

# Fareham Borough Statement of Community Involvement

[Insert Adoption Date]

## **Further information and contacts**

If you have any questions regarding this Statement of Community Involvement, please contact a member of the Planning Service Team at Fareham Borough Council.

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Email: <u>planningpolicy@fareham.gov.uk</u>

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Fareham Borough Council

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Information including updates on the progress of Fareham's Local Plan and current consultations is available on the Council's website: www.fareham.gov.uk/planning.

#### Please note:

This Statement of Community Involvement (SCI) was adopted by the Council on [Insert Adoption Date]. On adoption this SCI supersedes the previously published 2011 SCI.

If you require this document in large print, or help with translation into other languages, please call 01329 236100 for further information.

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# 1.0 What is a Statement of Community Involvement?

- 1.1 The Council is committed to involving our communities in the development of Fareham. The Statement of Community Involvement (SCI) sets out how everyone can be involved in developing and deciding on local planning policy and planning applications that help shape Fareham.
- 1.2 The SCI tells you how you can keep up to date with the development of the Local Plan and planning applications. The SCI also outlines the types of consultation and engagement methods that the Council will use to get interested residents, groups, organisations, businesses, other representatives and individuals involved in the decision making process.



# 2.0 Our principles for consultation

- 2.1 The Council aims to give everyone an equal opportunity to influence and comment on plans and planning applications shaping the future development within Fareham. Our engagement and consultation will:
  - Have a purpose. We will consult on Local Plan documents at each formal stage and only ask questions on issues that are to be decided on;
  - Be informative and clear. We will provide information in plain English that is clear and balanced and helps everyone contribute to the process;
  - Be promoted and targeted. We will promote consultations widely and target people, businesses and organisations who may be most affected by a policy or planning application.
  - Use a variety of methods. We will understand the needs of different stakeholders and engage and consult in a way that suits them, making best use of new technologies and methods.
  - Be open and transparent. We will publish responses to the consultations in a timely fashion and explain how consultation responses have informed decision making.
- 2.2 The Council applies what is termed as the 'vanguard' method in all services and procedures. This means that services are customer focused. 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. To further support this, wherever possible consistency is provided with the same Officer dealing with a planning matter from beginning to conclusion. Methods such as this have put customers at the forefront of the work of the Planning Service.

## 3.0 What will we consult on and when?

- 3.1 The Council constantly works to update its planning policy, guidance and supporting evidence. As a result, public consultation often takes place throughout the year.
- 3.2 The Council will only consult on issues that have yet to be decided. This means that the views of residents and organisations can help inform our decision making. The Council has a duty to consult on the following:
  - The Local Plan. This sets out where and how we expect development to take
    place in Fareham, through the use of planning policies and site allocations, for
    example for housing development. The policies in the Plan are used to assess all
    the planning applications we receive.
  - Supplementary Planning Documents (SPDs). These documents explain a Local Plan policy in more detail, where this is needed, in order to help applicants make successful applications or to aid infrastructure delivery.



- Sustainability Appraisal and Strategic Environmental Assessment. This
  is a method designed to achieve a balanced approach to development through
  informing the assessment and selection of development options and monitoring
  outcomes. The Council has a statutory obligation to consult on this alongside each
  version of the Local Plan that we produce.
- Community Infrastructure Levy (CIL). This is a planning charge which the
  Council can use to raise funds from developers undertaking new building projects
  in their area. The money can be used to fund a wide range of infrastructure that is
  needed as a result of development. The Council adopted CIL in May 2013.
- Planning Applications and Appeals. In addition to the Local Plan and CIL, consultation also takes place on development proposals. This consultation may take place at the following stages:
  - Pre-application consultation. This can be carried out by the developer/applicant before a formal planning application is submitted to the Council for approval. The Council encourage potential applicants for major development proposals (residential sites of 10 or more dwellings and other large development types) to engage and consult with the local community at the pre-application stage. Early pre-application engagement with any relevant stakeholders will also be beneficial.
  - Consultation on the planning application. This consultation will be carried out by the Council once a planning application has been submitted. The consultation period will normally last 21 days.
  - Notification when a planning appeal is lodged. An applicant can appeal to
    the Planning Inspectorate if their planning proposal is refused or a planning
    condition is imposed which they do not like. In many cases where appeals
    are lodged, we will write to all those originally notified of the application and
    any persons who made a formal representation on the application to let them
    know an appeal is underway, and that there may be further opportunities to be
    involved in the decision making process.

