

**Statement of
Community
Involvement
Consultation Draft**

**Planning & Development
PDAG 8 September 2016**

Statement of Community Involvement Consultation Draft 2016

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Introduction

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.

This document provides guidance on how the planning system works and advises the manner in which we will inform, consult and involve people in planning decisions within Horsham District, excluding the area within the South Downs National Park.

There are two key functions to the planning system; Planning Policy and Development Management.

Planning Policy, led by the Strategic Planning Team, produce planning documents such as the Local Plan and supplementary planning documents that are used to guide development. The documents must comply with relevant Government legislation and guidance, and there are specific regulatory procedures which must be followed during their production.

Development Management, who are responsible for the processing and determination of planning applications, applications for works to trees, advertisements and listed buildings. The Development Management team provide pre-application advice and investigate breaches of planning control.

Planning Policy

Local Planning Documents

The Horsham District Planning Framework (HDPF) is the council's adopted Local Plan and sets out the planning strategy for the years up to 2031 to deliver the social, economic and environmental needs for the district, outside of the South Downs National Park.

The Strategic Planning Team consider a range of different issues affecting the district such as the provision of new housing, and the delivery of employment, retail and open space. Planning policy documents seek to ensure that these allocations are delivered in the right place and at the right time.

There are two main types of planning documents; Development Plan Documents and Supplementary Planning Documents:

- **Development Plan Documents (DPDs)** are formal plans that set out policies for a particular geographical area. They are subject to public consultation and a Sustainability Appraisal. They must be considered at an independent examination and obtain Council approval before they can be adopted. The Horsham District Planning Framework is an adopted DPD.
- **Supplementary Planning Documents (SPDs)** expand upon a particular theme contained in a Development Plan Document to provide additional detail and guidance. They may cover a range of topics or be for individual sites. An SPD is subject to consultation and may require a Sustainability Appraisal. Although SPDs are not subject to independent examination, they do need to obtain approval at Council before they adopted.

Production of Planning Documents

The Council is required to produce new planning documents or update existing documents in accordance with legal requirements. The timetable for drafting, consultation and adoption of plans can be found in the Local Development Scheme (LDS). This sets out the production timetable for the planning documents that this council will be producing over the next three years. A copy of this is available on our website:

<https://www.horsham.gov.uk/planningpolicy/planning-policy/planning-timetable>

There will be different preparation and consultation stages to undertake dependant on whether the Council are working to produce a Development Plan Document or a Supplementary Planning Document. The Council will look to involve people as early as possible and will invite feedback on draft documents. The Council will also work to ensure that people are kept informed throughout the document production process.

Planning Document Preparation Process

The council will use a range of methods to inform, consult and involve people. The following table provides details of the planning document production and opportunities for consultation and participation. The methods used by the Council are varied; this is to allow flexibility to ensure the right consultation processes are used for individual documents and that the relevant audiences are notified.

Early Engagement
The council will: <ul style="list-style-type: none">- Collect evidence to input and support production of document- Notify key stakeholders including Councillors, Parish Councils, local groups and organisations- Consider all issues and any alternatives which may come forward- Prepare content of draft document
Publication & Consultation
The council will ensure: <ul style="list-style-type: none">- 6 week (minimum) consultation period for DPDs (this is a statutory requirement). This includes both the DPD and the associated sustainability appraisal- 4 week (minimum) consultation period for SPDs (this is a statutory requirement)- All consultation documents will be made available for inspection on the council website and at relevant libraries- Local advertising of the consultation
Examination & Adoption
The Council will: <ul style="list-style-type: none">- Submit DPDs to Secretary of State for independent examination- Summarise and make publically available all representations received during consultation.- Statement of Compliance produced to demonstrate the SCI has been followed.- Make publically available the report issued by a Planning Inspector issues for the DPD.- DPDs/SPDs to be adopted by Council
Monitor
The Council will: <ul style="list-style-type: none">- Monitor the plan to show how the planning policies set out in Local Plan are being achieved.- Review the plan where/when necessary

Meeting Regulatory Requirements

There are statutory consultation requirements which the Council must adhere to, as detailed in The Town and County Planning (Local Planning)(England) Regulations 2012. In order to meet these requirements the Council will:

- Publish all documents and supporting information on the Council's website, including details of where and when copies of the documents can be viewed and how people can comment. The planning policy webpage is: <https://www.horsham.gov.uk/planningpolicy/planning-policy>
- Make all consultation documents and supporting information available for the public to view at Council offices during the normal office hours throughout the consultation period, which is a minimum of six weeks for a DPD and a minimum of four weeks for an SPD.

