

# **Statement of Community Involvement**

## **DRAFT**

### **July 2018**

<INSERT FINAL COVER>

DRAFT

## Contents

|   |    |
|---|----|
| <b>Section 1: Introduction</b>                                      |    |
| What is the Statement of Community Involvement?                     | 5  |
| Why are we updating it?   | 5  |
| How is it set out?  | 5  |
| How will it be monitored?   | 6  |
| <b>Section 2: Corporate consultation principles</b>                 |    |
| What is the Council's approach to stakeholder engagement?           | 7  |
| What will you be expected to do?                                    | 7  |
| How will the Council consult with stakeholders?                     | 8  |
| <b>Section 3: Plan making</b>                                       |    |
| Local Plan Documents  | 9  |
| Supplementary Planning Documents and Interim Planning Guidance Note | 10 |
| Community Infrastructure Levy                                       | 11 |
| Responding to consultations   | 11 |
| Who will we consult on planning policy documents?                   | 12 |
| Duty to Cooperate   | 13 |
| <b>Section 4: Decision making</b>                                   |    |
| What does decision making mean?                                     | 14 |
| Pre-application stage   | 15 |
| Local communities   | 15 |
| Applying for planning permission                                    | 16 |
| Having your say on planning applications                            | 16 |
| Who will be consulted on planning applications?                     | 16 |
| Making a decision on planning applications                          | 17 |
| Appeals   | 17 |
| National Significant Infrastructure Projects                        | 17 |
| <b>Section 5: Neighbourhood planning</b>                            |    |
| What is neighbourhood planning?                                     | 18 |

|  |    |
|--|----|
| What is the process for preparing a Neighbourhood Plan or Development Order? | 18 |
| What is the process for preparing a Community Right to Build Order?          | 21 |
| What role does the Council play in Neighbourhood Planning?                   | 22 |

## Appendices

|  |    |
|--|----|
| Appendix 1 – Plan making consultation bodies   | 25 |
| Appendix 2 – Stages in Preparation of a Local Plan document including jointly prepared plans | 26 |
| Appendix 3 – Stages in Preparation of a Supplementary Planning Document                      | 35 |
| Appendix 4 – Stages in Preparation of the Community Infrastructure Levy Charging Schedule    | 37 |
| Appendix 5 - Stages of a Planning Application  | 45 |
| Appendix 6 – Material Considerations   | 48 |
| Appendix 7 – Further information and advice on planning                                      | 50 |

## **SECTION 1 – INTRODUCTION**

### **What is the Statement of Community Involvement?**

- 1.1 Planning affects everyone in our community, however most people only get involved in planning when it directly affects them. The local planning authority is usually responsible for deciding where development takes place and what happens in our towns, villages, open spaces and environment. The Council does this by preparing elements of the development plan and determining planning applications.
- 1.2 The National Planning Policy Framework<sup>1</sup> (NPPF) sets out the Government’s planning policies and must be taken into account in the preparation of development plans and planning application decisions. The NPPF states that the planning system should be easier to understand, more accessible and with a commitment to involving all who are interested in planning “Early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. A wide section of the community should be proactively engaged, so that local plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of an area, including those contained in any neighbourhood plans that may have been made...” NPPF (2012) Paragraph 155.
- 1.3 The Statement of Community Involvement explains how we will involve local communities, businesses, and other interested parties when we prepare our planning policies and determine planning applications.

### **Why are we updating it?**

- 1.4 Since the previous SCI was adopted in December 2015 the Council has undertaken a comprehensive review of its consultation practices and is now committed to delivering a more comprehensive and interactive place based approach to consultation.

### **How is it set out?**

- 1.5 To ensure that communities and stakeholders are aware of how they can engage with each of the different strands of planning, the SCI has been split into the following parts:

#### **Part 2: Corporate consultation principles**

Sets out the Councils corporate consultation principles and provides detailed information about the ‘Your Place, Your Voice’ consultation technique which will be used by the Council to encourage more active participation from communities.

### **Part 3: Plan making**

Sets out the stages involved in preparing planning policy documents including Local Plans, Supplementary Planning Documents and Community Infrastructure Levy Charging Schedules.

### **Part 4: Decision taking**

Sets out how planning decisions are made and how and when you can make comments on proposed developments.

### **Part 5: Neighbourhood Planning**

Sets out what neighbourhood planning is and the key stages that are involved in preparing neighbourhood plans and orders.

### **How will it be monitored?**

- 1.6 The success and effectiveness of the SCI will be reviewed through the Authority's Monitoring Report (AMR). Indicators will be used to review the SCI and changes will be considered where there has been a particularly low level of community involvement. Any necessary changes will be incorporated into a future revision of the SCI.

## **SECTION 2 – CORPORATE CONSULTATION PRINCIPLES**

### **What is the Council's approach to stakeholder engagement?**

2.1 The Council is committed to giving local people and key stakeholders a greater role in shaping their neighbourhoods and the Borough as a whole. When consulting with stakeholders the Council will:

- Involve key stakeholders at the earliest opportunity possible
- Keep the process simple by writing in plain English and explaining any technical terms that we use.
- Communicate clearly by explaining the reasons why we want to involve you and receive your comments.
- Use engagement methods that are relevant to the community being consulted and appropriate in scale.
- Make it easy for you to get involved by setting out when and where you can provide your comments.
- Be inclusive by providing information in an accessible format and encouraging involvement from groups that are traditionally more difficult to reach/engage.
- Be transparent and objective by presenting all relevant facts and ensuring that stakeholders are aware what can and cannot be influenced/changed as a result of the consultation
- Share information using the Council's website, local libraries and at the Council Offices in Grays.
- Make sure your involvement is effective by ensuring all comments we receive are recorded, read and taken into consideration.

### **What will you be expected to do?**

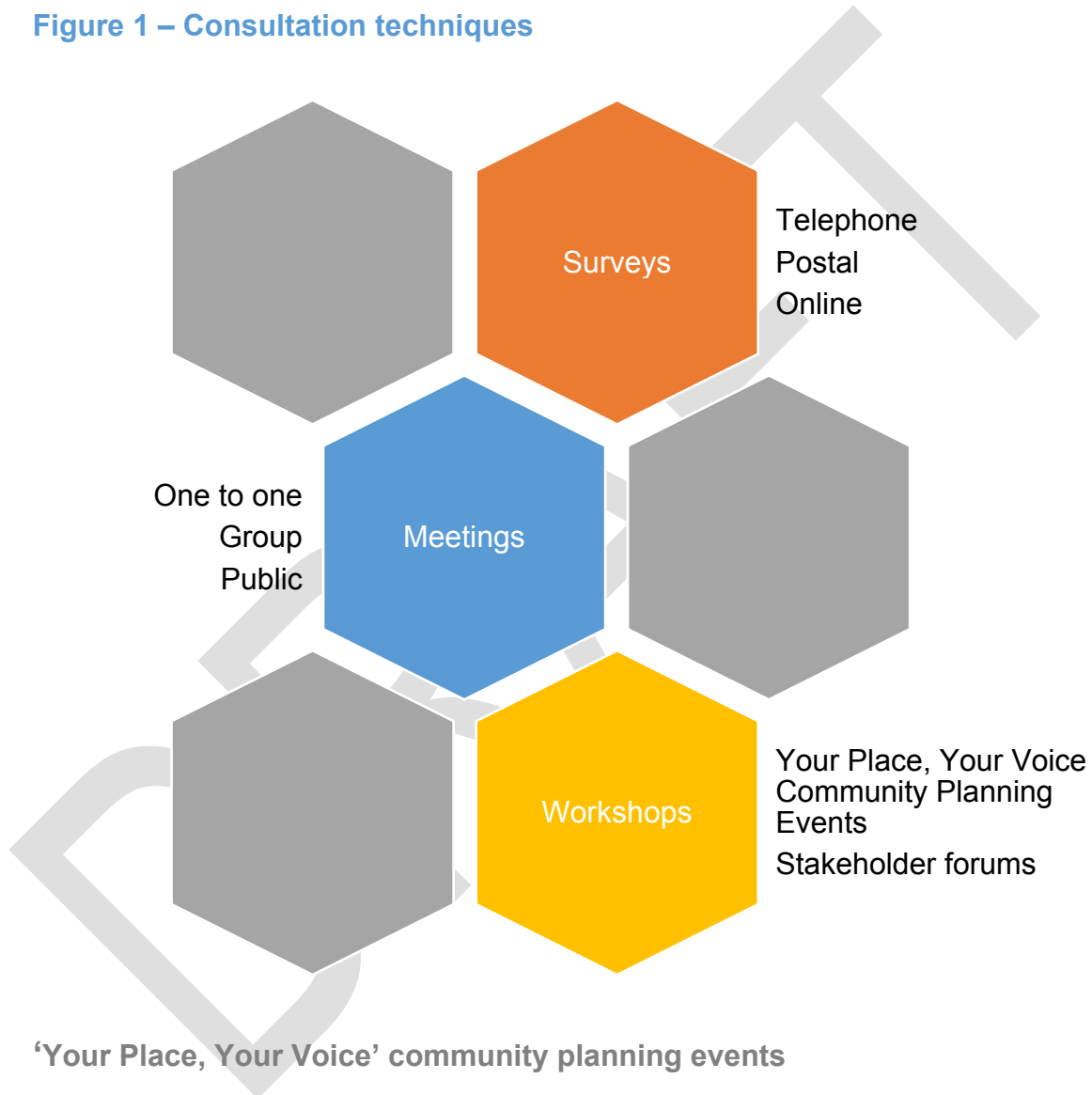
2.2 In order to ensure that your involvement is effective, you are expected to:

