



## Report to Cabinet

**Subject:** Proposed Adoption of Gedling Borough Statement of Community Involvement

**Date:** 7th September 2006

**Author:** Planning Policy Manager on behalf of Portfolio Holder Cllr Feeney

### Purpose of report

To consider the Inspector's Report following the written representations examination to assess the soundness of the Gedling Borough Statement of Community Involvement and to take the next step towards adoption of the Development Plan Document, in accordance with the Council's corporate objective to enhance the physical environment of the Borough.

### Background

The Planning and Compulsory Purchase Act 2004 (the Act), which came into effect on 28 September 2004, introduced a new system for producing development plans, called Local Development Frameworks (LDFs). The first stage in this new process was to produce a LDS, which sets out the Council's intentions with regard to the content and timescale for production of new Local Development Documents (LDDs) that will make up the LDF. One of these documents is the Statement of Community Involvement (SCI), which explains when and how the community and stakeholders will be able to be involved in the plan making process and in the consideration of planning applications.

Three rounds of consultation were undertaken as part of the preparation for the SCI, as required under Regulations 25, 26 and 28 of the Act. These included two periods of Pre Submission Consultation undertaken firstly during September 2005 and secondly October/November 2005 and a third round on the Submission document in February/March 2006. A total of 36 representations were received by the Borough Council, all of which have been considered by the Inspector. The Borough Council proposed a number of amendments to the SCI in response to the representations, and these have been taken into account in the preparation of the Inspector's Report. The Inspector's Report, which is binding upon the Borough Council, was received on 30th June 2006 and is attached as **Appendix 1** to this report.

## Examination of the Soundness of the Statement of Community Involvement

The purpose of the Inspector's examination into the SCI was to consider the soundness of the document. This is in accordance with paragraph 3.10 of Planning Policy Statement 12: Local Development Frameworks which sets out nine tests of soundness, as shown in **Appendix 2**.

## The Inspector's Recommendations

The Inspector made five recommendations in her report as listed below:-

1. The Council are to notify all those who made a representation on the submission SCI of the publication of the Inspector's Report and the subsequent adoption of the SCI;
2. Add to Appendix 4 the following text "This list relates to successor bodies where reorganisation occurs.";
3. Add to Appendix 5 the following text "This list is not exhaustive and relates to successor bodies where reorganisation occurs";
4. Insert the following text at the end of the first paragraph in section 3.11 of the SCI: "In addition bodies such as English Nature will be allowed a longer period of time to comment on applications where this is prescribed by legislation." and
5. The SCI should be amended as set out in the 'Submission Document – Proposed Modifications June 2006' (attached as **Appendix 3** to this document).

The Inspector then concluded that subject to the implementation of the five recommendations given, that the Gedling Borough SCI was sound.

Having taken into account the Inspector's binding report, the necessary changes have been made to the submission draft of the SCI. A strikethrough version of the amended SCI is attached at **Appendix 4**.

## Conclusion

Cabinet is accordingly requested to endorse the changes to the SCI and recommend to Council the requirement to proceed to adopt this Development Plan Document.

## Recommendations

**That Cabinet:-**

- 1. Endorse the Inspector's Report; and**
- 2. Recommend to Council that the submission draft of the SCI be modified in accordance with the binding Inspector's Report and that the modified version of the document be adopted as the Gedling Borough Statement of Community Involvement.**

## **Appendix 1**

### **Gedling Borough Council Statement of Community Involvement (January 2006)**

#### **INSPECTOR'S REPORT**

##### **Introduction**

- 1.1 An independent examination of the Gedling Borough Council Statement of Community Involvement (SCI) has been carried out in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004. Following paragraph 3.10 of Planning Policy Statement 12: Local Development Frameworks, the examination has been based on the 9 tests set out (see Appendix A). The starting point for the assessment is that the SCI is sound. Accordingly changes are made in this binding report only where there is clear need in the light of tests in PPS12.
- 1.2 A total of 36 representations were received all of which have been considered. The Council proposed a number of amendments to the SCI in response to representations received, and these have been taken into account in the preparation of this report.

##### **Test 1**

- 2.1 The Council has undertaken the consultation required under Regulations 25, 26 and 28 of the Town and Country Planning (Local Development) (England) Regulations 2004. However, the Council needs to include a statement, required under Regulation 24 (4), regarding notification requests in earlier documentation, including the advertisements.
- 2.2 Subject to the following recommendation, this test is met.

##### **Recommendation**

**(R1)** The Council are to notify all those who made a representation on the submission SCI of the publication of the Inspector's Report and the subsequent adoption of the SCI.

