



East
Northamptonshire
Council

Planning Policy Committee – 22 July 2013

Draft Statement of Community Involvement

Purpose of report

This report is presented for members to approve the Draft Statement of Community Involvement (SCI) for consultation

Attachment(s)

Appendix 1 Draft Statement of Community Involvement

1.0 Background

- 1.1 All Local Planning Authorities are required to prepare a Statement of Community Involvement (SCI). This sets out how they will consult and engage with people over the preparation of development plan documents, as well as on planning applications.
- 1.2 A North Northamptonshire SCI was adopted by the North Northamptonshire Joint Planning Committee in 2006. Under the development plan regulations that were in force in 2006, SCIs were considered to be Development Plan Documents (DPDs). Consequently they were required to be prepared in accordance with the regulations, including holding an independent examination. As a joint DPD the SCI was included in the North Northamptonshire Local Development Scheme, and was adopted by the Joint Planning Committee (JPC).
- 1.3 Changes to development plan regulations mean that SCI's are no longer considered as DPDs, do not have to be submitted for examination, and no longer have a prescribed process for preparation. However, the preparation of a joint Statement of Community Involvement for North Northamptonshire alleviates the need for each partner LPA to prepare and consult on separate SCI documents.
- 1.4 As a consequence of the changes, the JPC no longer has the authority to adopt the SCI, other than in so far as it relates to the Joint Core Strategy and other joint plans. The SCI will therefore, also need to be agreed and adopted by the partner Local Planning Authorities (LPAs).

2.0 Revised Statement of Community Involvement (Appendix 1)

- 2.1 As a considerable time has passed since the adoption of the SCI, it needs reviewing. The revised SCI has been prepared jointly by the JPU and officers of the partner planning authorities. It has been updated to reflect changes made to the development plan system since its adoption in 2006, notably the greater flexibility that LPAs have when preparing Local Plans, and the requirements of the Localism Act. Guidance in relation to Development Management has been revised to make it more strategic and updated as appropriate.
- 2.2 The revised SCI is a significantly streamlined document compared to the previous adopted version. The document does not seek to prescribe the extent of consultation that should be undertaken for Local Plans beyond the statutory requirements and stages, instead making provisions at para 4.18 for LPAs to undertake additional consultation should they seek further ongoing feedback.

3.0 Conclusion

3.1 This report seeks members' support for consultation to commence on the draft Statement of Community Involvement. Note: It is expected that the NNJPU will commence the consultation in August (with the consultation period currently anticipated to be for 10 weeks).

4.0 Equality and Diversity Implications

4.1 There are no equality and diversity implications.

5.0 Legal Implications

5.1 A Statement of Community Involvement is a legal requirement.

6.0 Risk Management

6.1 The Council is legally required to prepare the SCI. Not doing so could result in legal challenge.

7.0 Financial Implications

7.1 None

8.0 Corporate Outcomes

8.1 The relevant Corporate Outcomes are:

- High quality service delivery –customer-focused services
- Effective partnership working –strong strategic partnerships
- Strong community leadership – a proactive and listening Council

9.0 Recommendation

9.1 That Members approve the draft Statement of Community Involvement for consultation.
(Reason – to provide a revised SCI in line with legislation)

Legal	Power: Planning and Compulsory Purchase Act 2004 (as amended), The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008, Town and Country Planning (Local Planning) (England) Regulations 2012, Localism Act 2011				
	Other considerations: None				
Background Papers: N/A					
Person Originating Report:	Karen Britton – Planning Policy and Conservation Manager Extn: 2142 kbritton@east-northamptonshire.gov.uk				
Date: 25/06/13					
CFO		MO		CX	

(Committee Report Normal Rev. 22)