- Provide comments in a clear and concise way.
- Provide your comments within the published time period for that consultation activity or event.
- Be aware that all comments will be made publically available.
- Be respectful of other people's views.
- If you are replying on behalf of a group or organisation, state how members of the group have been involved in formulating the response and how the full range of members' views have been represented.

## How will the Council consult with stakeholders?

2.3 The type of consultation technique used by the Council will depend on a number of factors including but not limited to who the stakeholders are, the scope of the item being consulted upon and the level of influence stakeholders they will have over it. Figure 1 sets out some of the consultation techniques that may be used by the Council when consulting key stakeholders.

Figure 1 – Consultation techniques



### 'Your Place, Your Voice' community planning events

2.4 The 'Your Place, Your Voice' (YPYV) is a consultation technique used by the Council to engage with communities about their area. The activities used at the events are designed to be fun and inclusive. The information gathered at these events is used by the Council to shape emerging strategies, plans and projects that will effect that particular community and/or area. More information on Your Place, Your Voice can be found on the Council's website.



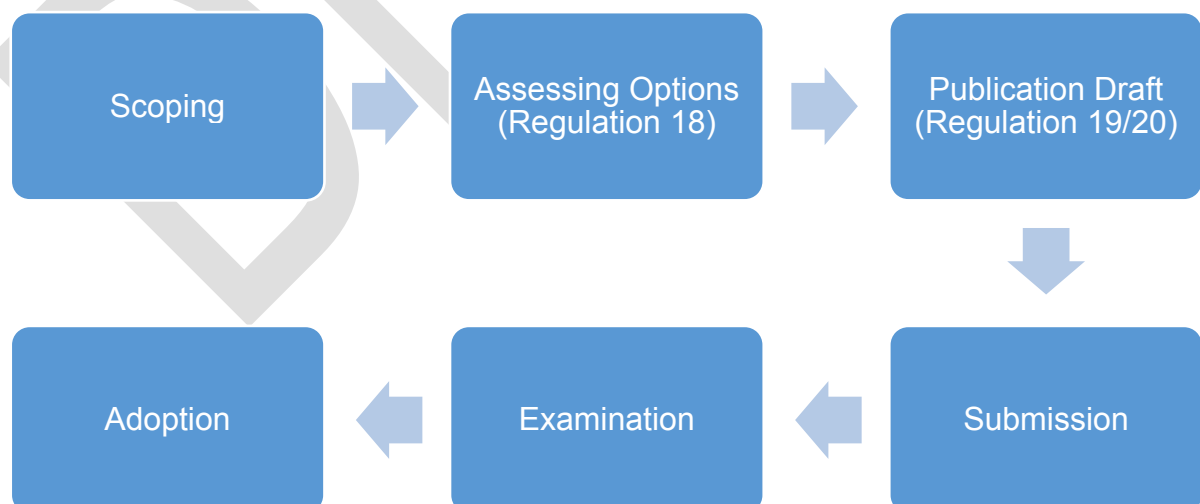
## SECTION 3 – PLAN MAKING

3.1 This part identifies how the Council intends to involve the community in the preparation of planning policy documents prepared locally or jointly with other authorities. The timetable for the production of these documents is set out in the Local Development Scheme (LDS), which is available to view on the Council’s website. The LDS is updated as necessary to keep people informed about the types of documents the Council intends to prepare and a timeline for their preparation.

### Local Plan Documents

- 3.2 Local Plan Documents including Joint Plans set out a vision for the future development of a place and include a range of strategic, detailed and allocation policies to deliver that vision. Once adopted the policies within Local Plan documents form the main consideration in determining planning applications.
- 3.3 When preparing a Local Plan Document the Council must ensure that it has met all of the statutory consultation requirements set out in the 2012 Town and Country Planning Regulations. Figure 2 sets out the main stages in preparing a Local Plan Document. In addition to the requirements, the Council will carefully consider options for additional community involvement to ensure that all key stakeholders including local residents are made aware of any planning proposals and of the opportunity to comment on them. Appendix 2 sets out more detailed information about what consultation activities the Council will undertake at each of these stages.

**Figure 2 – Main stages in preparing a Local Plan Document**



3.4 All Local Plan Documents must be accompanied by a Sustainability Appraisal (SA). The first stage in preparing an SA is to consider the scope of the appraisal process. It includes a review of other relevant plans, policies and programmes that relate to the

local area; information on the present state of the local environment (the baseline); a discussion of the local sustainability issues and a series of sustainability objectives that must be considered when preparing Local Plan Documents.

3.5 Consultation will be undertaken on the draft Scoping Report before it is approved by Council. The Environmental Assessment of Plans and Programmes (SEA) Regulations (2004) require that local authorities consult:

- The Environment Agency
- Natural England; and
- Historic England

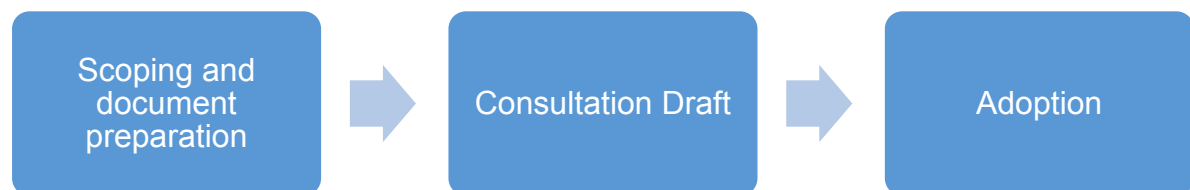
### **Supplementary Planning Documents and Interim Planning Guidance Notes**

3.6 Supplementary Planning Documents (SPDs) and Interim Planning Guidance Notes are prepared to provide additional detail and guidance to support policies and proposals in the adopted plan. They do not have the same weight or status as policies in the plan and are not independently examined, but once they are adopted, they can still form a ‘material consideration’ in determining planning applications. When preparing a SPD the Council must ensure that it has met all of the statutory consultation requirements set out in the 2012 Town and Country Planning Regulations. The main stages in preparing these documents are set out in Figures 3 and 4. Appendix 3 sets out more detailed information regarding the preparation of Supplementary Planning Documents.