##### **Test 2**

- 3.1 Section 2.13 of the SCI explains the role of the Gedling Partnership in preparing the Gedling Community Strategy. Section 2.14 of the SCI provides background information on the Gedling Community Strategy 2006-2008, and recognises the need to work with the Gedling Partnership. Specific targets include the development of a consultation framework for Gedling Partnership that links directly to the SCI. I am satisfied that the Council recognises the links between existing strategies, LDDs and associated consultation exercises.
- 3.2 This test is met.

##### **Test 3**

- 4.1 The Council has set out in Appendix 4 and 5 of the SCI those groups which will be consulted. The list in Appendix 4 of statutory consultees includes the statutory bodies from PPS12 Annex E. Appendix 5 sets out other non-statutory consultees that will be consulted where appropriate. The Council will review its list at regular intervals to ensure that it has the correct information and that addresses are up to date. Contact details at the Council are also provided in section 6 of the SCI for individuals and organisations should they have any queries with regards to any aspect of the SCI, LDF or planning applications. However, the SCI should also refer to the fact that the Council will consult with additional bodies where appropriate. The Council has proposed a modification to the SCI in its document 'Submission Document – Proposed Modifications June 2006', which suggests the amendment of paragraph 2.12 of the SCI to read "The Borough Council will also consult with additional bodies if it is appropriate to do so." I recommend later in this report that the modifications be made.
- 4.2 Furthermore, the reorganisation of certain consultation bodies should be acknowledged in the SCI and I recommend that additional sentences should be added to Appendices 4 and 5 to this effect.
- 4.3 Appendix 6 of the SCI sets out appropriate consultation methods which can be used to help produce the LDF for each type of stakeholder. I am satisfied that the methods described in the SCI meet the consultation requirements set down in the Planning and Compulsory Purchase Act 2004.
- 4.4 Subject to the following recommendations, this test is met.

### **Recommendations**

**(R2)** Add to Appendix 4 the following text "This list relates to successor bodies where reorganisation occurs."

**(R3)** Add to Appendix 5 the following text "This list is not exhaustive and relates to successor bodies where reorganisation occurs."

### **Test 4**

5.1 Sections 2.6 and 2.8 of the SCI set out the consultation stages proposed for Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs). Appendix 7 of the SCI provides a summary of community involvement at key stages in the preparation of DPDs and SPDs. As a result of modifications put forward by the Council, opportunities for public consultation are highlighted for the stages of preparation including at the submission of the document to the SoS. Section 2.16 of the SCI also states the Council's intention to seek public engagement at an early stage in the process.

5.2 This test is met.

### **Test 5**

- 6.1 Section 2 of the SCI sets out how the Council intends to involve the community in the Local Development Framework. Appendix 6 sets out consultation methods for each type of stakeholder (including hard to reach groups) which can be used to help produce the LDF, for each stage of the process. These cover a range of recognised consultation techniques that will present information via a range of different media. The advantages, disadvantages and resource implications of each consultation technique are also considered. The Council states in section 2.16 that appropriate methods to engage the various groups have been identified.
- 6.2 The SCI recognises the importance of an inclusive approach to community involvement. Section 1.5 states the Council's aim to address the needs of those groups of people who traditionally have not been involved in the process but may have specific needs to be met or addressed. In section 2.12 of the SCI, the Council specifically identifies hard to reach groups as a category of consultation bodies that will be included at various stages of the community involvement process. Various hard to reach groups in the Borough are listed and the Council states that this will be in compliance with the Race Relations (Amendment) Act (2000) and the Disability Discrimination Act (1995).
- 6.3 Appendix 6 of the SCI, which sets out the consultation methods which can be used to help produce the LDF, includes specific consultation methods that have been identified by the Council to engage hard to reach groups for each key stage of the process.
- 6.4 Section 2.15 of the SCI states the Council's intention to work with Gedling Partnership to identify and engage with hard to reach groups and their representatives. The Council states that it will ensure that information is available in a variety of formats, including Braille, large print, other languages and audiotape on request.
- 6.5 Section 6 of the SCI provides contact details at the Council for any person wishing to find out further information about the SCI, LDF or planning applications. The SCI states that the Planning Policy section should be contacted, should a translation or interpretation into sign language, Braille, languages other than English or other accessible formats such as large print or audiotape, be required.
- 6.6 I am satisfied that the methods of consultation proposed in the SCI are suitable for the intended audiences and for the different stages in LDD preparation.
- 6.7 This test is met.

## **Test 6**

- 7.1 The Council acknowledges in section 2.16 that it cannot attempt to engage every local resident in the consultation process as this would be both unwieldy and require the allocation of an unreasonable level of resources. Appropriate methods have therefore been chosen to engage the various groups that have been identified. In addition, Appendix 6 of

the SCI provides a consideration of resource implications for each of the consultation methods that can be used to help produce the LDF.