**North Northamptonshire Statement of Community Involvement
Consultation Draft**

June 2013

Contents

1. What is a Statement of Community Involvement?	2
2. Why is the adopted Statement of Community Involvement being revised?	3
<i>What has changed?</i>	3
<i>A new plan-making process</i>	3
<i>New types of optional documents</i>	3
<i>More emphasis on electronic communication</i>	4
3. The Local Plan for North Northamptonshire	5
4. Consultation: Local Plans	6
<i>The Local Plan process</i>	6
<i>Who will be consulted on Local Plans</i>	7
<i>Duty to Cooperate</i>	8
<i>Reaching everyone</i>	8
<i>Consultation periods</i>	9
<i>Availability of documents</i>	9
<i>Consultation stages</i>	9
5. Consultation: Development Proposals and Planning Applications	10
<i>What planning applications are covered by this SCI?</i>	10
<i>How will you be informed and can get involved in the Planning-Application Process?</i>	10
<i>Publicising Planning applications</i>	10
<i>'Significant' developments</i>	11
<i>Dealing with the conclusions of engagement</i>	12
Appendix 1 LPA Contact Details	13

1. What is a Statement of Community Involvement?

- 1.1 The planning system touches the lives of everyone in the districts of Corby, East Northamptonshire, Kettering and Wellingborough. However, many of us only come into contact with it when we find out about a nearby planning application. What is often not known is that planning applications should fit in with the wider statutory development plan (or Local Plan) for an area. It is important that we consult and engage with people and organisations at an early stage (i.e. when plans are being produced), as well as at the point that planning applications are submitted for determination.
- 1.2 To help set out how we will consult people in the preparation of plans and planning applications the North Northamptonshire planning authorities have prepared a Statement of Community Involvement (SCI). This Statement replaces the previous SCI that was adopted in 2006.
- 1.3 The Statement of Community Involvement is prepared on behalf of the North Northamptonshire Joint Planning Committee and the four district/borough councils in North Northamptonshire (Corby Borough Council, Kettering Borough Council, Borough Council of Wellingborough and East Northamptonshire Council). All the partners agree that plans and decisions on planning applications should be shaped by the whole community.
- 1.4 This Statement deals with all the consultation that will be undertaken in relation to Local Plans produced in North Northamptonshire. This means it covers all Development Plan Documents (DPDs) prepared either by the North Northamptonshire Joint Planning Committee or individually by the local planning authorities. It is accompanied by the March 2012 updated Participation Action Plan that was agreed by the Joint Planning Committee which sets out the key consultation principles for the Joint Core Strategy (JCS) Review.
- 1.5 Consultation arrangements in relation to minerals and waste development plan documents prepared by and planning applications submitted to Northamptonshire County Council are set out in a separate Statement of Community Involvement prepared by the County Council and adopted in 2012.

2. Why is the adopted Statement of Community Involvement being revised?

2.1 Since the first SCI was adopted there have been a number of changes to national legislation and regulations, which mean that parts of it are now out of date.

What has changed?

2.2 New planning rules brought in by the Planning Act 2008 and the Localism Act 2011 introduced new types of planning documents and changed the way that these are produced. As part of these reforms, the government has changed the requirements for consultation in the preparation of Local Plans and the planning applications process. The 2006 Statement of Community Involvement, pre dates these reforms, which has necessitated a review.

2.3 Altered procedures for consultation and publicity are designed to speed up the plan-making process and provide councils with much greater flexibility in determining how and when engagement should take place.

2.4 The government has placed even greater emphasis on the early engagement of communities in the planning process. The intention is to enable local people to influence and make changes to plan and development proposals while there is still genuine scope to influence and participate in evaluating the different options.

A new plan-making process

2.5 The previous requirements for formal consultation at the Issues and Options stage, Preferred Options stage and submission stage have been reduced. The requirements for consultation are now focussed on the scope of the local plan and the proposed submission plan that will be submitted to the Secretary of State for examination.

2.6 In addition, the government's requirements for publicity and consultation in plan-making are significantly less prescriptive. Therefore, there is much greater flexibility in determining who, when and how to consult and publicise information.

New types of optional documents

2.7 Legislative reforms have introduced the option for local authorities to produce a Community Infrastructure Levy (CIL) Charging Schedule to help fund infrastructure for their local area. In addition, Parish Councils, Town Councils and, in areas with no parish Council, neighbourhood forums can prepare neighbourhood plans and neighbourhood development orders for their local neighbourhoods to bring forward additional development.