**Figure 3 – Main stages in preparing a Supplementary Planning Document**



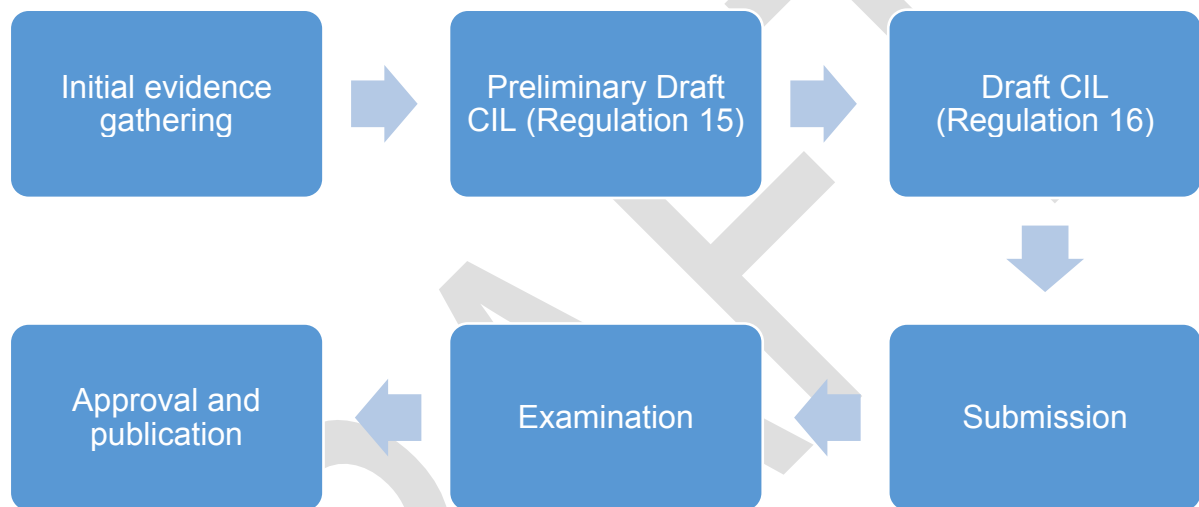
**Figure 4 – Main stages in preparing an Interim Planning Guidance Note**



## Community Infrastructure Levy

- 3.7 A Community Infrastructure Levy (CIL) is a tariff-based charging schedule that applies to specific types of development, such as housing. When planning permission is secured, developers will be required to pay a financial contribution, which is used to part-fund the provision and maintenance of necessary strategic and local infrastructure projects, such as roads, schools, community facilities and open spaces. The stages involved in preparing a CIL and the opportunities for public participation are set out in Figure 5 and detailed further in Appendix 4.

Figure 5 – Main stages in preparing a Community Infrastructure Levy



## Responding to consultations

- 3.8 The easiest way to respond to a consultation on planning policy matters is to use the Council's online **Consultation Portal**. Key benefits of registering and making representations online include:
- Ability to view other consultees' representations - once they have been made
  - Search facility - to find representations on different levels of a particular document
  - Ability to update personal details instantly - in order to change your address or email
  - Option to specify preferences - on how you would prefer to be contacted
  - Time saved - by viewing documents/representations as soon as they are available
  - Environmental benefits - of using a paperless online system
- 3.9 We understand that not everyone has access to a computer and therefore, we will also continue to accept written responses by post and make all consultation

documents available in paper copy to read at the Council Offices in Grays, at all local libraries, community hubs and at other venues across the Borough, where appropriate.

- 3.10 All representations that we receive will be made publically available. Personal details, such as postal addresses, email addresses or telephone numbers will remain confidential.
- 3.11 We will seek to acknowledge all representations that we receive to our consultations as soon as possible. Where comments are submitted to us using the Consultation Portal, an automatic email notification will be sent once the comment has been processed.
- 3.12 Once a consultation period has ended, we will seek to log all comments that we have received on the Consultation Portal and will summarise them, where appropriate. The Council acknowledges that an important part of community involvement is to feedback to those who have commented.

#### **Who will we consult on planning policy documents?**

- 3.13 Government regulations require us to ensure that certain organisations (known as Specific Consultation Bodies) are consulted at key stages during the preparation of the planning policy documents. These include for example neighbouring Councils (through a process called Duty to Cooperate), Councillors, Historic England, the Environment Agency and utility companies. The full list of consultees is provided in Appendix 1.
- 3.14 In addition to consulting Specific Consultation Bodies, the Council has a further extensive list of organisations, bodies, businesses, consultancies, landowners and individuals that we will consult (known as General Consultation Bodies).
- 3.15 The above list is not exhaustive and is amended or added to as required. In some cases, we have a degree of discretion over whether to notify certain general bodies if the topic of the document in question is not likely to be of interest or relevance to that body. We will target consultation towards those most likely to be affected, for example by setting up workshops on particular topics or hosting public exhibitions in areas of site allocation proposals.
- 3.16 In addition to the 'specific' and 'general' consultation bodies, Planning Policy are committed to involving a wide range of 'other' individuals and organisations, including members of the 'hard to reach' groups. This is to ensure that the Council meets the public sector equality duty (Equality Act 2010), which aims to promote equality, eliminate discrimination and encourage good relations between different groups associated with age, disability, gender/gender reassignment, race, religion and other protected characteristics. Engaging with residents and other stakeholders is key to meeting this duty to better understand the needs of diverse groups.

## **Duty to Cooperate**

- 3.23 The Localism Act and the NPPF created a legal duty on local planning authorities and prescribed public bodies to engage with each other, on an ongoing basis, in the preparation of Local Plans and other planning policy documents relating to development that covers strategic matters. This is known as the 'Duty to Cooperate'.
- 3.24 The Council is intending to produce a Duty to Cooperate Protocol, which will set out how the Council intends to cooperate with other local authorities and other public bodies in the preparation of the Local Plan and other planning policy documents. This will ensure that cross-boundary issues are considered and planned for appropriately.
- 3.25 Appendix 1 lists the local authorities and public bodies that we will liaise with, as part of the Duty to Cooperate.
- 3.26 Once finalised, the Duty to Cooperate Protocol will be published on the Council's Planning Policy website at [www.thurrock.gov.uk/planning-policy](http://www.thurrock.gov.uk/planning-policy).

## SECTION 4 – DECISION MAKING

### What does decision making mean?

- 4.1 The decision making process principally involves the consideration and determination of planning applications.
- 4.2 There are certain types of work that do not require planning permission. This is called '**permitted development**'. Full details of this can be found on the Planning Portal website at [www.planningportal.gov.uk/permission/](http://www.planningportal.gov.uk/permission/).
- 4.3 Local authorities are required by law to consult individuals and public bodies on various planning applications. The Council take into account all views expressed and all comments made before reaching a decision.
- 4.4 Some proposals, such as those classed as '**major**' applications require the applicant to consult with the local community before a planning application is submitted.

#### Minor development

- Commercial developments of less than 1,000 square metres or less than 1ha site area
- Changes of use of buildings of less than 1,000 square metres or less than 1ha site area
- Residential development of 1 to 9 dwellings or a site area less than 0.5ha
- Gypsy and traveller sites of less than 1,000 square metres or less than 1ha site area
- Telecommunications equipment proposals
- Mineral or waste proposals of less than 1,000 square metres or less than 1ha site area

#### Major development

- Commercial developments above 1,000 square metres floor space or a site area of 1ha or more
- Changes of use of buildings above 1,000 square metres floor space or a site area of 1ha or more
- Residential developments of 10 or more dwellings or a site area of 0.5ha or more
- Gypsy and traveller sites above 1,000 square metres or a site area of 1ha or more

## **Pre-application stage**

- 4.5 The National Planning Policy Framework (NPPF) recognises that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for everyone.
- 4.6 The level of engagement should be proportionate to the nature and scale of the proposed development. The more controversial the proposal, the broader the range of consultation methods should be in order to allow as many people as possible to have their say.