7.2 Section 4 of the SCI relates specifically to resources. The Council states that there are currently adequate resources to carry out the consultation as set out in the SCI and the Council has a commitment to ensure that adequate resources will be available in the future. Such matters will also be kept under review as part of the Local Development Scheme and the Annual Monitoring Report. Section 5.3 of the SCI also states that the Council recognises that good quality community engagement has significant costs in terms of time and financial resources.

7.3 I am therefore satisfied that the Council is alert to the resource implications of the SCI.

7.4 This test is met.

### **Test 7**

8.1 Section 2 of SCI sets out how the results of community involvement will be reported and how it will inform the content of LDDs.

8.2 With the modifications proposed by the Council, Appendix 7 of the SCI provides a summary of the stages of community involvement at the key stages in the preparation of DPDs and SPDs. It also sets out how the Council intends to provide feedback at each stage of production and also information on the Council's decision-making process.

8.3 This test is met.

### **Test 8**

9.1 Section 5 of the SCI relates specifically to monitoring and review of the SCI. The Council intends to monitor the success of community involvement methods and use the results to review the techniques used in the future. Feedback will be gathered after consultations to gauge how participants felt it went and whether or not any improvements should be made.

9.2 Section 2.9 of the SCI refers to the role of the Annual Monitoring Report (AMR). It explains that the purpose of the AMR is to set out progress against the programme for preparing DPDs and SPDs as set out in the Council's Local Development Scheme and to assess policy implementation.

9.3 This test is met.

### **Test 9**

10.1 Section 3 of the SCI deals specifically with the Council's policy for consultation on planning applications, meeting the minimum requirements set out in legislation. However, the SCI should contain further information

on statutory consultation periods for development that affects SSSI's. I set out a recommendation below.

- 10.2 Sections 3.7 to 3.10 of the SCI clearly set out how the Council intends to carry out consultation with the public on planning applications. It is clear from section 3.11 to 3.19 how the results of the consultation will be reported and how they will inform decisions on planning applications.
- 10.3 Section 3.6 of the SCI, differentiates between different types and scales of planning application and clarifies the different procedures for consultation that will apply.
- 10.4 Section 3.5 of the SCI provides information on pre-application discussions.
- 10.5 Subject to the following recommendation, this test is met.

### **Recommendation**

**(R4)** Insert the following text at the end of the first paragraph in section 3.11 of the SCI: "In addition bodies such as English Nature will be allowed a longer period of time to comment on applications where this is prescribed by legislation."

### **Conclusions**

- 11.1 The Council's document 'Submission Document – Proposed Modifications June 2006' lists all the representations, the Council's responses and the types of changes that it proposes to make in the main text of the SCI. The suggested amendments do not affect the substance of the SCI but improve upon its contents where I have referred to them in relation to a specific test of soundness. They also improve the clarity and transparency of the submission SCI. I therefore recommend that they be adopted.

### **Recommendation**

- (R5)** The SCI should be amended as set out in the 'Submission Document – Proposed Modifications June 2006'.
- 11.2 Subject to the implementation of the recommendations given above the Gedling Borough Council SCI (January 2006) is sound.

*Wendy Burden*

Wendy J Burden BA DipTP MRTPI

INSPECTOR

## Appendix 2

### Examination of the soundness of the statement of community involvement

3.10 The purpose of the examination is to consider the soundness of the statement of community involvement. The presumption will be that the statement of community involvement is sound unless it is shown to be otherwise as a result of evidence considered at the examination. A hearing will only be necessary where one or more of those making representations wish to be heard (see Annex D). In assessing whether the statement of community involvement is sound, the inspector will determine whether the:

- i. local planning authority has complied with the minimum requirements for consultation as set out in Regulations;<sup>1</sup>
- ii. local planning authority's strategy for community involvement links with other community involvement initiatives e.g. the community strategy;
- iii. statement identifies in general terms which local community groups and other bodies will be consulted;
- iv. statement identifies how the community and other bodies can be involved in a timely and accessible manner;
- v. methods of consultation to be employed are suitable for the intended audience and for the different stages in the preparation of local development documents;
- vi. resources are available to manage community involvement effectively;
- vii. statement shows how the results of community involvement will be fed into the preparation of development plan documents and supplementary planning documents;
- viii. authority has mechanisms for reviewing the statement of community involvement; and
- ix. statement clearly describes the planning authority's policy for consultation on planning applications.