## 4.0 Who will we consult with?

- 4.1 There are a number of different people, communities and organisations that the Council needs to consult with:
  - Residents
  - Community and voluntary sector organisations
  - Local businesses
  - Local interest groups
  - Developers
  - Landowners and their agents
  - Service and utility providers e.g. Southern Water
  - Statutory bodies e.g. Hampshire Highways, Environment Agency
  - Government bodies
- 4.2 The Council also has a legal 'duty to co-operate' with other local Councils in relation to strategic cross boundary issues. We also have to consult with organisations such as Natural England, the Environment Agency and Historic England when developing a Local Plan or when considering some planning applications. You can see a list of the organisations we consult with in Appendix A and Appendix B.

# 5.0 How will we engage and consult?

5.1 The Council has a range of methods and tools for engaging and consulting. The approaches we use will depend on the needs of the different groups that want to get involved. The following outlines the different ways people can get involved:



Online Engagement: The way people and organisations have their say on issues has dramatically changed over the last ten years, with more and more engagement taking place online. The type of online engagement we use will depend on the issues that are being considered. One or a combination of the following may be used:

a) Website: We regularly update www.fareham.gov.uk/planning with information about planning policies and applications. Consultation information will be provided online with comment forms and surveys. You can also view and comment on any planning application online.

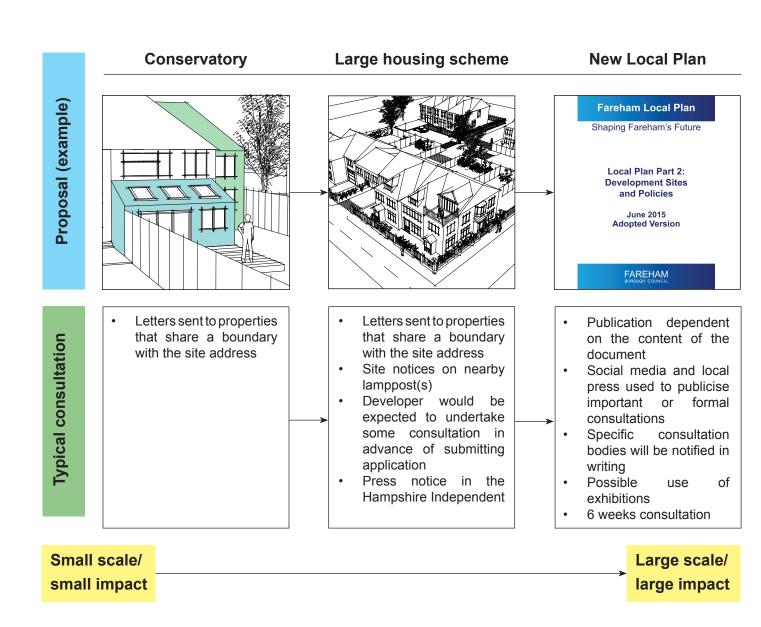
- b) Social Media: Both our Facebook (farehambc) and Twitter (@FarehamBC) accounts are used to promote consultations and high profile planning applications. We also encourage people to ask questions and comment on planning issues using social media. However, in regulatory terms comments made on social media cannot be formally taken into account but we welcome this interaction and often more accessible means of contacting the Council.
- c) E-Panel: You can sign up at <a href="www.fareham.gov.uk/epanel">www.fareham.gov.uk/epanel</a> and keep up to date with all the Council's consultations, engagement events, such as Community Action Team (CAT) meetings as well as take part in surveys. We will promote all planning consultations and large scale planning applications on the E-Panel.



**Face-to-face engagement:** Sometimes speaking directly to someone is the best way that we can understand their point of view and they can understand ours. The type of face-to-face engagement we use will depend on the issues that are being considered. Depending on the topic, we may use one or a combination of the following:

- d) Engagement Groups: These may be used when we want to get in depth comments on specific planning issues, from a small cross section of residents or interested organisations such as Residents Associations and established Business Forums. This sort of work often takes place before more wide ranging public consultations.
- **Exhibitions:** We may hold exhibitions to get people involved in shaping plans for the development of the Borough or if there is a planning application that could impact on a lot of our residents. This also allows people to speak to the Officers and Councillors involved in planning.
- On-the-street events: These are smaller exhibition style events, which we hold in places where a lot of people are likely to visit, such as Fareham Shopping Centre.
- g) Community Action Team (CAT) Meetings: CATs are public meetings that are usually held about a single topic e.g. a large planning application in a local area. They are a great way to find out more about issues and directly question the Officers and Councillors involved in the decision making process.