Who will be consulted?

The Council is required to send details of planning document consultations to 'specific consultation bodies' as specified in The Town and County Planning (Local Planning)(England) Regulations 2012. The following organisations **must** be consulted:

- Natural England
- Environment Agency
- Historic England
- Highways Agency
- Within or adjoining County Councils (West Sussex and Surrey)
- Adjoining local authorities (Arun, Adur & Worthing, Brighton & Hove, Chichester, Crawley, Mid Sussex, Mole Valley, South Downs National Park and Waverley)
- Parish Councils/Neighbourhood Councils (including those which adjoin the District)
- NHS Sussex
- Sussex Police
- Homes and Community Agency
- Relevant electricity and gas companies
- Relevant sewerage and water undertakers
- Relevant electronic communication companies
- Network Rail
- Coal Authority
- Marine Management Organisation

In addition to the statutory consultees and members of the general public there are many other groups and organisations that will have an interest in planning policy documents. These consultees and stakeholders will have a variety of different interests and priorities and could contribute expertise and knowledge across a range of subject areas. The following consultees/stakeholders are examples of groups and who may be contacted and involved where appropriate:

- Local residents' associations
- Local environmental organisations
- High Weald Area of Outstanding Natural Beauty Unit (advises on the management of the AONB)
- Agents and developers
- Local business groups and forums
- Youth groups
- Faith groups
- Disability groups
- Sport and open space organisations
- Transport organisations

If you would like to be automatically notified of new consultations please email your contact details to strategic.planning@horsham.gov.uk

Adoption of Planning Documents

The final stage in the production of a planning document is the formal process of Adoption. A Development Plan Document must be presented to Council to consider if it should be adopted as Council Policy. Supplementary Planning Documents are presented to Cabinet for consideration to adopt.

Full Council is made up of all 44 Councillors for the District, representing 22 Wards. It is responsible for approving or adopting the policy framework and the budget, which includes and Development Plan Documents and Plans and Strategies (such as the HDPF). Members of the public are able to attend meetings of the Council and may ask questions at the start of the meeting, as outlined in Part 4I of the Constitution.

Cabinet consists of seven Councillors of the majority political party and plus the Leader of the Council. Each Cabinet Member has responsibility for a particular area of the Council's activity. For Planning, the relevant Councillor is the Cabinet Member for Planning and Development. There is one Policy Development Advisory Group (PDAG) per Cabinet Member. Where relevant, the Cabinet Member for Planning and Development will be briefed on a planning document at their Planning and Development PDAG. PDAGs are not open to members of the public, however, a copy of the agenda and minutes of each meeting is available to view on the council website.

In accordance with The Town and County Planning (Local Planning)(England) Regulations 2012; as soon as is reasonably practicable after adoption, the Council will send a copy of the adoption statement to any person who has asked to be notified of the adoption.

Neighbourhood Planning

Neighbourhood Plans are community produced statutory planning documents that enable people to take a more direct role in shaping the places where they live.

A neighbourhood plan can build upon the strategic policies set out in the Council's local planning documents and allows people to influence the location, appearance and type of development that comes forward in their local parish or neighbourhood. The preparation of Neighbourhood Plans

follows a formal legal process, and is subject to a minimum of two stages of consultation undertaken first by the local community and then by the Council. The plan then undergoes independent examination. If recommended by the Examiner, the next stage of plan preparation is to submit the plan to a referendum where the local community can vote on whether the plan should be used to determine planning applications in the Neighbourhood Plan area. If more than 50% of the community vote 'yes', then the plan will then be 'Made' by Horsham District Council (a similar process to the formal adoption of a DPD. Once 'Made' the Neighbourhood Plan will be used together with the Council's planning policies to determine planning applications for the area it covers.

