

Report to Cabinet

24 September 2020

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.

In light of the Coronavirus (COVID-19) pandemic, it has been necessary to review the SCI to ensure that the document takes account of current or future public health implications, and reflects recent updates to legislation and planning practice guidance made as a result of the pandemic.

If adopted, this document will replace the SCI that was published in September 2019.

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 such as typographical errors 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 (2019)

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 redrafted September 2019 and incorporates amendments required in light of changes to the planning system at that time, (for example updated planning legislation requires reference to the Local Development Scheme (LDS) and updates to the advice and support that Horsham District Council will provide to neighbourhood planning groups).
- 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').
- 1.4 The Coronavirus (COVID-19) pandemic has shown that there may be some circumstances that are beyond the Council's control and may result in a variation to the consultation methods set out within the SCI. Public Health guidelines can have a profound impact on how local planning departments can operate during a national lock-down. The revised SCI has been updated to address these circumstances.
- 1.5 The SCI has been reviewed to reflect 'plain English' guidance and the Council's own communication guidelines as well as recent legislative changes including the Town and Country Planning (Local Planning) (England) (Coronavirus) (Amendment) Regulations 2020.

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 2037 (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 practice guidance in relation to the COVID-19 pandemic and the current review of the HDPF, the SCI has been revised. The key change to the document is the recognition that during a national or local lockdown scenario, local libraries and Council offices may be closed to the public. As a result, the availability of hard copy documents will be more limited. A further update to the SCI has been made to clarify the stages of neighbourhood Plan preparation.
- 3.2 An updated SCI has been developed through discussions with relevant sections of the Council, including the Strategic Planning Team and Development Management.
- 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.

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 (subject to these venues being open to the public). The Council will also inform all statutory bodies of its adoption.

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

- 5.1 The Planning & Development Policy Development Advisory Group considered the previous version of the SCI on 5 August 2019 and endorsed its contents. This document was published following a period of public consultation.
- 5.2 There is no requirement for local planning authorities to consult when reviewing or updating SCI's. The sole changes to this document are those which reflect public health legislation and guidance, together with a factual clarification on the number of stages of Neighbourhood Plan preparation. Given the minor nature of the changes made to the documentation public consultation was not considered necessary on this occasion.
- 5.3 In addition to discussions with representatives of the Strategic Planning Team and Development Management the SCI was also reviewed by the Communications Team to reflect 'plain English' guidance and the council's own communication guidelines.
- 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. The need to update the content of the document in light of the Covid -19 pandemic has also been shared

with the Planning and Development PDAG group who were in agreement that such an update is necessary.

6 Other Courses of Action Considered but Rejected

- 6.1 The Council could continue to rely on the existing SCI from 2019. However, this document is out of date and does not take into account changes to legislation and planning practice guidance as a result of COVID-19 pandemic. Therefore, this course of action is not recommended as it would not provide the public with clear guidance on how documents can be accessed during a public health emergency.

7 Resource Consequences

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

8 Legal Consequences

- 8.1 There are no direct implications as a result of this report. The Council is required to prepare and maintain a SCI by the Planning and Compulsory Purchase Act 2004, the Town and Country Planning (Local Planning) (England) Regulations 2012, the Neighbourhood Planning Act 2017 and the National Planning Policy Framework.

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.