- h) Phone surveys: Whilst not strictly face-to-face, we may ask companies working on our behalf to carry out phone surveys about certain topics such as shopping or parking habits that will feed into the development of the Local Plan.
- 5.2 We may also promote consultations and planning applications with direct mailshots; public notices in the 'Hampshire Independent' newspaper and by displaying notices outside the sites and properties directly concerned. Press releases and online notifications will also be posted online using the methods described above. In general terms the scale and extent of publication about a planning matter relates to the scale and the potential impact of the development proposal.



# 6.0 Staying up to date

- 6.1 The Council keep and maintain a database of local people and organisations who are interested in the development of the Local Plan. This database is used to send correspondence out to inform people of forthcoming consultations on the Local Plan and how they can make a consultation submission.
- 6.2 A Local Plan newsletter or Fareham Today are other useful ways in which the Council might promote Local Plan consultations.

## 7.0 How decisions are made

- 7.1 The information we use to make decisions is called an evidence base. Comments and information provided during consultations form part of this evidence base but there are other sources we need to consider:
  - · Other authorities' and agencies views
  - Professional research and opinion
  - Other spatial plans or statements e.g. PUSH Spatial Position Statement
  - Laws and regulations
  - Policy Guidance e.g. National Planning Policy Framework
- 7.2 Creating a policy or making informed planning decisions requires consideration of all the information available and this often requires an understanding of conflicting opinions.
- 7.3 All the information that forms the Local Plan evidence base will be made public so that everyone has the chance to see how it has influenced a decision. This includes the Council's responses to comments and an explanation of how they have been considered and what changes have been made because of them.

# 8.0 What happens to the Local Plan comments received?

- 8.1 The Council has a responsibility to consider all the representations it receives. These will be weighed up alongside evidence documents, legal requirements, national policies and local needs and interests. All comments will be fully considered and if they warrant an amendment for the subsequent version of the Local Plan this will be explained. In addition, if comments do not justify a change this will also be explained. Occasionally the Council may wish to contact the person or organisation directly to discuss their representations.
- At the later stages in the Local Plan making process, the engagement methods become more formal. If at that stage you feel that the Council has not positively listened to or constructively addressed your suggested changes to the Local Plan, an independent Planning Inspector will consider your representations during the examination of the Plan. Only written formal comments that are submitted within the specified final consultation period (Regulation 19 onwards) will be considered by the independent Planning Inspector. Representations will be sent to the Planning Inspectorate alongside a package of 'submission' documents including a summary statement of the main points raised by consultees with an explanation of how the Council has addressed these issues in the Local Plan.
- 8.3 All representations received throughout the plan making process will be recorded and their receipt acknowledged. They will be made available for others to freely see, however, personal information will not be made public in order to comply with the Data Protection Act.

# 9.0 Strategic Planning - The Duty to Cooperate

- 9.1 Local Planning Authorities have a legal duty to work collaboratively with neighbouring authorities on strategic, cross boundary issues. The Duty to Cooperate is a requirement of the Localism Act 2011 and the National Planning Policy Framework. It requires Local Planning Authorities and other prescribed bodies (as set out in Appendix A) to engage constructively, actively and on an on-going basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters<sup>1</sup>.
- 9.2 Fareham Borough Council is a member of the Partnership for Urban South Hampshire (PUSH), which is a partnership that covers the 12 whole or part Council areas in South Hampshire and the Isle of Wight<sup>2</sup>.
- 9.3 The purpose of PUSH is to facilitate collaborative working on strategic cross boundary issues between the authorities in the sub-region, and as such enable all PUSH authorities to address their Duty to Co-operate requirements. In June 2016, PUSH published the South Hampshire Spatial Position Statement<sup>3</sup> which sets out development targets for each Council to 2034. The Statement is informed by a robust and co-ordinated evidence base and by substantive discussions at all levels across all Councils and with other key agencies as set out in this paper. A Process Background Paper<sup>4</sup> was produced by PUSH to set out the process behind the preparation of the PUSH Spatial Position Statement (June 2016) and provide further evidence of how the 12 Councils in PUSH have undertaken their 'duty to co-operate' with each other, and with other statutory agencies.