*From:* Planning Policy Statement 12: Local Development Frameworks



### Appendix 3

#### Proposed Modifications to the Statement of Community Involvement Submission Document

Reference	Contributor	Representation	Proposed Modification
1	Broxtowe Borough Council	Thank you for consulting but no comment.	No proposed modification.
2	Co-operative Group	Keen to be involved in formulation of new policy framework and would be grateful to be consulted on all stages of LDF preparation.	No proposed modification.
3	Countryside Agency	Welcome opportunity to influence the content of the SCI but unable to become involved in detail but offer generic advice. In the Countryside Agency's Planning Principles for Landscape, Access and Recreation Principle 6 focuses on community involvement with a shift from a consultation-based approach to planning to a more participative and partnership-based approach involving communities in shaping their futures from setting the vision to implementing the agreed actions. Recommend use of Local Strategic Partnership and Local Access Forum. Encourage use of :-Town and Village Design Statements; Parish Plans; Concept Statements and Quality of Life Assessment. Recommend use of East Midlands Planning Aid Service.	No proposed modification.
4	DEFRA	Consultations are handled by the relevant Government Office.	No proposed modification.
5	DPDS Consulting Group	General support.	No proposed modification.
6	East Midlands Development	No comment but want to be kept informed of subsequent stages, especially the Core	No proposed modification.

	Agency (x2)	Strategy.	
7	East Midlands Regional Assembly (x2)	Noted revised document and look forward to further consultation with progress of the LDF.	No proposed modification.
8	English Heritage	General - no specific comment on SCI and would prefer paper copies of consultation documents.	No proposed modification.
9	Environment Agency	Agency welcome opportunity for early engagement in application process offered in para 3.5 and EA included as statutory consultee in Appendix 4 and will be involved in all stages of the production of LDF documents. No comments on the Pre-Submission Consultation Statement.	No proposed modification.
10	Equal Opportunities Commission (x2)	Thanked for consultation but noted not necessary to see further documents relating to the Local Plan.	No proposed modification.
11	Government Office for the East Midlands	Object to omissions – does not meet soundness test 1, Appendix 7, p33/34, columns 3 & 4. Both columns are blank for the DPD submission stage. Information should be provided on length of time for submission of representations, where / how to submit representations, the fact members of public can request to be heard at examination stage and how / where the council will supply feedback.	Proposed Modification: amend Appendix 7 column 3 to read “Six week period for representations. Representations to be sent to the Civic Centre. Forms will be available on the website for download or online completion. Will also be available from the Civic Centre and local libraries, Bestwood Community Centre and St George’s Centre, Netherfield. Members of the public can request to be heard at examination stage. Amend Appendix 7 column 4 to read “Summary of responses including information and feedback about progress and outcomes available at the Civic Centre, local libraries, Bestwood Community Centre, St George’s Centre, Netherfield and on the website.”
12	Government Office for the East Midlands	Object to omissions – does not meet soundness test 1, Appendix 2. In column “How test is met” reference is made to Appendix 6 and section 2. Appendix 7 also contributes to meeting test 1, and could therefore usefully be included.	Proposed Modification: amend Appendix 2 in column “How test is met in this SCI” Addressed in appendices 6,7 and section 2.”
13	Government Office for the East Midlands	Object - does not meet soundness test 1, Appendix 7 p31 col3. Reference to “not formal consultation stage” could be misleading. Better worded as in paragraph	Proposed Modification: amend Appendix 7 Issues Stage and Initial Sustainability Report col 3 “Consultation will involve a continuous process of informal discussion.”

		4.3 of Creating Local Development Frameworks: A Companion Guide which states “local communities and stakeholder must be consulted ... consultation means a continuous process of informal discussion.”	
14	Government Office for the East Midlands	Object to omissions – does not meet soundness test 1, Regulation 24(4). With regard to DPD matters and proposals matters in Reg 24(4), it is not clear whether the Council has included a statement regarding notification requests in earlier documents, in which case they will need to rectify this position by notifying all those who have made representations of the publication of this report and the adoption of the SCI.	Proposed Modification: amend Appendix 7:- DPD Issues Stage and Initial Sustainability Report col 2 “Issues document will be sent to appropriate statutory and non-statutory consultees (Appendices 3 and 4), local community, hard to reach groups, and all those requesting notification in earlier documents.” DPD Preferred Options Stage col 2 “Copies will be sent to appropriate statutory and non-statutory consultees, local community and hard to reach groups, Borough Councillors and all those requesting notification in earlier documents DPD Submission of DPD to Secretary of State col 2 “... Documentation will be sent to appropriate statutory and non-statutory consultees, local community and hard to reach groups, Borough Councillors, Parish Councils and all those requesting notification in earlier documents.” SPD Draft SPD and Sustainability and Appraisal Report col 2 “... Copies of the SPD, sustainability appraisal report, consultation statement, any supporting documents, notice of SPD matters and statement that the SPD documents are available for inspection as noted above sent to appropriate statutory and non-statutory consultees, Borough Councillors and those requesting notification in earlier documents.”
15	Government Office for the East Midlands	Object – does not meet soundness test 1, para 1.7 and 2.6 final bullet point. In paras 1.7 and 2.6 reference is made to SCI being “submitted to the SoS via the GOEM”. This is inaccurate and potentially misleading as the document is submitted direct, and should be amended to read “submitted to SoS at GOEM”. Para 1.7, preferable to use term “Making copies available for inspection”. Plus in relation to need for a hearing, include “As part of the consideration”.	Proposed Modification: amend para 1.7 “In assessing the soundness of the SCI, nine tests are considered by the Inspector. These tests are listed in Appendix 2 of this document, which also sets out how the Borough Council considers that each test has been met. Once adopted the SCI will form part of the Borough Council’s LDF.”  Amend para 2.6 to read under Adoption bullet point “The adoption statement will also be sent to any person asked to be notified and to the Secretary of State at the Government Office for the East Midlands”.  Amend para 5.1 of Pre-Submission CS “... to the Secretary of State at the Government Office for the East Midlands.”