### **Planning Performance Agreements**

The Council is committed to dealing with major planning applications in a timely and effective way. The Council promotes the use of pre-application discussions for all proposals. However, for some proposals a Planning Performance Agreement (PPA) is encouraged as they can provide bespoke ongoing advice. In order for all parties to gain maximum benefit from a PPA it is essential that there is engagement between developers, the Council, the local community and relevant stakeholders. The level of community engagement will be dependent upon the type of development proposal and will be identified in the PPA.

- 4.7 Early engagement with the Council, by applicants, before an application is formally submitted is encouraged so that the Council can give informal comments and help overcome any potential difficulties that may arise. It is considered to be a valuable way to improve understanding and consider any likely planning policy, design or other issues that may arise. The more issues that can be resolved at the pre-application stage, the more likely it is to result in a good quality and acceptable development.

## **Local communities**

- 4.8 The Council encourages developers for large scale development proposals to involve local communities before the formal application stage begins. This enables local communities to put forward initial constructive comments and suggestions, and may lead to fewer objections being made further down the line, which are then material to the determination of the application.
- 4.9 It is recommended that involvement of local communities should be in the form of meetings, presentations and/or exhibitions. Developers are encouraged to speak with

the Council before arranging these events, so that they can be undertaken in a manner that is sensitive to the local community's concerns. However, any pre-application engagement undertaken with the community is done so by the developer, independently of the Council. Therefore, it is important that any comments being made are directed to the developer and not to the Council at this stage.

### **Applying for planning permission**

- 4.10 Making a planning application online is the most efficient way to submit your proposals. You can submit an application to us online via the Planning Portal website - [www.planningportal.gov.uk/planning/applications/](http://www.planningportal.gov.uk/planning/applications/).
- 4.11 The Planning Portal is a quick and easy way to submit a planning application. You can upload supporting documents and plans, and pay your application fee online. You also receive immediate verification of your submission when using the Portal.
- 4.12 Once the Council receives a planning application and validates it, it should make a decision on the proposal as quickly as possible. The time limits are usually 13 weeks for a 'major' development and 8 weeks for all other types of development (unless the application is subject to an Environmental Impact Assessment, in which case a 16 week time limit applies). In some cases, the statutory deadline can be extended via a mutual agreement (either through Article 29 agreements or Planning Performance Agreements); this enables both parties the opportunity to resolve certain problems, avoiding the unnecessary refusing of a development proposal that could otherwise be acceptable.

### **Having your say on planning applications**

- 4.13 You can make comments on planning applications up to the expiry date. We will use our discretion and take into account any comments received up until we prepare our recommendation report.
- 4.14 Any comments you make will be a matter of public record and they will be visible on the Council's website and for public inspection at the Council Offices. We reserve the right to obscure that we consider to be inflammatory before being displayed on the website.

### **Who will be consulted on planning applications?**

- 4.16 There are a range of statutory consultees that must be consulted, depending on the type and nature of the planning application. These are set by the Planning Regulations<sup>1</sup>

### **Adjoining and opposite neighbours**

---

<sup>1</sup> The Town and Country Planning (Development Management Procedure) (England) Order 2015



4.17 Owners and occupiers of any land which adjoins that to which a planning application relates and neighbours opposite, are informed and consulted on the application.

### **General public**

4.18 The Council informs the general public on planning applications in a more generalised way. All planning applications that we receive are published on the Council's website. In the case of major or controversial applications, where the Council considers there to be a wider impact resulting from a development proposal, the Council also displays public site notices in proximity of the application site. Adverts will also be placed in the local newspaper for certain development proposals such as major applications and applications to carry out works to Listed Buildings.

### **Making a decision on planning applications**

4.19 There are numerous steps that are taken that lead to a decision. These stages are set out in Appendix 5.

4.20 Once a decision on an application has been reached, we will send out a decision notice to the applicant or their agent, where applicable.

### **Appeals**

4.21 Where a planning application is refused, the applicant may appeal against the decision. Where an application goes to appeal, the Council will notify interested parties, such as neighbours and will give them the right to submit their views in writing or in person, depending on the method of appeal.

### **Material Considerations**

When a decision is made on a planning application, only certain issues are taken into account. These are often referred to as 'material planning considerations'. Weight attached to material considerations is a matter of judgement for the decision-taker, however they must demonstrate that in reaching that decision that they have considered all relevant matters. Further detail on this can be found in Appendix 6.

### **National Significant Infrastructure Projects**

4.22 Nationally Significant Infrastructure Projects (NSIPs) are usually large-scale developments, such as, new harbours, power generating stations (including wind farms) and electricity transmission lines, which require a type of consent known as 'development consent'. The Planning Inspectorate is responsible for operating the planning process for NSIPs.

4.23 Any developer wishing to construct a NSIP must first apply to the Planning Inspectorate for consent to do so. The Planning Inspectorate examines the application and makes a recommendation to the relevant Secretary of State, who then decides whether to grant or refuse development consent.

DRAFT

## SECTION 5 – NEIGHBOURHOOD PLANNING

### What is Neighbourhood Planning?

- 5.1 Neighbourhood planning gives local communities the opportunity to draw up their own plans and proposals for shaping the future of their areas, as long as they comply with national and local strategic policies.
- 5.2 There are three types of neighbourhood planning available to communities:
- **Neighbourhood Plan** – enables a community to establish a vision and provide planning policies for the future use and development of land in the local community area. Once adopted, a Neighbourhood Plan will form part of the Council's local development plan, against which all planning applications and proposals will be decided.
  - **Neighbourhood Development Order** – allows communities to grant planning permission for certain types of development that they would like to see happen in their area.
  - **Community Right to Build Order** – allows communities to grant planning permission for local small-scale developments that they would like to see, such as, housing, community facilities or shops.
- 5.3 Neighbourhood planning cannot be used to block the building of the homes and businesses considered to be necessary to meet the Borough's current and future needs. However, it can be used to influence the type, design, location and even mix of new development.

### What is the Process for Preparing a Neighbourhood Plan or Development Order?

- 5.4 There are five main stages in preparing a Neighbourhood Plan or Development Order. These are:
- A. Set up a Neighbourhood Forum and agree its planning area**
- 5.5 The community decides on the 'Neighbourhood Area' that they wish to prepare a Neighbourhood Plan or Development Order for. The only bodies that can produce a Neighbourhood Plan or Development Order in Thurrock are designated Neighbourhood Forums.

- 5.6 A Neighbourhood Forum must be a group of at least 21 people, who either live in or work in the neighbourhood area, or are elected members for all or part of the neighbourhood area.
- 5.7 Both the Neighbourhood Area and the Neighbourhood Forum will need to be formally approved by the Council to ensure that they make sense for planning purposes and do not overlap with any other neighbourhood planning area.

### **B. Prepare your Neighbourhood Plan or Development Order**

- 5.8 The preparation of the Neighbourhood Plan or Development Order is the most significant stage in the neighbourhood planning process. The Neighbourhood Forum must gather ideas for the area and develop proposals for a Neighbourhood Plan or Neighbourhood Development Order.
- 5.9 Everyone who lives or works in or around the local community must be appropriately consulted on the proposals. This includes residents, local businesses and landowners, as well as relevant local, regional and national organisations and agencies. The Neighbourhood Planning (general) Regulations 2012 set out the requirements for consultation and publicity at key stages with those living or working in the neighbourhood area, or with those who may have an interest in or are likely to be affected by the proposals (e.g. business). These are the minimum requirements, but engagement with all members of the local community should be an ongoing process from the beginning, to ensure the plan is prepared with high levels of involvement and has local support at the referendum stage.
- 5.10 In preparing a neighbourhood plan or development order, proposals and policies must be in accordance with:
- International, European and national designations (e.g. heritage and natural environment), and European environmental and human rights laws;
  - National planning policies and laws, including the National Planning Policy Framework;
  - Strategic policies and designations of the Council's adopted development plan – plans and orders can propose more, but not less development than is required for the area by the adopted development plan.