<sup>&</sup>lt;sup>1</sup> Strategic matters are set out in paragraph 156 of the National Planning Policy Framework

<sup>&</sup>lt;sup>2</sup> East Hampshire District Council (part); Eastleigh Borough Council; Fareham Borough Council; Gosport Borough Council; Hampshire County Council (part); Havant Borough Council; Isle of Wight Council; New Forest District Council (part); Portsmouth City Council; Southampton City Council; Test Valley Borough Council (part); Winchester City Council (part).

PUSH Spatial Position Statement (June 2016) available at: <a href="http://www.push.gov.uk/item\_12 - appendix 1 - position\_statement.pdf">http://www.push.gov.uk/item\_12 - appendix 1 - position\_statement.pdf</a>

<sup>4</sup> PUSH Process Background Paper (June 2016) available at: <a href="http://www.push.gov.uk/160721\_final\_process\_document.pdf">http://www.push.gov.uk/160721\_final\_process\_document.pdf</a>

# 10.0 Neighbourhood Planning

- Through the Localism Act (2011), local communities can produce their own Neighbourhood Plans as well as Neighbourhood Development Orders and Community Right to Build Orders. Neighbourhood Plans give communities the right to choose where they want new homes, shops and offices to be built in their local area, have their say on what those new buildings should look like and help identify what infrastructure should be provided. Communities can also grant planning permission for the new buildings they want to see go ahead. It must be stressed that the policies produced in a Neighbourhood Plan cannot block development, but can help shape where new development will go and what it will look like.
- The Neighbourhood Planning (General) Regulations 2015 (and subsequent amendments and any further regulations) set out the statutory requirements for the preparation of Neighbourhood Plans and Development Orders. Neighbourhood Plans are prepared by Parish and Town Councils (where these exist) or Neighbourhood Forums (where there are no parish or town councils). The Council has a role to play in this process as we provide technical advice and carry out conformity checks against national and local policies. Neighbourhood Plans are subject to independent examination and a local referendum. Should a Neighbourhood Plan be found sound and pass the local referendum, the Council can adopt the Neighbourhood Plan and it becomes part of the statutory development plan for the Borough, and as such is used to assist in the determination of any planning applications within the area covered by that Neighbourhood Plan.
- Local Authorities have a 'duty' to support a community's wish to prepare a Neighbourhood Plan, but Neighbourhood Plans are not Council documents. The Neighbourhood Planning (General) Regulations 2012 (as amended) set out the requirements for publicity and consultation in relation to the initial establishment of neighbourhood areas and neighbourhood forums, as well as in relation to the subsequent production of Neighbourhood Plans and Neighbourhood Development Orders.
- The SCI and other Council commissioned evidence documents can be a useful starting point to help guide and support the work to be done. If you are interested in developing a Neighbourhood Plan you can contact the Council for advice by phoning 01329 236100 or emailing planningpolicy@fareham.gov.uk.

10.5 The process for preparing a Neighbourhood Plan is set out in a process flow diagram in Appendix C. This process diagram identifies the responsibilities of both the Neighbourhood Forum and the Council throughout the process, including those relating to publicity and consultation.

# 11.0 Planning Applications

- 11.1 The Planning Service Team at Fareham Borough Council is responsible for handling all planning applications within the Borough, with the exception of applications for highways and schools, which are the responsibility of Hampshire County Council.
- 11.2 Applicants or developers are expected to consult with the local community before submitting major planning applications which are large scale or likely to generate wide public interest. Consultation before major planning applications are submitted must be of high quality, accessible and clear for the whole community to understand. If a major planning application is submitted, but consultation with the community has either not been carried out, or has not been carried out appropriately, the Council may decide to not to accept the application until it has been done. The ways in which community consultation should be undertaken prior to major planning applications being submitted are set out in Appendix D.
- 11.3 When the Council receives a planning application, it will let neighbours, other interested parties and relevant service providers know that the application has been submitted. We will seek the views of other likely interested parties at this stage e.g. Hampshire County Council and the Environment Agency. We will normally allow 21 days, in which comments by anyone can be made.
- 11.4 Notification of applications is normally done in one or more of the following ways:
  - Letters to neighbours whose properties are next to the application site;
  - Site notices. A fluorescent orange notice(s) is displayed in the vicinity of the application site advising of an application and when comments should be made by;
  - Notice in the 'Hampshire Independent' newspaper. This is usually only done for major development proposals, listed building applications or development within a conservation area.
  - For some larger or controversial applications, we may also promote the application using press releases, the Council's website and social media.