16	Government Office for the East Midlands	Object – does not meet soundness test 1, para 2.6. In relation to consulting on scope of SEA / SA for DPDs in addition to 4 environmental consultation bodies who must be consulted, other community groups and social and economic bodies should be consulted as the LPA considers appropriate.	Proposed Modification: amend para 2.6 Issues Stage bullet point to read "... English Heritage, English Nature and the Environment Agency and other community groups, social and economic bodies as considered appropriate."
17	Government Office for the East Midlands	Object – does not meet soundness test 3, para 2.12. Although council has identified four categories of consultation bodies, not clear that will consult with additional bodies if it is appropriate to do so.	Proposed Modification: amend para 2.12 to read "...The Borough Council will also consult with additional bodies if it is appropriate to do so."
18	Government Office for the East Midlands	Object – does not meet soundness test 3, para 2.12. No mention is made of Gypsies and Travellers. Planning circular 01/2006 – "Planning for Gypsy and Traveller Caravan Sites" states it is expected that at an early stage in preparation of RSS and DPD planning authorities will discuss gypsy and traveller's accommodation needs with gypsies and travellers themselves, their representative bodies and local support groups". Aim is to ensure plans properly reflect the needs and aspirations of all sectors of the community.	Proposed Modification: amend para 2.12 to read "There is also a need to discuss gypsy and traveller's accommodation needs with gypsies and travellers themselves, their representative bodies and local support groups with the aim to ensure the DPD properly reflects the needs and aspirations of all sectors of the community."
19	Government Office for the East Midlands	Object – para1.6 and 1.7. Process statements dealing with actions leading up to adoption are better not being included in submission SCI which should read as a current document. Information is more appropriately placed in Pre-Submission CS and/or in a covering letter. Alternatively content should be updated to reflect that the document is the current SCI.	<p>Proposed Modification: amend para 1.6 and 1.7 to read "The SCI is a Local Development Document and was therefore subject to a formal process, as set out in <b>Appendix 1</b> of this document.</p> <p>In assessing the soundness of the SCI, nine tests are considered by the Inspector. These tests are listed in <b>Appendix 2</b> of this document, which also sets out how the Borough Council considers that each test has been met. Once adopted the SCI will form part of the Borough Council's LDF."</p> <p>Amend Pre-Submission CS para 5.1 and 5.2 to read " 5.1 Having approved the submission document under Regulation 28, the Borough Council is sending the following to the Secretary of State at</p>

			<p>the Government Office for the East Midlands:-</p> <ul style="list-style-type: none"> <li>• The submission (2<sup>nd</sup> draft version) SCI;</li> <li>• This document – the Pre-Submission Consultation Statement.</li> </ul> <p>for Independent Examination, to assess its soundness, making copies available for inspection for a further six weeks.</p> <p>5.2 Following submission, the documents will be placed on deposit, as per the pre-submission public participation stage (Regulation 26, 28 October – 9 December 2005).</p> <p>As part of the consideration of the document by an Inspector, there may be a need for a hearing if one or more of those making representations wish to be heard, following which the Inspector's report will be binding on the Council. The Borough Council must adopt the SCI as changed by the Inspector's Report unless the Secretary of State intervenes."</p>
20	Government Office for the East Midlands	Object – para 2.5. Should make clear that LPA must include within the LDF an adopted proposals map which must be revised as each new DPD is adopted.	Proposed Modification: amend para 2.5 to read under fourth bullet point "A proposals map (which must be revised as each new DPD is adopted);"
21	Government Office for the East Midlands	Object – does not meet soundness test 1, appendix 7, p36/37. Section on SPD does not mention publishing or advertising of SPD matters, either in draft SPD and Sustainability section or Adoption section Requirement of Regulation 17.	<p>Proposed Modification: amend appendix 7 SPD Draft SPD and Sustainability Appraisal Report col 2 to read "The SPD document, SPD matters and statement of fact that the SPD documents are available and can be accessed at Council Offices during normal office hours, local libraries, Bestwood Community Centre, St Georges Centre, Netherfield and on website.</p> <p>Copies of the SPD, sustainability appraisal report, consultation statement, any supporting documents, notice of SPD matters and statement that the SPD documents are available for inspection as noted above sent to appropriate statutory and non-statutory consultees, Borough Councillors and those requesting notification in earlier documents. These bodies also to be sent the Consultation Statement (this is a statement prepared by the Council to set out the names of any persons consulted during the preparation of the SPD; how they were consulted; a summary of the main issues raised; and how the issues were addressed in the SPD), relevant supporting</p>