### **C. Independent Examination**

- 5.11 Once a draft Neighbourhood Plan is prepared, it will be checked by an independent examiner. He/she will consider whether it meets the right basic standards and they will consider any representations of objections to the proposals.

- 5.12 The independent examination may be carried out in writing, with the examiner considering written representations, or, it may be held as a public meeting.
- 5.13 If the examiner considers that the plan or order does not meet the right standards, he/she will suggest changes and recommend whether it should proceed to a referendum. The Council will then consider the examiner's views and decide whether to make those changes. If significant changes are recommended, then the Neighbourhood Forum may wish to re-consult with the local community before proceeding.

#### **D. Community Referendum**

- 5.14 Once the examiner approves the Neighbourhood Plan or Order, it will need to be put to a community referendum. This ensures that your local community has the final say on whether the plan or order should come into effect.
- 5.15 Anyone who lives in the area that the Plan or Order covers, and who are registered to vote in local elections, are entitled to vote in the referendum. It may be appropriate for people in neighbouring areas to vote in the referendum, if the proposals within it are likely to impact on the too.
- 5.16 In the case for a Neighbourhood Plan for a 'Business Area' a separate referendum will also be held for businesses (non-domestic rate payers). Each business will have one vote.
- 5.17 More than 50% of people voting in the referendum need to vote in favour of support, for the plan to be taken forward for formal adoption by the Council.

#### **E. Legal adoption of your Neighbourhood Plan or Development Order.**

- 5.18 If more than 50% of people voting in the referendum support the Neighbourhood Plan, then the Council must bring it into effect and legally adopt it as part of the statutory local development plan for the area. If there is conflict between the results of the resident and business referendums, then the decision on adoption of the Neighbourhood Plan will rest with the Council.
- 5.19 Once the Plan or Order has been formally adopted by the Council and brought into legal effect, the Council will be legally obliged to take it into consideration when assessing planning applications and other proposals for development in the area.

#### **What is the process for preparing a Community Right to Build Order?**

- 5.20 The process for preparing a Community Right to Build Order is similar to the process of preparing a Neighbourhood Development Order. The main difference is that orders are prepared by a local community organisation, not a designated neighbourhood forum.

5.21 To be eligible to develop a Community Right to Build Order in a particular neighbourhood area, the community organisation or group must consist of at least 10 members, all of whom must live in that neighbourhood area, in separate homes to each other. When an order is proposed, at least half of the organisation's members must live in the area. The organisation must also exist to further the economic, environmental and social well-being of the area, and any profits made as a result of Community Right to Build Orders must be used for the good of that community, not for private gain.

5.22 Both the Neighbourhood Area and the local community organisation need to be approved by the Council, to ensure they make sense for planning purposes and do not overlap with any other neighbourhood planning area.

### **What role does the Council play in Neighbourhood Planning?**

5.23 Under the Town and Country Planning Act 1990 (as amended), the Council has a statutory duty to assist communities in the preparation of Neighbourhood Plans and Orders, and to take plans through a process of examination and referendum.

5.24 The Council has six principal roles in the process of neighbourhood planning:

- To formally designate a neighbourhood area, for the purposes of neighbourhood planning.
- To provide technical advice and support for the preparation of the Plan.
- To validate and check a Plan prior to its submission for independent examination.
- To cover the costs of an independent examination into the draft Plan.
- To organise and cover the costs of a referendum, to ensure there is public support for the Plan or Order.
- To 'make' the Plan or Order, if it has been prepared correctly and which is supported by the local community.

5.25 In addition, subject to the availability of resources, the Council will endeavour to support communities undertaking neighbourhood planning by:

- Providing general guidance and advice.
- Attending meetings at key stages.
- Making available on the Council's website relevant studies and other background information.

- Providing information on the Council's website about planning policy and planning designations.
- Advising on any national or local funding opportunities.
- Providing details of relevant contacts. For example, the Environment Agency, Historic England and Highways England.

5.26 The Council must be realistic as to what it can do to support neighbourhood planning in a cost-effective and time-efficient way. Support and assistance the Council provides will be proportionate to the nature of the plans being prepared, the stage reached in plan-making and the impact on the wider community.

DRAFT

**APPENDICES**

DRAFT



## Appendix 1 – Plan making consultation bodies

| ‘Specific’ consultation bodies          | ‘Duty to Cooperate’ consultation bodies                    |
|---|--|
| Adjoining Local Planning Authorities    | Adjoining Local Authorities                                |
| Adjoining Parish/Town Councils          | Civil Aviation Authority                                   |
| Adjoining Neighbourhood Forums          | Environment Agency   |
| Coal Authority                          | Highways England   |
| Environment Agency                      | Historic England   |
| Highways England                        | Homes England  |
| Historic England                        | Marine Management Organisation                             |
| Homes England                           | Mayor of London  |
| Marine Management Organisation          | Natural England  |
| Natural England                         | Network Rail   |
| Network Rail                            | NHS Commissioning Board                                    |
| NHS Commissioning Board                 | Other Local Authorities (Wider catchment strategic issues) |
| Relevant Clinical Commissioning Group/s | Relevant Clinical Commissioning Group/s                    |
| Relevant electricity and gas companies  | South East Local Enterprise Partnership                    |
| Relevant telecommunications companies   | Transport for London                                       |
| Relevant water and sewerage companies   |  |

## Appendix 2 – Stages in Preparation of a Local Plan document including jointly prepared plans

| Stage of Local Plan Preparation  | Levels of Engagement   |   |  |
|--|--|---|--|
|  | We will...   | We may...   | You can...   |
| <p><b>Stage 1 - Scoping</b></p> <ul style="list-style-type: none"> <li>Identify aims and objectives of the Plan.</li> <li>Identify the needs of the local area that should be covered by the Plan.</li> <li>Identify environmental, economic and social objectives to inform the Sustainability Appraisal (SA) and produce a SA Scoping Report.</li> </ul> | <ul style="list-style-type: none"> <li>Publish the SA Scoping Report on our website and will invite comments from the consultation bodies (Historic England, Natural England and the Environment Agency) on the scope of the Report for a minimum of six weeks.</li> </ul> | <ul style="list-style-type: none"> <li>Publish Technical Studies (evidence base) on our website</li> <li>Request information from you.</li> <li>Set up workshops and meetings with key stakeholders.</li> <li>Undertake presentations to other teams within the Council.</li> </ul> | <ul style="list-style-type: none"> <li>Submit information to us, when we request it.</li> <li>Let us know you want to be involved in the preparation of the Plan.</li> </ul> |
| <p><b>Stage 2 – Assessing Options (Regulation 18)</b></p> <ul style="list-style-type: none"> <li>Prepare document/s which will</li> </ul>  | <ul style="list-style-type: none"> <li>Notify consultees that we are proposing to prepare a new Local Plan document and will invite comments on</li> </ul>   | <ul style="list-style-type: none"> <li>Publish a notice in the local newspaper which identifies the locations and times that the draft Local Plan and SA</li> </ul>   | <ul style="list-style-type: none"> <li>Submit written comments to us about what you think the Local Plan should contain and the issues that should</li> </ul>                |