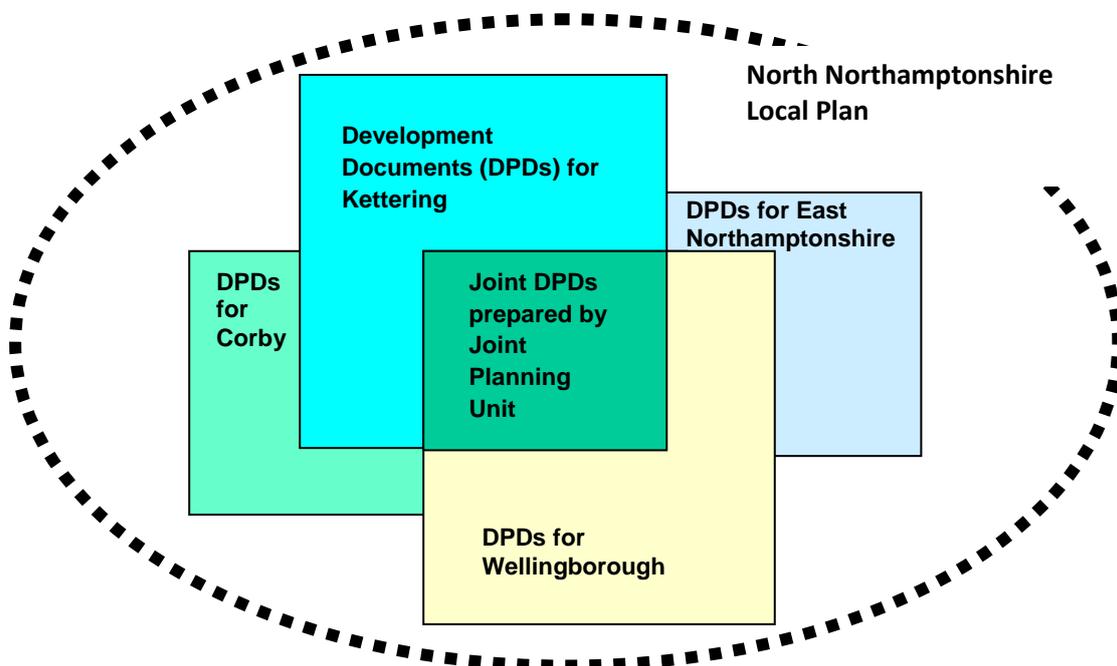
More emphasis on electronic communication

- 2.8 We need to reduce expenditure and use the resources available to us as efficiently as possible. Therefore, we are increasingly reliant on electronic communications, such as websites and the use of email/email alerts for publicising documents and information.

3. The Local Plan for North Northamptonshire

- 3.1 The Planning framework for North Northamptonshire is set through the North Northamptonshire Local Plan. The North Northamptonshire Local Plan is the collection of development plan documents that set out the spatial strategy for North Northamptonshire.
- 3.2 The Joint Core Strategy (“the Plan”) is the overarching/principal element of the Local Plan for North Northamptonshire and provides the ‘big picture’ on issues that need to be tackled across the four districts.
- 3.3 The first Joint Core Strategy was adopted in June 2008 and sets the framework for long term change and development in North Northamptonshire, including housing, jobs, shopping and the environment. The Plan sets out how the area should change and has targets for the number of new houses, jobs and the amount of new shopping floor space required. It also has policies to guide how change will be managed, such as where development should be located, guidelines about its design and controls over the impact of developments on their surroundings, together with necessary infrastructure.
- 3.4 The Plan was prepared by the North Northamptonshire Joint Planning Unit (JPU) and is currently being reviewed. Decisions on the Plan are taken by a Joint Planning Committee, made up of councillors from Corby, East Northamptonshire, Kettering and Wellingborough Councils, and Northamptonshire County Council.
- 3.5 As well as Development Plan Documents (DPDs) that form the Local Plan, there are also a number of Supplementary Planning Documents that provide detailed guidance on various planning matters which explain and amplify the policies in DPDs. Consultation on these documents is governed by separate regulations, but will be undertaken consistent with the methods set out in this SCI.