			<p>documents plus a statement of the times and places that the documents are available for inspection.</p> <p>Press notices in appropriate local paper(s) advertising the SPD matters, fact SPD documents are available for inspection at the Civic Centre during normal office hours and local libraries, Bestwood Community Centre and St George's Centre, Netherfield."</p> <p>Amend SPD Adoption col 2 to read "Adopted SPD, Consultation Statement and adoption statement will be placed on website and will be available at the Council Offices during normal office hours and local libraries, Bestwood Community Centre and St George's Centre, Netherfield. Anybody who has responded to the consultation will be sent the adoption statement by letter or e-mail."</p>
22	Government Office for the East Midlands	Object – does not meet soundness test 1, para 2.6. While mention is made of process for handling Site Allocation Representations, there is no mention of sending information to SoS. Although reference in relation to handling general representations this could be made clear for site allocation representations, perhaps by cross reference.	Proposed Modification: amend para 2.6 under second bullet point to read "In terms of handling general representations and site allocation representations,.."
23	Government Office for the East Midlands	Object – does not meet soundness test 1 para 2.10. Refers to "All DPDs produced will be subject to a SA. Although section is intended to refer to SA of LDDs there is no mention of SPDs. Also noting para 2.8 refers to SA accompanying SPDs.	Accept: amend para 2.10 to read "All DPDs and SPDs produced.."
24	Home Builders Federation	General – need to ensure in compliance with "A framework for assessing soundness and focussing representations on SCIs", companion guide to PPS12, "Community Involvement in Planning: The Government's Objectives and TCPRegs 2004. Await opportunity to be further involved with SCI and all aspects of LDF generally. Appreciate being informed in writing whenever any DPD is being submitted to SoS or when any DPD	No proposed modification.

		or SPD is being adopted.	
25	Home Builders Federation	Object – for purposes of accuracy amend House Builder’s Federation to HBF (Home Builders Federation) to reflect organisations recent name change.	Proposed Modification: amend Appendix 5 to read “Home Builders Federation.”
26	Highways Agency (x2)	Wish to remain involved in all future stages leading to the adoption of the SCI and future work with allocations and impact on Highways Agency network. Noted previous comments are fully represented in Annex 5.	No proposed modification.
27	Wm. Morrison Supermarkets plc	Would like to be kept informed and consulted on further stages of preparation of documents which comprise the LDF, particularly new retail allocations and/or new designated town/district/local centres in Gedling and any emerging SPDs. Would prefer contact by letter, email or on-line.	No proposed modification.
28	Nottingham City Transport Ltd	No comment or amendments to current proposals.	No proposed modification.
29	Notts Fire and Rescue	Object to omission – Borough should consider including a reference to the East Midlands Planning Aid Service who provide a free and independent service for groups and individuals who can not afford consultancy fees.	Proposed Modification: amend Introduction after para 1.5 to read “The Borough Council advocate using the East Midlands Planning Aid Service which offers free, independent and professional advice on planning issues to community groups and individuals who can not afford to pay a consultant.”
30	Nottinghamshire Police	Query re Annex 5 of Pre Submission Consultation Statement where under Nottinghamshire Police comment due consideration will be given to crime and disorder issues when determining planning applications and with preparation of LDDs in accordance with the protocol. However submission document notes reference to Architectural Liaison Officer in the Pre-Application Stage there is no subsequent reference to the Protocol on p15 and inclusion is requested here.	Proposed Modification: amend para 3.16 to read “noise and disturbance, crime and disorder issues in accordance with the Nottinghamshire Planning Out Crime protocol.”
31	Ramblers’	General – welcome opportunity for making	No proposed modification.