| Stage of Local Plan Preparation  | Levels of Engagement  |   |  |
|--|---|---|--|
|  | We will...  | We may...   | You can...   |
| <p>identify the main issues and different options that could be included in the Plan.</p> <ul style="list-style-type: none"> <li>We will undertake a Sustainability Appraisal to assess the environmental, economic and social impacts of the plan's objectives, various options and reasonable alternatives.</li> </ul> | <p>a consultation document for a minimum of 6 weeks.</p> <ul style="list-style-type: none"> <li>Publish on our website and at various locations within the Borough the draft Local Plan and the Sustainability Appraisal Report.</li> <li>Publish a notice on our website which identifies the locations and times that the draft Local Plan document and SA Report can be viewed.</li> </ul> | <p>Report can be viewed.</p> <ul style="list-style-type: none"> <li>Place advertisements in the local newspaper.</li> <li>Organise and attend meetings/workshops with local communities.</li> <li>Set up manned and unmanned displays and exhibitions at locations within the Borough.</li> <li>Put posters up and distribute leaflets in local areas.</li> <li>Use social media to promote and raise awareness of the consultation.</li> <li>Publish additional</li> </ul> | <p>be included within it.</p> <ul style="list-style-type: none"> <li>Submit written comments to us about the SA Report.</li> </ul> |

| Stage of Local Plan Preparation   | Levels of Engagement   |  |   |
|---|--|--|---|
|   | We will...   | We may...  | You can...  |
|   |  | consultation documents and/or undertake informal consultation activities   |   |
| <p><b>Stage 3 – Publication Draft (Regulation 19 and 20)</b></p> <ul style="list-style-type: none"> <li>We will review comments we received during previous consultations and consider them when preparing the Local Plan that we intend to submit to the Secretary of State.</li> <li>We will undertake a Sustainability Appraisal of the Proposed Submission Local Plan, taking into consideration previously received comments.</li> </ul> | <ul style="list-style-type: none"> <li>Send to specific and general consultees:                             <ul style="list-style-type: none"> <li>A copy of the representations procedure.</li> <li>A statement of the fact that the Proposed Submission documents are available to view and the times and places where they can be viewed.</li> </ul> </li> <li>Publish on our website:                             <ul style="list-style-type: none"> <li>A copy of the representations procedure.</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>Place advertisements/ notices in the local newspaper.</li> <li>Put posters up and distribute leaflets in local areas.</li> <li>Attend and organise meetings/workshops with the local communities.</li> <li>Set up manned and unmanned displays/exhibitions at locations within the Borough.</li> <li>Use social media to promote and raise</li> </ul> | <ul style="list-style-type: none"> <li>Submit written comments to us about the Proposed Submission Local Plan and any accompanying documents.</li> <li>Submit written comments to us about the Sustainability Appraisal Report of the Proposed Submission Local Plan.</li> <li>Request to be notified when the Council submits the Local Plan to the Secretary of State.</li> <li>Request to be heard at the Examination (the decision of who is heard</li> </ul> |

| Stage of Local Plan Preparation  | Levels of Engagement   |   |   |
|--|--|---|---|
|  | We will...   | We may...   | You can...  |
|  | <ul style="list-style-type: none"> <li>- A statement identifying the places and times that the documents can be viewed.</li> <li>- The Publication Draft of the Local Plan document and any accompanying documents.</li> <li>- The Sustainability Appraisal Report.</li> </ul> | <p>awareness of the consultation.</p>   | <p>is made by the Inspector appointed to Examine the plan).</p> <ul style="list-style-type: none"> <li>• Request to be notified when the recommendations by the Inspector are published.</li> <li>• Request to be notified when the Local Plan is adopted.</li> </ul> |
| <p><b>Stage 5 - Submission (Regulation 22)</b></p> <ul style="list-style-type: none"> <li>• We will submit the Local Plan, accompanying documentation and Sustainability Appraisal Report to the Secretary of State for independent Examination.</li> <li>• Once the Plan has been submitted,</li> </ul> | <ul style="list-style-type: none"> <li>• Submit the Local Plan and accompanying documents, including the Sustainability Appraisal Report to the Secretary of State.</li> <li>• Notify those people who requested to be notified</li> </ul>                                     | <ul style="list-style-type: none"> <li>• Publish on our website, within the Civic Offices and/or at various locations within the Borough: <ul style="list-style-type: none"> <li>- Copies of the representations that we received to the Proposed Submission</li> </ul> </li> </ul> |   |

| Stage of Local Plan Preparation  | Levels of Engagement   |  |            |
|--|--|--|------------|
|  | We will...   | We may...  | You can... |
| <p>all correspondence should be made to the Inspector appointed to undertake the Examination, via the Programme Officer.</p> | <p>that the Local Plan has been submitted to the Secretary of State.</p> <ul style="list-style-type: none"> <li>• Notify specific and general consultees that the Local Plan and accompanying documents, including the Sustainability Appraisal Report, are available to view and the times and places where they can be viewed.</li> <li>• Publish on our website, within the Civic Offices and at various locations within the Borough:                             <ul style="list-style-type: none"> <li>- The Local Plan document and accompanying documents</li> </ul> </li> </ul> | <p>Local Plan.</p> <ul style="list-style-type: none"> <li>- Any supporting documents which are relevant to preparation of the Local Plan.</li> <li>• Publish a notice in the local newspaper informing people that the Local Plan has been submitted to the Secretary of State and the places and times that it and its accompanying documents can be viewed.</li> <li>• Place advertisements in the local newspaper.</li> </ul> |            |

| Stage of Local Plan Preparation   | Levels of Engagement   |  |  |
|---|--|--|--|
|   | We will...   | We may...  | You can...   |
|   | <ul style="list-style-type: none"> <li>- The Sustainability Appraisal Report</li> <li>- A Statement of Representation</li> <li>- A notice stating the times and places that the above documents can be viewed.</li> </ul>  |  |  |
| <p><b>Stage 6 - Examination of the Local Plan document (Regulation 24)</b></p> <ul style="list-style-type: none"> <li>• The Local Plan is examined by an independent Planning Inspector who will assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound.</li> </ul> | <ul style="list-style-type: none"> <li>• Notify anyone who made representations to the Proposed Submission Local Plan, at least 6 weeks before the opening of the hearing: <ul style="list-style-type: none"> <li>- The date, time and place that the hearing will be held.</li> <li>- The name of the inspector appointed to</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>• Publish in the local newspaper information to inform people of the date, time and place that the Examination will be held, and the name of the Inspector who will carry out the Examination.</li> </ul> | <ul style="list-style-type: none"> <li>• Attend the Examination (but only those who have been invited to speak by the Inspector can do so).</li> </ul> |

| Stage of Local Plan Preparation                     | Levels of Engagement  |           |            |
|---|---|-----------|------------|
|   | We will...  | We may... | You can... |
|   | <p>carry out the examination.</p> <ul style="list-style-type: none"> <li>• Publish on our website, at the Civic Offices and at other various locations within the Borough, at least 6 weeks before the opening of the hearing:                             <ul style="list-style-type: none"> <li>- The date, time and place that the hearing will be held.</li> <li>- The name of the inspector appointed to carry out the examination.</li> </ul> </li> </ul> |           |            |
| <b>Stage 7 - Inspector's report (Regulation 25)</b> | <ul style="list-style-type: none"> <li>• Publish on our website, at the Civic Offices and at other locations within the Borough, a copy of the</li> </ul>   |           |            |



| Stage of Local Plan Preparation  | Levels of Engagement   |           |            |
|--|--|-----------|------------|
|  | We will...   | We may... | You can... |
| <ul style="list-style-type: none"> <li>Following the Examination in public, the Inspector who examined the Local Plan will send a report to the Council which identifies any recommended changes to be made to the Plan and whether the Plan has been approved.</li> </ul> | <p>recommendations.</p> <ul style="list-style-type: none"> <li>Notify those who requested to be notified that we have published the recommendations made by the Inspector.</li> </ul>  |           |            |
| <p><b>Stage 8 – Adoption (Regulation 26)</b></p> <ul style="list-style-type: none"> <li>Any recommended amendments will be made to the plan before it is submitted to Full Council for adoption.</li> </ul>  | <ul style="list-style-type: none"> <li>Publish on our website, at the Civic Offices and at other locations within the Borough: <ul style="list-style-type: none"> <li>The Local Plan document</li> <li>an Adoption Statement</li> <li>the Sustainability Appraisal Report</li> <li>Details of the times and locations at which the documents can be</li> </ul> </li> </ul> |           |            |

| Stage of Local Plan Preparation | Levels of Engagement  |           |            |
|---------------------------------|---|-----------|------------|
|                                 | We will...  | We may... | You can... |
|                                 | <p>viewed.</p> <ul style="list-style-type: none"> <li>Notify anyone who requested to be notified that the plan has been adopted.</li> </ul> |           |            |

