

Report to Cabinet

26 September 2019

By the Cabinet Member Planning and Development

DECISION REQUIRED



**Horsham
District
Council**

Not Exempt

Statement of Community Involvement

Executive Summary

The Statement of Community Involvement (SCI) is a statutory document which sets out the ways in which the council will engage with residents, communities, businesses, local organisations and other groups to ensure as many people as possible are able to have a say in planning decisions that affect them.

The document will provide guidance on how the planning system works and sets out how the council will inform, consult and involve people in planning decisions within Horsham District, excluding the area within the South Downs National Park.

A Notice of Decision of the Cabinet Member for Planning and Development, signed 26 July 2019 agreed the draft Statement of Community Involvement consultation. Consultation was held between 29 July and 6 September 2019, and in response to this consultation a small number of clarifications have been made to the document.

If adopted, this document will replace the SCI that was published in February 2017 which had become out of date as a result of legislative changes to the planning system, including changes made by the Neighbourhood Planning Act 2017 and Regulation 10A of the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017. The amendment requires that a review of the Statement of Community Involvement, must be completed every five years, starting from the date of adoption of the statement of community involvement, in accordance with section 23 of the Planning and Compulsory Purchase Act 2004.

Recommendations

That the Cabinet is recommended:

- i) To adopt the Statement of Community Involvement, attached at Appendix 1
- ii) That the Cabinet Member for Planning and Development has delegated authority to agree minor editorial changes prior to publication.

Reasons for Recommendations

- i) To enable an up to date and accurate SCI to set out guidance on how the planning system works and sets out how the council will inform, consult and involve people in planning decisions within Horsham District.
- ii) To undertake minor editorial or typographical amendments.

Background Papers

Statement of Community Involvement (2017)

Wards affected: All

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Background Information

1 Introduction and Background

- 1.1 It is a requirement of the Planning and Compulsory Purchase Act 2004 (as amended) for a local authority to produce a Statement of Community Involvement (SCI). The SCI is public statement which lets communities and organisations know when and how they can be involved in both the preparation of planning policy documents and decisions on planning applications.
- 1.2 The current SCI was reviewed in January 2017 and incorporated amendments to the previous 2013 SCI. These were required in light of changes to the planning system at that time, (for example updated planning legislation now refers to Local Plans rather than Local Development Frameworks).
- 1.3 The updated SCI sets out the standards to be met by the authority in terms of community involvement, building upon the minimum requirements set out in Town and Country Planning (Local Planning) (England) 2012 Regulations as amended including regulations made in 2017 ('the Local Planning Regulations') which required more detailed reference to be made to Neighbourhood planning amongst other changes. The SCI has been reviewed to reflect 'plain English' guidance and the Council's own communication guidelines as well as recent legislative changes. Following consultation on the draft SCI, which was held between 29 July and 6 September 2019, a small number of clarifications have been made to the document.

2 Relevant Council policy

- 2.1 The Horsham District Planning Framework (HDPF) provides the policy framework for future strategic planning in the district. It informs the public of the location of future strategic development and provides a timeframe in which development will take place. The HDPF is the council's adopted Local Plan and is currently under review, the new Local Plan will run to 2036 (with a 2019 base date).
- 2.2 The Constitution sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people.
- 2.3 In addition to the requirements of the Local Planning Regulations, the SCI must take into account those of the Constitution. The document should address the consultation requirements for planning applications, as well as any future Development Plan Documents and Supplementary Planning Documents as set out in the Local Development Scheme.

3 Details

- 3.1 Following changes to legislation and planning policy such as the NPPF (2019) and the current review of the HDPF, the SCI has been redrafted. In accordance with legislative requirements it makes reference to the Local Development Scheme (LDS) and updates the advice and support that Horsham District Council will provide to neighbourhood planning groups.

- 3.2 A revised SCI has been developed through discussions with relevant sections of the Council, including the Strategic Planning Team and Development Management, as well as taking into account the feedback from the public consultation on the draft document.
- 3.3 It is a requirement under the Town and Country Planning (England) Regulations 2012 (as amended) that a Statement of Community Involvement must be reviewed every five years, starting from the date of adoption of the statement of community involvement. There is no requirement for local planning authorities to consult when reviewing or updating SCI's but it is considered good practice to do so. In addition to seeking views from the specific consultation bodies, views from the wider community were also invited through advertisement in the local press and on the Council's website. Copies of the draft SCI were also sent to libraries across the District.
- 3.4 Following the Notice of Decision of the Cabinet Member for Planning and Development signed 26 July 2019, the draft SCI was agreed for consultation which took place between 29 July and 6 September 2019. Therefore a six week period of consultation, with the omission of one weekend, took place over this time period.
- 3.5 In total, thirteen responses were received in relation to the SCI. A summary of these comments together with the Council's response is set out in Appendix 2. Overall, there was support for the SCI, and many comments were observations rather than requiring specific changes to the document. A number of respondents did however make suggestions where changes could be made to improve the clarity of the document. The document has therefore been amended to reflect these points. It was not however possible to make all requested changes to the document; the reasoning for this is set out in more detail in Appendix 2.

4 Next Steps

- 4.1 If adopted, the SCI will be published on the Council's website and will be made available in libraries for viewing. The Council will inform all statutory bodies and other respondents to the consultation of the adoption of the SCI, and will provide a copy of Appendix 2, enabling the organisations who were contacted to see how their views have been taken into account.

5 Views of the Policy Development Advisory Group and Outcome of Consultations

- 5.1 The Planning & Development Policy Development Advisory Group considered the draft SCI on 5 August 2019 and endorsed its contents.
- 5.2 In addition to discussions with representatives of the Strategic Planning Team and Development Management the draft SCI was also reviewed by the Communications Team to reflect 'plain English' guidance and the council's own communication guidelines. As a result the format of the document has been revised prior to publication to ensure that it is as clear as possible to a non-technical audience.

- 5.3 The Monitoring Officer and Head of Legal Services, Director of Corporate Resources and Director of Community Services have been consulted during the preparation of the document and they support its contents.

6 Other Courses of Action Considered but Rejected

- 6.1 The Council could continue to rely on the existing SCI from 2017. However, this document is out of date and does not include topics now required by government. Therefore this course of action is not recommended.

7 Resource Consequences

- 7.1 There are no financial or staffing consequences arising from this report.

8 Legal Consequences

- 8.1 There are no legal implications of this report. However, were the SCI not to be updated the Council would be in breach of its legal requirements.

9 Risk Assessment

- 9.1 Updating the existing SCI will reduce the risk of challenge to the adoption of new planning policy and decisions made on planning applications.

10 Other Considerations

- 10.1 If the revised SCI is not agreed and does not go ahead, this could result in a risk of any future Development Plan Document being found 'unsound' by the Inspector during an examination in public, due to a lack of a transparent consultation process.