Figure 1: North Northamptonshire Local Plan



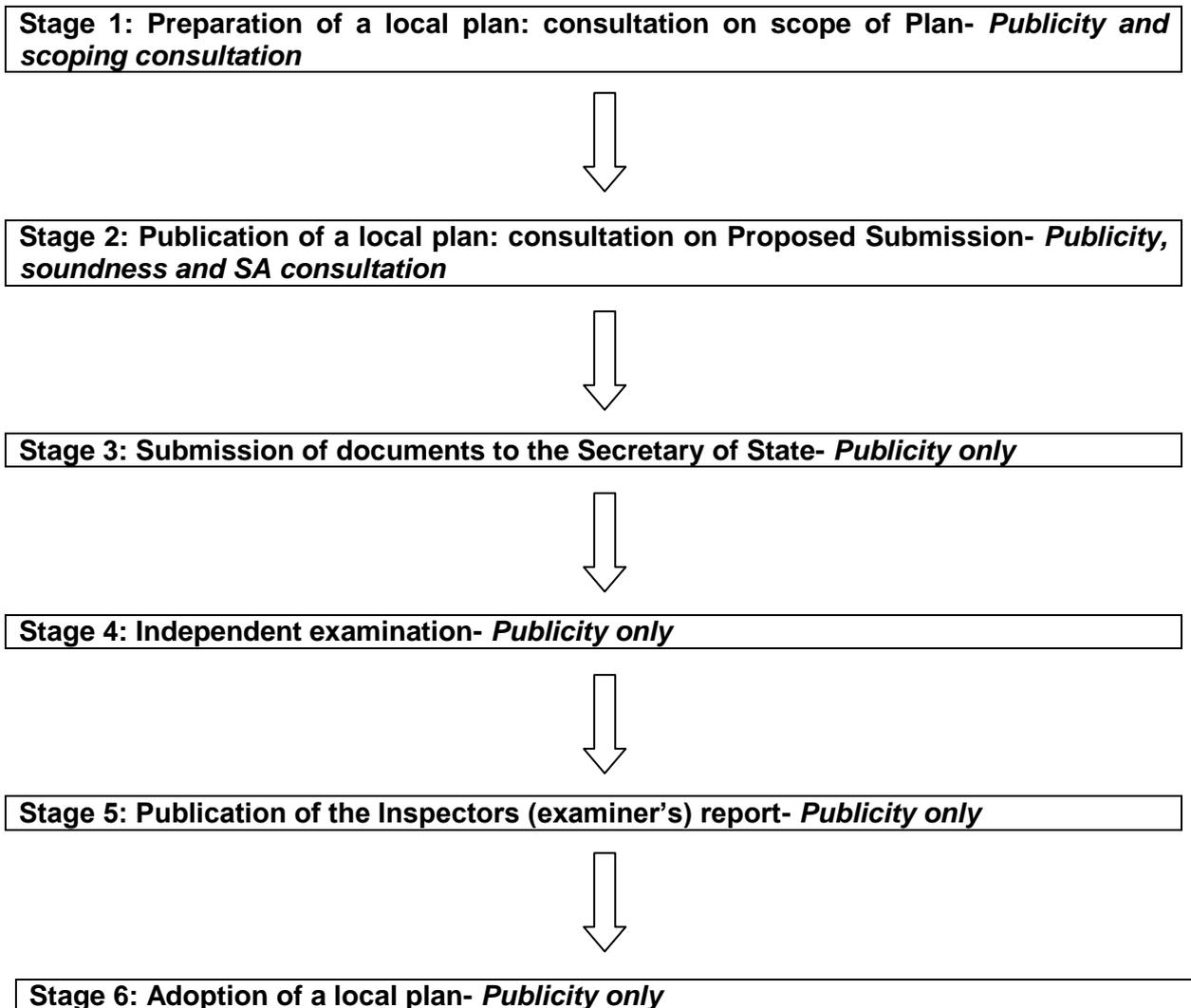
4. Consultation: Local Plans

The Local Plan process

4.1 This SCI is intended to set out consultation processes for development plan preparation which will be carried out by the JPU or the partner LPAs. This will cover the review of the Joint Core Strategy (JCS) to cover the period 2011-31, and other site specific Local Plan documents that are prepared by the partner LPAs which identify and allocate sites for development and provide more detailed local policies.