	Association	further comment and satisfied by consultation of planning applications that involve rights of way in development brief. Concerns over lack of consultation on the new phase of Gating Policy to be added to the Countryside and Rights of Way Act.	
32	Sport England (x2)	Noted a typing error in Appendix 5 – Non-statutory consultees to confirm Sports England	Proposed Modification: amend Appendix 5 to read “Sport England.”
33	Woodborough Parish Council	Object - does not meet soundness test 3, section 3.6 (para 3.6). Request that this is extended to include works to trees.	Proposed Modification: amend para 3.6 (g) “Those proposals affecting trees subject to Tree Preservations Orders (TPO) for example felling and other pruning works and Parish Council will be consulted by letter;”
34	Woodborough Parish Council	Object – does not meet soundness test 3, section 3 (para 3.6g). Expect all works to trees covered by TPO’s would be advertised and the Parish Council consulted by letter.	Proposed Modification: amend para 3.6 (g) “Those proposals affecting trees subject to Tree Preservations Orders (TPO) for example felling and other pruning works and Parish Council will be consulted by letter;”
35	Woodborough Parish Council	Object – does not meet soundness test 3, section 3 (para 3.13). Parish Council expects to be notified where significant amendments are made to an application, preferably by letter.	No proposed modification.
36	Woodborough Parish Council	Object – does not meet soundness test 3, section 3 (para 3.18). The Parish Council expects to be notified of all decisions in the parish, preferably by letter.	No proposed modification.



# **GEDLING BOROUGH COUNCIL**

## **GEDLING BOROUGH STATEMENT OF COMMUNITY INVOLVEMENT**

**~~Submission Document January Adopted~~  
October 2006**

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# 1. Introduction

- 1.1 This is the submission document of the Statement of Community Involvement (SCI) for Gedling Borough. The preparation of a SCI is required in accordance with the new Planning and Compulsory Purchase Act (2004) and the Town and Country Planning (Local Development) (England) Regulations 2004 which came into force in September 2004. The aim of the Act is to introduce a simpler and more effective planning system and a major element of this is to strengthen community involvement.
- 1.2 The Act requires the Borough Council to prepare a Local Development Framework (LDF) to set out the planning framework and policies for the Borough. This will consist of a number of Local Development Documents, which will have regard to the Regional Spatial Strategy for the East Midlands (RSS8). In time, this will replace the Gedling Borough Replacement Local Plan, adopted July 2005.
- 1.3 The Local Development Scheme identifies which elements of the Local Development Framework will be produced and when. It forms the starting point for the community and stakeholders to find out about the Borough Council's planning policies in respect to a particular place or issue, and what the status of those policies is, and outlines the details of and timetable for the production of Local Development Documents.
- 1.4 This Statement of Community Involvement sets out how and when Gedling Borough Council will involve the community and key stakeholders in preparing its Local Development Framework (LDF), as set out in **Section 2** and on development control matters in the consideration of planning applications, as set out in **Section 3**.
- 1.5 The aim is to ensure that all groups in the Borough are involved in the process early enough for people to be able to have an input, and to address the needs of those groups of people who traditionally have not been involved in the process but may have specific needs to be met or addressed. It is important that all views are sought, not just those of people with a direct interest in a land use proposal.
- 1.6 ***29<sup>1</sup> The Borough Council advocate using the East Midlands Planning Aid Service which offers free, independent and professional advice on planning issues to community groups and individuals who can not afford to pay a consultant.***
- 4.7 The SCI is a Local Development Document and **19 was** is therefore subject to a formal process, as set out in **Appendix 1** of this document. ~~19 As a first step, early input was requested from key stakeholders during September/October~~

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<sup>1</sup> Numbering refers to recommendations contained in Proposed Modifications shown in Appendix 3

~~2005 on the form and nature of questions to be asked during the formal consultation period.~~

- ~~1.8 Public consultation on the draft document took place for six weeks during November / December 2005, following which representations have been considered and any necessary amendments made for this submission document. The SCI will then be submitted to the Secretary of State **15 at** via the Government Office for the East Midlands for Independent Examination, to assess its soundness, **15 making copies available for inspection** at which time it will be placed on formal deposit for a further six weeks. In assessing the soundness of the SCI, nine tests **are** will be considered by the Inspector. These tests are listed in **Appendix 2** of this document, which also sets out how the Borough Council considers that each test has been met. **19 Following 15 As part of** the consideration of the document by an Inspector, there may be a need for a hearing if one or more of those making representations wish to be heard, following which the Inspector's report will be binding on the Council. The Borough Council must adopt the SCI as changed by the Inspector's Report unless the Secretary of State intervenes. Once adopted the SCI will form part of the Borough Council's LDF.~~

## **2. Planning Policy**

### **Principles**

- 2.1 The Borough Council will abide by the following principles when consulting on the Local Development Framework:

#### PRINCIPLE ONE

The Borough Council will involve the public and consultees at the earliest opportunity when producing documents so that people recognise that they have the potential to make a difference and, crucially, to experience a sense of ownership of the final proposals. Such consultation will continue throughout the process.

