

## Report to Planning and Development Policy Development and Review Panel

**Date**                    **08 November 2016**

**Report of:**            **Director of Planning and Regulation**

**Subject:**              **STATEMENT OF COMMUNITY INVOLVEMENT: DRAFT FOR CONSULTATION**

### SUMMARY

This report summarises the content, scope and purpose of the draft Statement of Community Involvement (SCI) 2016, with a view to publishing the draft document for a six week period of public consultation following approval by the Panel.

The SCI is a requirement under the Planning and Compulsory Purchase Act 2004 (subject to further regulatory changes). The SCI sets out how everyone can be involved in developing local planning policy and in the planning application process. It will support and sit alongside the emerging Fareham Local Plan (2036) and one of the key tests of soundness for the emerging Local Plan will be that it complies with the Council's SCI.

This SCI will supersede the previously published SCI (2011) resulting in an SCI up-to-date with current regulatory requirements and also one that reflects the Council's Vanguard approach.

The SCI relates to Local Plans and planning applications. The key areas covered by the SCI include:

- Principles for consultation
- What we consult on and when
- Who we will consult with
- How will we engage and consult?
- Staying up to date
- How decisions are made
- What happens with comments on the emerging Local Plan?
- The duty to cooperate
- Neighbourhood Planning
- Planning Applications and Appeals
- Planning Performance Agreements
- Who can you turn to for more support?

## **RECOMMENDATION**

That the Panel approves the following:-

- (a) that the draft Statement of Community Involvement 2016, as set out in Appendix A, be made available for a six week period of consultation;
- (b) that the Director of Planning and Development, be authorised to make any necessary minor changes to the draft Statement of Community Involvement, prior to publication, providing that these do not change the overall direction, shape or emphasis of the document, and do not raise any significant issues; and
- (c) following consultation, the document will be revised as appropriate before being considered for adoption by the Fareham Borough Executive

This is with regard to the requirements of Regulation 18 of the Planning and Compulsory Purchase Act 2004 (as amended) and amendments made through the Town and Country Planning (Local Planning) (England) Regulations 2012.

## **INTRODUCTION**

1. The requirement for Local Authorities to produce a Statement of Community Involvement (SCI) is set out in Regulation 18 of the Planning and Compulsory Purchase Act 2004 (as amended).
2. Following public consultation on the draft SCI, and any appropriate amendments being made, this SCI will be referred to the Executive. If approved by Executive the SCI will be published and supersede the previously published SCI which was adopted in 2011. The SCI will then be up-to-date with current regulatory requirements and also reflect the Council's Vanguard approach. The SCI should thereafter be complied with during Local Plan preparation and in considering planning applications.

The key areas covered by the SCI include:

- Principles for consultation
- What we consult on and when
- Who we will consult with
- How will we engage and consult?
- Staying up to date
- How decisions are made
- What happens with comments on the emerging Local Plan?
- The duty to cooperate
- Neighbourhood Planning
- Planning Applications and Appeals
- Planning Performance Agreements
- Who can you turn to for more support?

An overview of these key chapters is provided below. The full text for the draft document is provided in Appendix A.

## **PRINCIPLES FOR CONSULTATION**

3. The Council's aim is to give everyone an equal opportunity to influence and comment on plans and planning applications. There are five guiding principles that will apply to the Council's engagement and consultation. Engagement and consultation will (a) have a purpose; (b) be informative and clear; (c) be promoted and targeted; (c) use a variety of methods; and (d) be open and transparent.
4. This section of the draft SCI also introduces the customer focused 'Vanguard' approach applied by the Council. For planning this is most notable in how planning applications are dealt with. Upfront work to understand the needs of the applicant have improved customer service and sped up the time it takes to deal with an application.

## **WHAT WE CONSULT ON AND WHEN**

5. The Council will only consult on issues that are to be decided and there are specific planning documents and matters where there is a duty/requirement to consult:
  - The Local Plan

- Supplementary Planning Documents (SPDs)
- Sustainability Appraisal and Strategic Environmental Assessment
- Community Infrastructure Levy
- Planning Applications and Appeals

## **WHO WILL WE CONSULT WITH?**

6. The draft SCI provides an overview of the different people and organisations that the Council need to consult with and also the requirement of 'duty to cooperate'.