4.2 Local Plans are prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. A summary is included as follows:

Figure 2: *Process of Local Plan preparation and consultation and publicity that will be undertaken:*



- 4.3 A key aim of consultation and engagement is to attempt to build consensus for the way forward in relation to development and to conform to government requirements on the duty to co-operate. Whilst it is accepted that full consensus may not be possible, greater understanding may help minimise conflict in plan preparation and in the determination of planning applications.
- 4.4 The most appropriate method of consultation will be used for the different stages of the plan-making process. Electronic communication and online representations will be used as widely as possible. It is recognised that ‘hard to reach groups’ may not have access to a computer; in such cases a hard copy of the documents can be made available, and letters will be sent to inform on consultation stages and that written representations will still be accepted.

Who will be consulted on Local Plans

- 4.5 The Councils have a long history of engagement with local residents, Parish and Town councils, businesses, stakeholders, community groups, voluntary organisations and others in preparing Local Plans. These make up an extensive consultation database.
- 4.6 The JPU and constituent authorities have consultation databases. Anyone can be added to these in order to receive information about consultation documents. This will form the main basis of communicating consultation information with interested parties in relation to relevant Local Plans that are being prepared. Councils will also use their websites and other measures such as the local press to undertake consultation. Unless you are included on consultation databases, you will not be notified or consulted directly, and will need to refer to the local authority’s web sites and the local press for information about plan consultations. To request inclusion on the JPU’s database, please email info@nnipu.org.uk or contact the Local Councils using the details set out in Appendix 1.
- 4.7 If you have provided comments in response to a plan consultation you will normally be added to the relevant consultation database, unless you have requested not to be included. From time to time the local authorities will review their databases and contact you by email or post to find out if you would like to remain on the database.
- 4.8 Consultation with certain consultees is a statutory requirement, whereas others are discretionary. There are two main groups: specific consultation bodies and general consultation bodies. Specific consultation bodies include government agencies, utility providers and other local authorities, which we are required to consult on Local Plans. General consultation primarily relate to interest groups, which are considered for consultation as appropriate.
- 4.9 The table below provides information on who we wish to engage with at each consultation stage. Interested parties or individuals can be added to our list of consultees if they wish to be notified of consultations.

Table1: Engagement at Consultation Stage

Audience targeted	Who this means
Specific consultation bodies	<ul style="list-style-type: none"> • Environment Agency • English Heritage • Natural England • Network Rail • Highways Agency • Local authorities, parish councils and policing body in or adjoining the planning authority area • Communication operators/facility owners (eg mobile phones) • Electricity, gas, sewerage and water companies • Homes and Communities Agency • The Coal Authority and Marine Management Organisation also have to be consulted
General consultation bodies	<ul style="list-style-type: none"> • Voluntary bodies in the area • Bodies representing racial, ethnic or national groups in the area • Bodies representing the interests of different religious groups in the area • Bodies representing disabled persons in the area • Gypsies, travellers and travelling show people • Bodies representing business in the area- i.e. Local Enterprise Partnerships, Chambers of Commerce

Duty to Cooperate

4.10 The Localism Act 2011 introduced a new statutory ‘duty to cooperate’, whereby local planning authorities are required to work with neighbouring authorities and other public bodies in preparing the development plan for their area. A number of issues, such as transportation, strategic infrastructure projects, flood risk and waste management, have implications across Council boundaries and local councils and other public bodies are required to work jointly on strategic matters of this nature. A number of these bodies are identified in the table above, and consultation will form part of wider work to ensure cross boundary issues are identified and addressed where possible in plan preparation.

Reaching everyone

4.11 We appreciate that there are some groups who have been traditionally under-represented in consultation exercises. The JPU and councils will try to directly liaise with these ‘hard to reach’ groups through targeted engagement or specific techniques that takes account of their particular needs.

4.12 As organisations the JPU and Councils are committed to eliminating any forms of discrimination, ensuring that the impacts of the services provided and policies produced are minimised. Some plans or planning documents may affect certain communities differently and more significantly than others. Such impacts may need to be subjected to an equality impact assessment to identify any negative or differential impacts. These should be mitigated if they cannot be avoided. All

planning policy documents will be screened to establish if an equality impact assessment is required.