- 11.5 Fareham Borough Council encourages public participation in all aspects of planning, and comments and views are welcomed. There is a general presumption in favour of development which is in accordance with the policies in the 'adopted' Local Plan, unless there are sound and clear planning reasons why such development should not be permitted.
- Anyone can object to a planning application no matter where they live or how they learned of the proposal. Details of all current planning and related applications as well as their supporting documents can be viewed on our website. Comments are best made after you have studied the application, when you are fully aware of what is proposed. They can be submitted via the Council's website, by email to <a href="mailto:devcontrol@fareham.gov.uk">devcontrol@fareham.gov.uk</a> or can be made in writing. You are also welcome to view planning applications at the Council's offices (contact details on page 2 of this document) where applications can be inspected between 08:45 and 17:15 hours, Monday to Friday.
- 11.7 You will always need to give your name and postal address for your views to be taken into account. Please quote the planning application reference number. Whilst oral comments are noted by the Planning Officer, they cannot be treated as a formal comment.
- 11.8 Any comments or representations about a planning application should relate solely to planning matters. Some examples of planning and non-planning matters are listed below:

## **Planning**

- How well the application complies with Local Plan policies and Government planning policy
- Highway safety and traffic impact
- Parking, servicing or turning space provided
- The effect upon a conservation area or listed building
- Privacy, light and outlook
- External design, appearance or layout
- Effect upon protected trees
- Potential noise, dust or smell from a proposed operation

## **Non-planning**

- Would devalue property
- Loss of private view
- · Breach of covenant in a private contract
- Applicant does not own the land
- Boundary disputes
- · Matters addressed by other legislation, e.g.: alcohol licence or building regulations
- Objections based on moral, racial or religious views
- Personal views about the applicant
- 11.9 The large majority of planning applications are decided by Officers rather than the Council's Planning Committee. The Planning Committee generally only decides large scale or controversial planning proposals.
- 11.10 Applications are not necessarily refused just because an objection has been received. The number of objectors may reveal strength of feeling but that in itself is not grounds to refuse an application. A single valid objection can be effective.
- 11.11 If an application is being considered by the Planning Committee, you have a right to speak at the Committee if you would like to do so. You will however need to make a request to the Council to speak in advance ("make a deputation"). Further details of how you can arrange to speak at the meeting are on the Council's website<sup>6</sup>.
- 11.12 All formal comments made on an application are acknowledged. Following the consultation, it may be that further changes are submitted by the applicant that requires additional consultation prior to any decision being made. You will also receive notification of the outcome of an application in writing.
- 11.13 The process of deciding a planning application is demonstrated in Figure 1 below.

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<sup>6</sup> http://www.fareham.gov.uk/about the council/council\_and\_democracy/makingdeputation.aspx

# Submission

Submission of a planning application.

## Consult

Application is publicised by the Council.

#### Consider

Officers assess the application and take into account comments made. If new issues arise, further consultation may be undertaken on changes proposed.

## **Decide**

Decisions on smaller & non-controversial applications are normally made by the Officers.

Larger & controversial applications are usually decided by Councillors at a Planning Committee. This meeting is open to the public and people may request to speak with the consent of the Chairman.

#### Inform

Council informs interested parties of the decision. Decision is also published on the Council's Website.

Figure 1

# 12.0 Planning Appeals

- 12.1 Applicants have the right of appeal to the Secretary of State if an application is refused, if they consider a condition attached to a permission is unreasonable or if a decision has not been made by us (the Local Planning Authority) within the statutory period stipulated. A body known as the Planning Inspectorate handles appeals on behalf of the Secretary of State.
- 12.2 The length of time an applicant has to lodge an appeal varies depending on the type of application made. Further advice on timescales and planning appeals can be found on the Planning Inspectorate website<sup>7</sup>.
- 12.3 When an appeal is lodged we (the Local Planning Authority) will forward copies of any representations we received to the Planning Inspectorate. For some planning appeals there is a further opportunity for interested parties to comment again. The Council will let local residents and other interested parties know when an appeal has been made, on behalf of the Planning Inspectorate.
- 12.4 Currently there is no right of appeal for third parties against the planning decisions made by Fareham Borough Council.

