barriers. There is some overlap between ‘seldom heard’ groups and marginalised groups but the terms are not fully interchangeable.

Specific Consultation Bodies – Organisations defined by The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) that are required to be consulted at key stages of plan production. They include neighbouring and parish councils, key service providers, Government departments and non-government organisations.

Stakeholders – A person or organisation with an interest or concern in something.
Statement of Community Involvement (SCI) – Outlines the approach of the council to involving the community in preparing the Local Plan and planning policy documents.

Supplementary Plans (SP) - Documents that expand on policies and proposals in Development Plan Documents.

Supplementary Planning Documents (SPDs) – Documents that expand on policies and proposals in Development Plan Documents.

Sustainability Appraisal (SA) – An appraisal of the social, economic, and environmental implications of a strategy, policies, and proposals. The SA seeks to ensure that proposals contribute to the achievement of sustainable development.

Tests of Soundness – The tests outlined in the National Planning Policy Framework that DPDs are judged against.

Appendix 2: Statutory Consultees

Adjoining Authorities

- Barnsley Metropolitan Council
- Bradford Metropolitan District Council
- Calderdale Council
- City of York Council
- High Peak Borough Council
- Leeds City Council
- Oldham Council
- Peak District National Park Authority
- Wakefield Council

Town & Parish Councils

- Cawthorne Parish Council
- Denby Dale Parish Council
- Drighlington Parish Council
- Dunford Parish Council
- Gildersome Parish Council
- Gunthwaite and Ingbirchworth Parish Council
- High Hoyland Parish Council
- Holme Valley Parish Council
- Kirkburton Parish Council
- Meltham Town Council
- Mirfield Town Council
- Morley Town Council
- Ripponden Parish Council
- Saddleworth Parish Council
- Sitlington Parish Council
- Tintwistle Parish Council
- West Bretton Parish Council

Other Statutory Consultees

- British Telecom
- Calderdale and Huddersfield NHS
- Canal and River Trust
- Environment Agency
- Historic England
- Homes and Communities Agency
- Kirklees Health and Care Partnership
- Local Enterprise Partnership Leeds City Region

- Locala
- Mid Yorkshire Hospitals NHS Trust
- Mobile Operators Association
- National Grid
- National Highways
- Natural England
- Network Rail
- NHS Property Services
- North Kirklees Primary Care Trust
- Northern Gas Network
- NTL Group Ltd
- South West Yorkshire Foundation Trust
- Sport England
- Sustainable Places
- The Coal Authority
- West Yorkshire Combined Authority
- West Yorkshire Integrated Care Board
- West Yorkshire Police Authority
- West Yorkshire Strategic Health Authority
- Yorkshire Water Services Ltd