In a parished area like Horsham District it is usually the Parish Council who prepares a Neighbourhood Plan. A Neighbourhood Plan can cover all or part of the parish and in some cases may involve a number of parishes where they choose to cluster. In some areas residents associations or other bodies may be interested in drawing up a Neighbourhood Plan and act as a forum; however, this will need to be carried out with the Parish/Neighbourhood Council(s) who initiate and support the project.

The Government is encouraging communities to get involved in plan production and consultation, either by responding to local plan consultations or by producing a Neighbourhood Plan. It is recognised that this requires a significant commitment from local communities in terms of time and resources. The Council will seek to provide support and advice on a range of issues, including consultation and the process of document production.

If you are interested in getting involved with the production of a Neighbourhood Plan or would like to find out further information, please view our website:

<https://www.horsham.gov.uk/planning/neighbourhood-planning>

Development Management

The Council has the responsibility for the determination of planning applications within the district. It is the Development Management team who is responsible for determining the planning applications we receive.

The service also operates an agency arrangement with the South Downs National Park Authority; this means that the majority of applications within the part of the SDNP which falls within Horsham District are dealt with by Development Management at Horsham Council on behalf of the National Park Authority.

It is at this stage that decisions are made on proposals for the use and development of land and buildings. Decisions on planning applications must be made in accordance with Development Plan Documents, which including 'Made' Neighbourhood Plans unless other material considerations indicate otherwise.

Pre-application Planning Advice

Development Management offer a comprehensive pre-application advice service. The Council welcome and encourage discussions before the submission of an application. The service provided is in the form of advice given face to face in our offices, over the telephone or through a written service. The written service is chargeable; please view the Pre Application Standards of Service and Fees table for further information:

https://www.horsham.gov.uk/_data/assets/pdf_file/0018/31473/Pre-Application-Service-Standards-June-2016V2.pdf

Pre-application Consultation

Pre-application consultation is not undertaken by the Council. It is carried out by a developer before a planning application is submitted to the local authority.

Development Management strongly recommend that developers undertake pre-application consultation with local residents and organisations, in addition to that undertaken with the Council, prior to submitting any planning applications for major developments and other developments which would invoke significant public interest.

Pre-application consultation can be helpful because discussions between a developer and local residents can help to identify potential problems or improvements that could be made to proposals at an early stage.

Local residents can benefit from this by providing their input to help ensure the development is acceptable. It can also assist developers by reducing the scope for objections at a later stage.

Developers undertaking pre-application consultation are asked to address the following:

- Set clear objectives and agree the consultation approach with Development Management, including who will be consulted.
- Let people know what the scheme is proposing, and be clear about what they can influence when making comments.

- Use different engagement approaches to maximise opportunities for people to influence the proposals. Particular steps should be taken to involve any seldom-heard groups that could be affected by a proposal
- Submit a statement alongside the final planning application outlining the community involvement work that has been undertaken. This should include a summary of any responses received at consultation, and should explain how feedback has influenced the proposals

Planning Application Publicity

When a planning application is registered there is a statutory period of 21 days during which anyone can comment on a proposal. The council is only statutorily required to publicise certain types of development but will ensure that applications are appropriately published. Our approach to notification of planning application is to:

- Produce a Weekly List of registered planning applications which is available to view through the online planning service 'Public Access' which can be accessed via the following link: <https://www.horsham.gov.uk/planning/view-and-comment-on-planning-application>
- Advertise the weekly list in a local newspaper
- Publish details of planning applications online through Public Access. This can be used to view planning applications and supporting documentation. Applications can be searched by address or by an individual application number.
- Consult all parish/neighbourhood councils on appropriate applications within their parish/neighbourhood
- Undertake appropriate notification. This will vary according to the type of application; methods of notification may include adjoining neighbour notifications and displaying site notices.

Commenting on a Planning Application

Should you wish to comment on a planning application, your comments must be submitted to the Council in writing within the 21 day consultation period. Comments received after this time will be taken in to account wherever possible up until the point that the application is determined. You will need to provide details of your name and address, which will appear with your comments on the Council website.