# 13.0 Planning Performance Agreements

- 13.1 A Planning Performance Agreement is a project management tool which we (the Local Planning Authority) and applicants can use to agree timescales, actions and resources for handling particular applications. It should cover the pre-application and application stages but may also extend through to the post-application stage.
- Planning Performance Agreements can be particularly useful in setting out an efficient and transparent process for determining large and/or complex planning applications. They encourage joint working between us (the Local Planning Authority) and the applicant, and can also help to bring together other parties such as statutory consultees.

<sup>&</sup>lt;sup>7</sup> https://www.gov.uk/government/organisations/planning-inspectorate

- 13.3 A Planning Performance Agreement is agreed voluntarily between us (the Local Planning Authority) and the applicant prior to the application being submitted and can be a useful focus of pre-application discussions about the issues that will need to be addressed.
- 13.4 Planning Performance Agreements are positively welcomed by this Council as a way of working collaborative with applicants to resolve problems before applications are made.

# 14.0 Who can you turn to for more support?

- 14.1 If you have already contacted the Planning Service Team and still want to raise issues or have support getting involved in influencing decisions, the following people may be worth contacting:
  - Your Local Councillor. A Local Councillor is your elected representative. They are regularly updated on the progress of community issues from a range of sources. They can raise matters directly with organisations if appropriate. They can also tell you about local meetings that are happening that might be useful e.g. Community Action Team meetings. They can support you if you feel that consultation has not been undertaken in accordance with this Statement of Community Involvement. Find out who the Local Councillor is by calling 01329 236100, going to the Council's website<sup>8</sup> or by emailing <a href="mailto:customerservices@fareham.gov.uk">customerservices@fareham.gov.uk</a>.
  - Executive Leader. The Executive Leader is the Councillor responsible for overseeing Policy and Resources at the Council. He also represents Fareham Borough Council at meetings and external partnerships with other organisations.
  - Your MP. The job of an MP is to represent the people of his or her constituency (constituents) in Parliament. Your MP is there to also help you with all matters which Parliament or Central Government is responsible. There are two MPs for the Fareham area. You can find out how to contact your MP by going to <a href="http://www.parliament.uk/get-involved/contact-your-mp/">http://www.parliament.uk/get-involved/contact-your-mp/</a> or by calling 020 7219 3000.

<sup>8</sup> http://www.fareham.gov.uk/catsmap/map.aspx

# **Appendix A: List of Duty to Cooperate Organisations**

## Organisations which Fareham has a 'Duty to Co-operate' with9:

Hampshire County Council

Eastleigh Borough Council

Winchester City Council

**Havant Borough Council** 

Portsmouth City Council

Gosport Borough Council

Southampton City Council

Test Valley Borough Council

New Forest District Council

**Environment Agency** 

Historic England

Natural England

Civil Aviation Authority

Homes and Communities Agency

Fareham and Gosport Clinical Commissioning Group

NHS England

Office of Rail Regulation

Highways England

Highway Authority (Hampshire County Council)

Solent Transport

Marine Management Organisation

Solent Local Enterprise Partnership

Hampshire and Isle of Wight Local Nature Partnership (LNP)

Legally, the Duty could also be argued to apply to the two bodies below, but Fareham Borough Council has decided that it in order to meet the requirement in the Act to maximise the effectiveness of preparing the Local Plan Review, it would be unnecessary, and indeed contrary to achieving 'effectiveness', to actively seek cooperation with the following prescribed bodies:

Mayor of London

Transport for London

<sup>9</sup> As required by section 33A (1) c of the Planning and Compulsory Purchase Act 2004 (local development) as amended by Section 110 of the Localism Act 2011 and paragraphs 178-181 of the National Planning Policy Framework (2012)

# **Appendix B: List of General and Specific Consultees**

The Planning Service Team holds a consultation database containing the contact details of many organisations and individuals who either must be consulted at key points in plan preparation or who have asked to be consulted on various aspects of Local Plan work.

Please note, the list below is not exhaustive and also relates to successor bodies where reorganisations occur.

Those organisations denoted with a \* are those identified as 'Specific Consultation Bodies' in The Town and Country Planning (Local Development) (England) Regulations 2012, which must be consulted if they are affected by the subject matter of the Local Plan. The majority of these are also listed as prescribed authorities for the purposes of the Duty to Cooperate requirements (Appendix A).

The organisations listed that are not denoted with a \* (and those that fall within the 'other' categories) are general consultation bodies who will also be notified and invited to make representations on various aspects of Local Plan work as the Council consider appropriate.