Consultation periods

- 4.13 All consultation will be for a minimum of six weeks. Longer consultation periods will be employed over key holiday periods.

Availability of documents

- 4.14 All consultation documents and supporting material will be made available in hard copy as well as in electronic format. Hard copies of all statutory documents will be made available for viewing at all libraries in the plan area and in the reception areas of the relevant district and borough councils.
- 4.15 Hard copies of consultation documents will be sent on request to specific and general consultation bodies or hard to reach groups who do not have access to a computer. A charge to cover costs may be made for other requests.
- 4.16 All documents relating to the JCS review will be available on the JPU's website and in relation to other Local Plans, on the relevant district and borough council websites and can also be emailed on request.

Consultation stages

- 4.17 Some stages of consultation, particularly the latter stages of the plan making process, are formal and are governed by statutory regulations. Earlier stages are more flexible. Figure 2 shows key stages in the preparation of Local Plans and the consultation and engagement that will be carried out at each stage.
- 4.18 When preparing local plans, the local authorities may carry out more extensive consultation than required by the regulations to ensure that on-going feedback can be obtained during the development of the Local Plan.

5. Consultation: Development Proposals and Planning Applications

What planning applications are covered by this SCI?

- 5.1 This statement sets out how the community can become involved with planning applications ranging from minor development such as house extensions to major housing, employment and shopping schemes.
- 5.2 Northamptonshire County Council is responsible for determining minerals and waste applications. Community involvement in helping to determine these proposals is set out in a separate Statement of Community Involvement prepared by the County Council.
- 5.3 Development can be either “permitted development” where formal planning permission is not required, or development requiring the submission of a planning application. Other types of applications include applications for advertisement consent and listed building consent.
- 5.4 The Councils will be responsible for administering “light touch” neighbourhood consultation as part of the Government’s changes to grant permitted development rights for larger house extensions for a period of three years. Under these proposals, homeowners wishing to build extensions would have to notify their local Council with the details. The Council will then inform the adjoining neighbours. If no objections are made to the Council by the neighbours within 21 days then the development can proceed. If objections are raised by neighbours, the Council will consider whether the development would have an unacceptable impact on neighbour’s amenity.
- 5.5 If you are unsure whether or not you need planning permission, or other planning related consents, for the development you are considering you can obtain advice from the relevant Council (see Appendix 1). Up-to-date information on how to make planning applications is also available on the Council websites.

How will you be informed and can get involved in the Planning Applications Process?

Publicising Planning applications

- 5.6 The development management (also known as “development control” process largely reacts to proposals submitted by developers and individuals and therefore consultation and engagement cannot normally be scheduled in advance. Consultation will usually take place once a planning application is submitted. For very large scale developments, earlier publicity initiated by the developer may be used.
- 5.7 We will listen to what people have to say but will make clear in publicity that only representations relating to land use considerations will be taken account in reaching a decision. Matters such as loss of a private view, or the character or motivations of the applicant are **not** material planning considerations and, consequently, cannot be

considered in determining an application. The Council will not normally reply to any representations received.

- 5.8 The scale and type of consultation required on planning applications will relate to impact of the proposal. A majority of planning applications received are for small developments such as house extensions. It is recommended that applicants discuss such proposals with occupiers and owners of neighbouring land and properties before submitting an application. This can provide an early opportunity to address any concerns expressed by neighbours and may help to reduce delay in determining the planning application once received.
- 5.9 When an application has been submitted, consultation may take the form of letters or e-mails to neighbours, businesses or agencies, site notices, advertisements in newspapers, it is important to respond within the specified time period on any consultation letter or notice to ensure comments are taken into account.
- 5.10 The normal period for consultation is 21 days. The precise period will be defined in the notice/notification/advertisement. Any comments will be placed on the planning application file and will be available for public inspection. If a response is not received within the time period specified it might be too late to bring it to the attention of the Committee of Councillors, or the officer responsible for determining the application. Statutory bodies are also consulted and usually given 21 days to respond.
- 5.11 The period of community involvement undertaken on all planning applications will be of a length that gives an appropriate time for a response to be made, but which also acknowledges that planning applications have to be determined within 8 weeks, or 13 weeks for a major application* unless a longer period is agreed in writing with the applicant.