Comments received in response to a planning application are a matter of public record and cannot be treated as confidential. The Council will not publish telephone numbers, private email addresses or signatures. The Council reserve the right not to publish any comments or parts of comments that are not considered suitable for the public to view; these include comments that are offensive, personal or defamatory.

Comments can be made **online** via the following link:

<https://www.horsham.gov.uk/planning/view-and-comment-on-planning-application>

By post: Development Management, Horsham District Council, Parkside, Chart Way, Horsham, RH12 1RL

By email: planning@horsham.gov.uk

What Can I Comment On?

If you comment on a planning application it is important that your comments relate to planning matters, as it is only these matters that can be taken into account by the Council when making a decision. Some of the issues considered to be planning matters are:

- External appearance and design
- Highway safety, traffic and parking issues
- Impact of street scene or character of the local area
- Issues of noise, privacy, disturbance and amenity
- Drainage
- Loss of light or overshadowing
- Loss of trees or impact on conservation areas

This list is for guidance only and is not exhaustive; there may be other relevant issues that you would like to comment on.

Some issues are not regarded as planning matters and are not usually taken into account when reaching a planning decision. These include the following:

- Loss of private view
- Property value
- Possible future uses outside the scope of the application
- Private property matters such as boundary and ownership disputes, or private rights of way
- Personal matters relating to the identity of the applicant
- Moral issues or applicant's motives
- Matters covered by other legislation such as building regulations, licensing or restrictive covenants

Making a decision

There are two main ways in which the Council will reach a decision on a planning application; through officers of the Council, known as a delegated decision or through a Development Control Committee made up of elected Council Members:

1. **Delegated Decisions** – once the application consultation period has closed, the planning case officer will take into account all material considerations, including any valid comments on the application, and will make a recommendation to either permit or refuse the application. The reasoning behind the case officer's recommendation will be set out in a short report that explains the approach taken. A decision will then be made in accordance with the Council's Scheme of Delegation by authorised officers on behalf of the Director of Planning, Economic Development & Property.

2. **Development Committee** – there are some cases where a decision cannot be made under the Council’s Scheme of Delegation and must be decided by Councillors at one of the Development Control Committees. The main reasons for referral are:

- The case officer recommendation is contrary to the view of the relevant Parish Council and the Parish Council have requested the opportunity to address the Committee
- A Councillor requests that the applications be determined by the Committee
- The applicant is a Council employee or Councillor
- There are five letters or more with a different view to the officer recommendation
- The decision would conflict with the Council’s planning policy (i.e. it would be a ‘departure’ from the Development Plan)

Please note that this is a simplified list and the most up to date decision making procedures are set out in the Council’s constitution. For further information please view the Constitution, a copy of which is on our website:

<https://www.horsham.gov.uk/councilanddemocracy/councillors/committees-and-council-business/constitution>

The Council allows public speaking at meetings of its Development Committees provided that the question has been delivered in writing to the Council no later than 12.00 noon on the last but one working day before the day of the meeting. Please refer to the Constitution, a link to which is provided above, for full details on public speaking at meetings of the Council.

Notification of Decisions

Once a decision has been made on an application, either by the Development Committee or by delegation, the Council will notify the applicant/agent of the Council’s decision.

All decision notices are made available for inspection at the Council offices and are available to view on our website through the Public Access system.

Appeals

Where a planning application is refused, or a decision is not made within the required timescale, the applicant may choose to appeal; It is the responsibility of an independent planning inspector, or in certain cases the Secretary of State, to make a final decision on the application. There may be a further opportunity at this stage for public involvement in the process, for more information on taking part in an inquiry please see <https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal>

Contact Us

Please find below a list of useful contact details:

Section	Telephone Number	Email Address
Strategic Planning & Sustainability	01403 215398	strategic.planning@horsham.gov.uk
Neighbourhood Planning	01403 215129	neighbourhood.planning@horsham.gov.uk
Development Management	01403 215187	planning@horsham.gov.uk

Postal Address: Horsham District Council, Parkside, Chart Way, Horsham, West Sussex, RH12 1RL

www.horsham.gov.uk