Department for Communities and Local Government

**Church Commissioners** 

Equality and Human Rights Commission

Commission for Architecture and the Built Environment

Homes and Communities Agency\*

Crown Estates

**Environment Agency\*** 

**Forestry Commission** 

Natural England\*

Historic Buildings and Monuments Commission for England (known as Historic England)\*

The Coal Authority\*

Health and Safety Executive

Highways England\*

Network Rail Infrastructure Ltd\*

Marine Management Organisation (MMO)\*

The Planning Inspectorate

**Civil Aviation Authority** 

Solent Local Enterprise Partnership

Police & Crime Commissioner\*

The Mayor's Office\*

Fareham Borough Councillors

**Local Members of Parliament** 

Local Members of European Parliament

Eastleigh Borough Council\*

East Hampshire District Council\*

Gosport Borough Council\*

Havant Borough Council\*

**New Forest District Council\*** 

Portsmouth City Council\*

Rushmoor Borough Council\*

Southampton City Council\*

Test Valley Borough Council\*

Winchester City Council\*

Hampshire County Council\*

Burseldon Parish Council\*

Hamble-le-Rice Parish Council\*

Southwick and Widley Parish Council\*

Whiteley Parish Council\*

Wickham Parish Council\*

Botley Parish Council\*

Bishops Waltham Parish Council\*

**Boarhunt Parish Council\*** 

Partnership for Urban South Hampshire

Fareham Borough Council Departments as appropriate

Utility providers operating in the area\*

Clinical Commissioning Group operating in the borough\*

In addition to those specifically listed above, the consultation database maintained by the Planning Service Team includes other General Consultation Bodies within the following categories:

- Key local businesses
- Local faith groups
- · Business associations
- Civic, community, and voluntary organisations (including groups representing disabled persons in the borough and minority groups)

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- · Culture, sport, historic and tourism bodies
- Environmental organisations
- Public Service (including those related to health provision)
- Transport bodies

These types of bodies will be consulted if the subject matter of the Local Plan document is likely to impact them. Individual groups have not been listed as details become out of date in a short space of time.

If you wish to ensure that the group you represent is already included, or should you wish to be added to the Council's consultation database, please use the contact details at the front of this document.

# **Appendix C: Diagram Illustrating the Neighbourhood Plan Process**

#### **Getting Started**

- Process instigated by neighbourhood group
- Initial dialogue with the Local Planning Authority (LPA) including rationale as to why a neighbourhood plan is needed
- Publicise intention to produce a neighbourhood plan
- Produce initial project plan with costings

#### Step 1A: Designating a Neighbourhood Area

- Application made to LPA by prospective neighbourhood forum
- Community should consult local planning authority before making an area application;
- Application must comply with section 5 of the Neighbourhood Planning (General) Regulations 2012;
- Application must include map and a statement explaining why the proposed area is an appropriate area. The map must be clearly defined as to area and of a scale that makes clear what is in / outside of any boundary line.

#### Step 1B: Designating a Neighbourhood Forum

- Neighbourhood group applies to LPA to be designated as a neighbourhood forum (can be done in conjunction with 1A or afterwards). Forum designation should follow area designation so this will actually be the 'second' of the two decisions, albeit it can be taken at the same Executive meeting.
- The neighbourhood forum application must comply with section 8 of the Neighbourhood Planning (General) Regulations 2012
- Neighbourhood Forum must have 21 individuals who either (a) live in the neighbourhood area; (b) work in the neighbourhood area; and/or (c) are elected members for a local authority that includes all or part of neighbourhood area

#### **Consultation and Approval**

- LPA consults on Neighbourhood Area and Neighbourhood Forum applications for a minimum period of 6 weeks;
- LPA takes decision on whether to designate the neighbourhood area and neighbourhood forum within 13 weeks from the start of the consultation;
  - Decision process for both applications is through the Fareham Borough Council Executive\*



#### Step 2: Preparing a draft Neighbourhood Plan

- · Gathering evidence
- Engaging and consulting with those living and working in the neighbourhood area and those affected by proposals
- Talk to landowners/ developers
- · Identify and assess options
- Determine whether plan is likely to have a significant environmental effect
- Begin preparing proposals documents



#### Step 3: Pre-submission publicity and consultation

The neighbourhood forum must;