## **HOW WILL WE ENGAGE AND CONSULT?**

7. The SCI outlines the range of methods and tools that might be used to engage and consult. This includes online engagement (website, social media and e-panel), face to face engagement (engagement groups, exhibitions, on-street events, use of the Community Action Team meetings, phone surveys), direct mailshots, public notices, etc.
8. The Council's methods, scale and extent of consultation typically relate to the scale and potential impact of the planning application proposal or Local Plan matter. This is explained through examples in the draft SCI.

## **STAYING UP TO DATE**

9. The Council keep and maintain a database of local people and organisations who are interested in the development of the Local Plan and this is used to inform people of forthcoming consultations on the Local Plan.

## **How decisions are made**

10. The SCI outlines how the evidence base documents will inform the Local Plan and that this evidence base will be made public. This will include responses to formal consultation on the emerging Local Plan and how those comments have been considered and what changes have been made because of them.

## **What happens to the Local Plan comments received?**

11. All representations received on the Local Plan will be considered alongside the evidence base documents and other considerations. The SCI explains the process in more detail, in particular how the Planning Inspector will be the one to consider the final consultation period responses (Regulation 19) during the examination of the Local Plan.
12. All representations received throughout the plan making process will be recorded and their receipt acknowledged. They will be made available for others to see, although personal information will be redacted.

## **Duty to cooperate**

13. The SCI gives a broad overview of the duty to cooperate and how this is a requirement of the Localism Act 2011 and the NPPF. The Partnership for Urban South Hampshire (PUSH) is referred to as part of this.

## **Neighbourhood Planning**

14. Through the Localism Act (2011), local communities can produce their own Neighbourhood Plans. Local Authorities have a 'duty' to support a community's wish to prepare a Neighbourhood Plan, but Neighbourhood Plans are not Council documents. The SCI outlines the process for a Neighbourhood Plan in Appendix C to the draft document.

## **PLANNING APPLICATIONS AND APPEALS**

15. The SCI explains the role of the Council's Development Management Team who are responsible for determining planning applications in accordance with adopted Local Plan Policies, national planning policy and other material considerations. It also explains how applications for highways and schools are dealt with by Hampshire County Council.
16. For major applications, applicants are expected to consult the local community prior to submitting an application. Suggested methods for this consultation are outlined in Appendix D to the draft document.
17. The SCI outlines how planning application notifications are normally done (e.g. letters to neighbour, site notices, etc.) and how anyone can object to a planning application no matter where they live or how they learned of the proposal. It explains planning matters that can be taken into account and those non-planning matters that cannot influence the planning decision.
18. The SCI explains how applicants have the right of appeal to the Secretary of State if their application is refused and how the Planning Inspectorate then handle that appeal case. The fact that there is currently no third party right of appeal is referred to in the SCI.

## **Planning Performance Agreements**

19. A Planning Performance Agreement is a project management tool where the Council and applicants agree timescales, actions and resources for handling a particular application. It can cover all stages including before and after an application is determined.

## **WHO CAN YOU TURN TO FOR MORE SUPPORT?**

20. The final chapter of the SCI provides information (largely designed for the public) as to who they could contact, beyond the Planning Service, should they still want to raise issues. This includes their Local Councillor, the Executive Leader and their MP.

## **RISK ASSESSMENT**

21. There are no significant risk considerations in relation to this report

## **CONCLUSION**

22. The Statement of Community Involvement, once consulted on, will be revised as appropriate before being considered for adoption by the Executive. At such a stage it would supersede the previous SCI (2011) and provide a SCI up-to-date with changes in legislation and which also takes account of the vanguard influence in the planning process at Fareham Borough Council. At examination of the Fareham Local Plan 2036 the plan will be tested to ensure it has complied with the SCI during its formation.

23. It is recommended that the Panel approve the publication of the draft Statement of Community Involvement for a six week period of public consultation on its content.

### **Appendices:**

Appendix A: Draft Statement of Community Involvement

### **Background Papers:**

None

### **Reference Papers:**

None

### **Enquiries:**

For further information on this report please contact Claire Burnett. (Ext. 4330)