DRAFT

**Appendix 3 – Stages in Preparation of a Supplementary Planning Document**

| Stage  | Key Tasks  |
|--|--|
| <p><b>Stage 1 – Scoping and document preparation</b></p> | <p><b>We will...</b></p> <ul style="list-style-type: none"> <li>• Gather up to date information on a range of social, economic and environmental matters and produce the scope of the SPD.</li> <li>• Identify whether a Sustainability Appraisal (SA) is required.</li> </ul>   |
| <p><b>Stage 2 – Consultation Draft</b></p>               | <p><b>We will...</b></p> <ul style="list-style-type: none"> <li>• Publish on the draft document on our website and make it available at various locations within the Borough</li> <li>• Invite comments on the draft document for a minimum of 6 weeks</li> </ul> <p><b>We may...</b></p> <ul style="list-style-type: none"> <li>• Invite key stakeholders to participate in a workshop</li> <li>• Hold a public meeting</li> </ul> <p><b>You can...</b></p> <ul style="list-style-type: none"> <li>• Provide written comments to us about the Draft SPD during the specified time period.</li> <li>• Request to be notified when the SPD is adopted.</li> </ul> |
| <p><b>Stage 3 - Adoption</b></p>                         | <p><b>We will...</b></p> <ul style="list-style-type: none"> <li>• Consider comments received on the draft SPD and amend the document if necessary.</li> <li>• Submit the SPD to Full Council for adoption (SPDs are not subject to independent examination).</li> </ul>  |

|  |   |
|--|---|
|  | <ul style="list-style-type: none"><li>• Once the SPD is adopted, we will publish it on our website and make it available at various locations within the Borough, along with any SA Report and an Adoption Statement.</li><li>• Send a copy of the Adoption Statement to anyone who requests to be notified of the document's adoption.</li></ul> |
|--|---|

DRAFT

**Appendix 4 – Stages in Preparation of the Community Infrastructure Levy Charging Schedule**

| Stage of CIL Charging Schedule Preparation   | Levels of Engagement  |  |   |
|--|---|--|---|
|  | We will...  | We may...  | You can...  |
| <p><b>Stage 1 - Initial Evidence Gathering</b></p> <ul style="list-style-type: none"> <li>Gathering of information to identify local infrastructure needs and funding gaps, and assess the viability of developments.</li> </ul> | <ul style="list-style-type: none"> <li>Publish on our website any Technical Studies that we prepare to inform the Charging Schedule.</li> </ul>   |  |   |
| <p><b>Stage 2 - Preliminary Draft Charging Schedule</b></p> <ul style="list-style-type: none"> <li>Preparation of the Preliminary Draft Charging Schedule.</li> </ul>  | <ul style="list-style-type: none"> <li>Send a copy of the Preliminary Draft Charging Schedule to consultees (as listed in The Community Infrastructure Levy Regulations 2010, as amended) and invite representations for a minimum of 6 weeks.</li> </ul> | <ul style="list-style-type: none"> <li>Publish a notice in the local newspaper which identifies the locations and times that the Preliminary Draft Charging Schedule can be viewed.</li> <li>Place advertisements in the local newspaper.</li> </ul> | <ul style="list-style-type: none"> <li>Submit written comments to us on the Preliminary Draft Charging Schedule.</li> </ul> |

Page 37

| Stage of CIL Charging Schedule Preparation  | Levels of Engagement   |  |   |
|---|--|--|---|
|   | We will...   | We may...  | You can...  |
|   | <ul style="list-style-type: none"> <li>• Publish, on our website and at various locations within the Borough, the Preliminary Draft Charging Schedule and invite comments for a minimum of 6 weeks.</li> <li>• Publish a notice on our website which identifies the locations and times that the Preliminary Draft Charging Schedule can be viewed.</li> </ul> | <ul style="list-style-type: none"> <li>• Attend and organise meeting and workshops.</li> <li>• Set up manned and unmanned displays/exhibitions.</li> <li>• Use social media to promote and raise awareness of the consultation.</li> </ul> |   |
| <p><b>Stage 3 - Draft Charging Schedule</b></p> <ul style="list-style-type: none"> <li>• Review and consideration of comments made to the Preliminary Draft Charging Schedule and prepare the Draft Charging Schedule.</li> </ul> | <ul style="list-style-type: none"> <li>• Send a copy of the Draft Charging Schedule and a statement of representation procedure to all those consulted at the Preliminary Draft Charging Schedule stage and invite comments for a minimum</li> </ul>   | <ul style="list-style-type: none"> <li>• Publish a notice in the local newspaper which identifies the locations and times that the Draft Charging Schedule can be viewed.</li> <li>• Place advertisements in</li> </ul>                    | <ul style="list-style-type: none"> <li>• Submit written comments to us on the Draft Charging Schedule.</li> <li>• Request to be heard in public by the Examiner undertaking the Examination.</li> </ul> |

| Stage of CIL Charging Schedule Preparation | Levels of Engagement  |  |   |
|--|---|--|---|
|  | We will...  | We may...  | You can...  |
|  | <p>of 6 weeks.</p> <ul style="list-style-type: none"> <li>• Notify anyone else who commented on the Preliminary Draft Charging Schedule that the Draft Charging Schedule has been published.</li> <li>• Publish on our website and at various locations within the Borough the Draft Charging Schedule, any appropriate Technical Studies (evidence) and a statement of the representation procedure, and invite comments for a minimum of 6 weeks.</li> <li>• Publish on our website and in the local newspaper a notice which identifies a</li> </ul> | <p>the local newspaper.</p> <ul style="list-style-type: none"> <li>• Organise and attend meetings and workshops.</li> <li>• Set up manned and unmanned displays/exhibitions in local areas.</li> <li>• Use social media to promote and raise awareness of the consultation.</li> </ul> | <ul style="list-style-type: none"> <li>• Request to be notified when: <ul style="list-style-type: none"> <li>- The Charging Schedule has been submitted to the Government.</li> <li>- The Examiner publishes their recommendations.</li> <li>- The Council approves the Charging Schedule.</li> </ul> </li> </ul> |

| Stage of CIL Charging Schedule Preparation   | Levels of Engagement  |  |            |
|--|---|--|------------|
|  | We will...  | We may...  | You can... |
|  | statement of representation procedure and the locations and times that the Draft Charging Schedule can be viewed.   |  |            |
| <b>Stage 4 - Submission</b> <ul style="list-style-type: none"> <li>Submission of the Charging Schedule to the Government.</li> </ul> | <ul style="list-style-type: none"> <li>Submit to the Government:                             <ul style="list-style-type: none"> <li>The Draft Charging Schedule</li> <li>A Statement of Representation</li> <li>Copies of representations made</li> <li>A statement of any modifications made to the Draft Charging Schedule</li> <li>Copies of relevant</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>Publish a notice within the local newspaper which states that we have submitted the Charging Schedule.</li> </ul> |            |



| Stage of CIL Charging Schedule Preparation | Levels of Engagement  |           |            |
|--|---|-----------|------------|
|  | We will...  | We may... | You can... |
|  | <p>evidence.</p> <ul style="list-style-type: none"> <li>• Publish on our website and at various locations within the Borough the documents submitted to the Government, as above.</li> <li>• Publish on our website a notice which identifies the locations and times that the documents above can be viewed.</li> <li>• Notify those who requested to be notified that the Schedule has been submitted to the Government.</li> <li>• Send a copy of a statement of any modifications made to the Draft Charging</li> </ul> |           |            |