- Publicise the draft plan and invites representations
- Consult the consultation bodies as appropriate
- Send a copy of the draft plan to the LPA
- [Where European Obligations apply] comply with relevant publicity and consultation requirements
- Consider consultation responses and amend neighbourhood plan as appropriate
- Prepare a consultation statement and other proposal documents



#### Step 4: Submission of a neighbourhood plan proposal to the local planning authority

- Neighbourhood forum submits the neighbourhood plan proposal to the LPA
- LPA checks that submitted proposal complies with all relevant legislation (delegated decision)
- If the LPA finds that the plan or order meets the legal requirements it:
  - publicises the proposal for minimum 6 weeks and invites representations;
  - notifies consultation bodies referred to in the consultation statement
    - appoints an independent examiner (with the agreement of the forum)



#### Step 5: Independent Examination

- LPA sends neighbourhood plan proposal and representation to the independent examiner
- · Independent examiner undertakes examination
- Independent examiner issues a report to the LPA and the neighbourhood forum (including any modifications)
- LPA publishes report
- LPA considers report and reaches own view
- LPA takes the decision on whether to send the neighbourhood plan to referendum (Fareham Borough Council Executive)



#### Steps 6 and 7: Referendum and Making the neighbourhood plan

- LPA publishes information statement
- LPA publishes notice of referendum/s (minimum 4 weeks' notice)
- Polling takes place
- Results declared
- Subject to results, LPA considers neighbourhood plan in relation to EU obligations and Convention rights
- If compatible with EU obligations and does not breach Convention rights LPA makes the neighbourhood plan Dual decision - Fareham Borough Council decision to recommend Plan to full Council – Council decision to approve and add to Local Development Documents

# **Appendix D: Pre-Application Consultation**

The Council encourages applicants to carry out pre-application discussions. On major planning proposals the Council expects early community engagement, appropriate to the scale and nature of the proposed development and that evidence of this is submitted with an application. To achieve this will require co-operation and community engagement by the applicant.

In the case of major planning applications\* (defined below) it is a Local Information requirement of Fareham Borough Council that community involvement is undertaken before the planning application is submitted. Major applications will need to be supported by a statement setting out how the views of the community have been sought and how those views have been taken into account in formulating the development proposals. Without a clear statement from the applicant on the community involvement undertaken and the outcomes, major planning applications are likely to be treated as 'invalid' and therefore cannot be determined.

Table 1 below represents the level of consultation that Fareham Borough Council will normally expect before planning applications are formally submitted. Fareham Borough Council operates a pre-application planning service and we encourage applicants promoting major applications to discuss those proposals with us prior to submitting planning applications. As part of any preapplication discussions, we are happy to advise on the community engagement which should be undertaken for planning proposals.

(\*Major applications are those which involve: 10 or more dwellings; where the site has an area of 0.5 hectares or more and the number of dwellings is unknown; the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; where development is proposed on a site having an area of 1 hectare or more.)

Approach	Application		
Community engagement to be	Large scale major applications	Major applications	
undertaken by applicant	(likely to generate wide community		
	interest)		
Public Meetings	•		
Public Exhibition	00	0	
Workshops	•		
Press notice/adverts		•	
Notify and consult with neighbours	0	0 0	

Will be expected

May be appropriate

▲ Table 1

# **Appendix E: Glossary**

## 'Duty to Co-operate'

The Localism Act 2011 places a legal duty on Local Planning Authorities, County Councils in England and public bodies to engage constructively, actively and on an on-going basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters.

#### **Evidence Base**

Background studies informed by the local community, national policies and statistical information to support planning documents.

## **National Planning Policy Framework (NPPF)**

Introduced in March 2012, this new framework sets out the Government's planning policies for England and how these are expected to be applied. It provides the framework within which local councils can produce local plans, which reflect the needs and priorities of their communities.

## **Neighbourhood Plans**

Neighbourhood Plans are a way for communities to decide the future of the places where they live and work. A Neighbourhood Plan enables residents to: choose where they want additional new homes, shops and offices to be built, have a say on what those new buildings should look like and the type of infrastructure that should be provided.

## **Strategic Environmental Assessment Directive (SEA)**

An internationally used term to describe the environmental assessment to be applied to plans, policies and programmes to ensure a high level of protection of the environment. This is derived from European Directive 2001/42/EC.

#### **Sustainability Appraisal (SA)**

A tool to assess the environmental, economic and social impact of the Local Plan, it is used to ensure that the policies and proposals within all the documents that make up the Local Plan will promote a balanced approach to sustainable development in the Borough.