** This is defined in this context by the Government as a proposal for residential development of 10 or more dwellings or a site area of 0.5 hectares or greater where the number of dwellings is not known. In respect of other land uses the definition includes proposals where the sum of the floor area within the building is 1 hectare or greater*

‘Significant’ developments

- 5.12 Where a proposal/application is deemed to be significant by the planning authority by virtue of being large in scale or otherwise locally significant (see below), developers/applicants will be expected to undertake community engagement and involvement in drawing up their proposals. Developers/applicants will need to submit a ‘Statement of Local Engagement’ showing how they have engaged the community in their proposals and how it has changed as a consequence. Planning applications deemed significant that are not accompanied by a Statement of Local Engagement when submitted may incur difficulties in being registered as a valid application by the planning authority. Developers and applicants should consider the benefits of involving the community in developing proposals and preparing schemes even when the proposal is not deemed to be ‘significant’.

- **Large-scale developments.** *For the purposes of this SCI a large-scale development includes proposals for residential development of 100 or more dwellings, or a site area of 3 hectares or greater where the number of dwellings is not known. In respect of other land the definition includes proposals where the sum of the floor area within the building is 1000 m² or the site area is 1 hectare or greater. Large-scale development applications are likely to require additional community involvement if the proposal will have a significant impact on the area, or create significant public interest or controversy.*
- **Locally significant developments.** *Some proposals that are not of sufficient scale to be defined as large-scale development may have a wider impact beyond neighbouring owners and occupiers. This category includes any proposal that, in the opinion of the local planning authority, would alter the overall character of the locality by reason of its scale, use or visual appearance. It also includes development on sites that are sensitive to development pressures such as proposals for substantial demolition in a conservation area, or proposals for development next to a listed building.*

5.13 The type and extent of community involvement will need to be related to the scale and likely impact of the development and to the target audiences. It will also be appropriate to take account of whether or not the proposal has already been consulted on through the development plan process and the extent of community involvement undertaken by the applicants at the pre-application stage. The Councils will offer advice on pre-application consultation on a site-by-site basis and applicants are therefore invited to contact us before undertaking community involvement in order to agree the method(s) that should be used, the scale of the consultation and any special or community groups that ought to be involved.

Dealing with the conclusions of engagement

- 5.14 Some planning application decisions are determined by officers using delegated powers given by the Council, more significant planning applications are usually determined at a planning committee. The exact distinction between the two varies between Councils.
- 5.15 For each planning application to be determined by a Committee, a report will be drafted setting out the key issues, highlighting responses from the consultation on the application and containing a recommendation from the planning officer as to whether or not planning permission should be granted. People who have responded to the consultation will be informed of the date of the meeting, as well as the procedure and time period for speaking at the committee, if they wish to do so.

Appendix 1 LPA Contact Details:

Corby Borough Council

Planning hold drop-in sessions in the One Stop Shop on Mondays 1pm - 3pm, Tuesdays 10am - 12pm & Fridays 2pm - 4pm.

Regeneration & Growth
Corby Borough Council
Deene House
New Post Office Square
Corby
NN17 1GD
Tel: 01536 464158
email: planning.services@corby.gov.uk

Kettering Borough Council

Municipal Offices,
Bowling Green Rd,
Kettering,
NN15 7QX

Monday to Friday: 8:30am to 5.30pm; Saturdays: 9am to 1pm

A duty planner is available to assist in helping to understand the plans on: Monday – Friday
9am to 5pm

Tel: 01536 534316
email: planning@kettering.gov.uk
www.kettering.gov.uk

East Northamptonshire Council

If you need further help with commenting on a planning application please contact the Duty Planning Officer who is available Monday to Friday between 9am and 1pm on 01832 742225 or by emailing: planning@east-northamptonshire.gov.uk

East Northamptonshire Council
Cedar Drive
Thrapston
Northants
NN14 4LZ

Borough Council of Wellingborough

Borough Council of Wellingborough
Council Offices
Swanspool House
Wellingborough
Northants
NN8 1BP
Tel: 01933 231902
e-mail planning@wellingborough.gov.uk