| Stage of CIL Charging Schedule Preparation  | Levels of Engagement   |   |            |
|---|--|---|------------|
|   | We will...   | We may...   | You can... |
|   | <p>schedule, if applicable, to consultees.</p>   |   |            |
| <p><b>Stage 5 - Examination</b></p> <ul style="list-style-type: none"> <li>The Charging Schedule is examined by an independent Examiner.</li> </ul> | <ul style="list-style-type: none"> <li>Publish on our website and in the local newspaper, the time and place that the examination is to be held and the name of the examiner.</li> <li>Inform anyone who made a representation on the Draft Charging Schedule and anyone who requested to be heard, the time and place that the examination is to be held and the name of the examiner.</li> </ul> | <ul style="list-style-type: none"> <li>Place advertisements in the local newspaper</li> </ul> |            |

| Stage of CIL Charging Schedule Preparation  | Levels of Engagement  |           |            |
|---|---|-----------|------------|
|   | We will...  | We may... | You can... |
| <b>Stage 5a - Publication of Examiner's Recommendations</b> <ul style="list-style-type: none"> <li>The Council receives recommendations and reasons for those recommendations from the examiner.</li> </ul> | <ul style="list-style-type: none"> <li>Publish on our website and at various locations within the Borough, the recommendations and reasons.</li> <li>Notify anyone who requested to be notified that we have received and published the recommendations and reasons.</li> </ul> |           |            |
| <b>Stage 7 - Approval and Publication</b> <ul style="list-style-type: none"> <li>The Council approves and publishes the Charging Schedule.</li> </ul>   | <ul style="list-style-type: none"> <li>Publish on our website and at various locations within the Borough the approved Charging Schedule.</li> <li>Publish in the local newspaper a notice that the Charging Schedule</li> </ul>  |           |            |

| Stage of CIL Charging Schedule Preparation | Levels of Engagement   |           |            |
|--|--|-----------|------------|
|  | We will...   | We may... | You can... |
|  | <p>has been approved and where it can be viewed.</p> <ul style="list-style-type: none"><li>• Notify those who requested to be notified that the Charging Schedule has been approved.</li><li>• Send a copy of the Charging Schedule to each relevant consenting authority.</li></ul> |           |            |

**Appendix 5 - Stages of a Planning Application**

| Stage   | We will  | You Can  |
|---|--|--|
| <p><b>Stage 1 – Application is registered</b></p> | <ul style="list-style-type: none"> <li>• Send a letter of acknowledgement to the applicant with a target date for making a decision.</li> </ul>  |  |
| <p><b>Stage 2 – Application is publicised</b></p> | <ul style="list-style-type: none"> <li>• Publish the application by means of sites notices and/or advertisements in the local newspaper.</li> <li>• Send letters to neighbouring properties, including businesses.</li> <li>• Publish the application on our website.</li> </ul> | <ul style="list-style-type: none"> <li>• The applicant may wish to speak to their neighbours themselves.</li> <li>• Support or object, in writing or email, to any planning application as long as they are received by the Council before the expiry time.</li> <li>• Track the progress of any current application via the Council’s website.</li> </ul> |
| <p><b>Stage 3 – Views of relevant bodies</b></p>  | <ul style="list-style-type: none"> <li>• Seek the views of agencies such as the Highway Authority and the Environment Agency, if the application could have an effect on roads, traffic or flood plains, for example.</li> </ul>   |  |
| <p><b>Stage 4 – Inspection of the site</b></p>    | <ul style="list-style-type: none"> <li>• Inspect the site to gather information about it and the surrounding area.</li> </ul>  |  |

|  |  |   |
|--|--|---|
| <b>Stage 5 – Application is assessed</b>           | <ul style="list-style-type: none"> <li>Assess the proposal against national policies, government guidance and local planning policies.</li> </ul>  |   |
| <b>Stage 6 – Consideration of material effects</b> | <ul style="list-style-type: none"> <li>Consider comments made by neighbours and relevant bodies.</li> <li>Consider the effects of the proposal on neighbours and matters such as highway safety.</li> </ul>  |   |
| <b>Stage 7 – Negotiate any amendments</b>          | <ul style="list-style-type: none"> <li>Negotiate some points of the application to reach a positive decision, where possible.</li> </ul>   |   |
| <b>Stage 8 – Decision is reached</b>               | <p><b>Delegated decision:</b></p> <ul style="list-style-type: none"> <li>Prepare a report.</li> <li>Senior Officers of the Council will consider and agree the recommendations.</li> <li>Inform anyone who has submitted written to comments to us, the outcome of the decision.</li> </ul> <p><b>Committee decision:</b></p> <ul style="list-style-type: none"> <li>Applications that we feel are likely to have a</li> </ul> | <ul style="list-style-type: none"> <li>Attend Planning Committee – usually held every 4 weeks. Members of the public are allowed to speak at the meeting.</li> <li>Applicant may appeal against a refusal or against any condition of approval. By law, no one else has the right of appeal.</li> </ul> |

|  |   |  |
|--|---|--|
|  | <p>significant impact, or those that are ‘called in’ by Councillors are taken to the Council’s Planning Committee for determination. In such circumstances we will:</p> <ul style="list-style-type: none"> <li>• Prepare a report and present it to Members of the Planning Committee.</li> <li>• Inform anyone who has submitted written comments to us, the outcome of the decision.</li> </ul> |  |
|--|---|--|

DRAFT

## Appendix 6 – Material Considerations

Material considerations can include, but are not limited to:

- Local, strategic, national planning policies and policies in the adopted development plan of an area.
- Emerging plans which have already been through at least one stage of public consultation.
- Pre-application planning consultation carried out by, or on behalf of the applicant.
- Government and Planning Inspectorate requirements – circulars, orders, statutory instruments, guidance and advice.
- Previous appeal decisions and planning inquiry reports.
- Principles of Case Law held through the Courts.
- Loss of sunlight (based on Building Research Establishment guidance).
- Overshadowing/loss of outlook to the detriment of residential amenity (though not loss of view as such).
- Overlooking and loss of privacy.
- Highways issues: traffic generation, vehicular access, highway safety.
- Noise or disturbance resulting from use, including proposed hours of operation.
- Smells and fumes
- Capacity of physical infrastructure e.g. in the public drainage or water systems.
- Deficiencies in social facilities e.g. space in schools.
- Storage & handling of hazardous materials and development of contaminated land.
- Loss or effect on trees.
- Adverse impact on nature conservation interests & biodiversity opportunities.
- Effect on listed buildings and conservation areas.
- Incompatible or unacceptable uses.



- Local financial considerations offered as a contribution or grant.
- Layout and density of building design, visual appearance and finishing materials.
- Inadequate or inappropriate landscaping or means of enclosure.

DRAFT

## Appendix 7 – Further information and advice on planning

### The Planning Portal

The Planning Portal is the Government's online tool for planning and building services. It provides information about the planning system, allows you to submit planning applications and find out about development in your area.

**Website:** [www.planningportal.gov.uk](http://www.planningportal.gov.uk)

### Department of Communities and Local Government (DCLG)

The DCLG website provides general information on the planning system, including the latest national planning policy, decisions on planning, research and statistics.

**Website:** [www.gov.uk/government/organisations/department-for-communities-and-local-government](http://www.gov.uk/government/organisations/department-for-communities-and-local-government)

### Planning Aid England

Planning Aid England, which is provided by the Royal Town Planning Institute, offers free, independent and professional planning advice to individuals and communities who cannot afford to pay professional fees.

**Website:** [www.rtpi.org.uk/planning-aid](http://www.rtpi.org.uk/planning-aid)

### The Planning Inspectorate

The Planning Inspectorate deals with planning appeals, national infrastructure planning applications, examinations of local plans and other planning-related and specialist casework in England and Wales.

**Website:** [www.gov.uk/government/organisations/planning-inspectorate](http://www.gov.uk/government/organisations/planning-inspectorate)