#### PRINCIPLE TWO

Consultation will be transparent, open and accessible to all sections of the community, enabling the community to engage with the planning system, not just those who are familiar with it.

#### PRINCIPLE THREE

The consultation process will allow local communities and consultees to see how ideas have developed at various stages with effective feedback.

#### PRINCIPLE FOUR

Wherever possible consultation will be carried out in tandem with other community engagement initiatives.

### **The Local Development Scheme**

- 2.2 The Borough Council's Local Development Scheme (LDS) formally took effect in April 2005. It sets out the programme of how the Borough Council intends to produce the Local Development Framework (LDF), indicating what documents will be produced and when. The LDS identifies Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs) that are to be prepared, and these are explained in more detail below.
- 2.3 Each of the documents to be prepared will also be accompanied by a Sustainability Appraisal (SA) to ensure that what is being proposed has been considered in relation to economic, social and environmental issues. The Sustainability Appraisal will be published alongside the draft Development Plan Document or Supplementary Planning Document.
- 2.4 The SCI sets out the different consultation arrangements that will apply to all of these different types of document.

## Development Plan Documents (DPDs)

2.5 The Local Development Scheme lists five Development Plan Documents to be prepared, as follows:-

- The Core Strategy;
- Generic development control policies;
- Site specific allocations;
- A proposals map **20 (which must be revised as each new DPD is adopted)**; and
- Arnold Town Centre Action Plan.

2.6 The consultation stages proposed for Development Plan Documents are as follows:-

- Issues Stage – This stage is informal and aims to identify concerns and proposals that the community may wish to make regarding planning issues; and develop ideas on specific issues to enable planning officers to draw up preferred options. At this stage, where required under the European Strategic Environmental Assessment (SEA) Directive (2001/42/EC), a 5 week consultation on the SEA/ Sustainability Appraisal (SA) Scoping Report will be undertaken with the Countryside Agency, English Heritage, English Nature and the Environment Agency **16 and other community groups, social and economic bodies as considered appropriate.**
- Preferred Options Stage – This is a formal stage of the consultation process, which builds on the previous stage, and consists of a 6 week consultation period to allow written comments to be submitted. The aim is to give people a formal opportunity to comment on how the Borough Council is approaching the preparation of each document in the LDF and its accompanying SA, and to ensure the Borough Council is aware of all possible options before it prepares the final ‘submission’ document. After the 6 week period has expired, full consideration will be given to all comments made and further discussions may be entered into. Work will then commence on the preparation of a Submission Document.

In terms of handling general representations **22 and site allocation representations**, copies will be made available at the Civic Centre during normal office hours, local libraries, published on the Council’s website (where practicable) and sent to the Secretary of State (4 paper copies and one electronic version) in conjunction with the statement of the total number of representations made, copies of representations and a summary of the main issues.

For site allocation representations, the representation with the statement of the matters will be made available at the Civic Centre during normal office hours, local libraries and published documents on the website (where practicable) advising their availability. Site address, notice of matters and statement of availability will be sent to DPD bodies. Local advertisement

will be made of the matters and that site allocation representation is available for inspection at the Civic Centre during office hours and at the local libraries. It will advise of the period within which representations must be made and to be returned to Planning Policy section by letter or e-mail at the Civic Centre.

- Submission Stage – Once the final document is ‘submitted’ a 6 week formal consultation period for the document and its final SA report will take place, within which any comments can be made. The Borough Council may then discuss individual representations further to consider whether any agreement or compromise can be reached. However, in some instances the representations will be recorded for an Inspector to consider within the next formal stage.
- Independent Examination – Any representations that are made at the submission stage and not resolved will be considered by an Independent Planning Inspector, either in writing, at informal or formal hearings or through ‘round table’ discussions. A report will then be prepared by the Independent Planning Inspector which will identify any changes that are to be made. The Borough Council will then be obliged to make these changes, as the Inspector’s Report will be binding on the Borough Council.
- Adoption – This is a formal process for Gedling Borough Council to adopt the documents as part of the Local Development Framework. The DPD, adoption statement and sustainability appraisal will be made available for inspection during normal office hours at the Civic Centre and local libraries. The adoption statement will be published on the Council’s website and notice given by local advertisement of the adoption statement, noting availability at the Civic Centre and local libraries. The adoption statement will also be sent to any person asked to be notified and to the Secretary of State ~~15 via~~ **at** the Government Office for the East Midlands.

### Supplementary Planning Documents (SPDs)

2.7 The Local Development Scheme lists a number of Supplementary Planning Documents to be prepared, including four conservation area appraisals (for Calverton, Lambley, Linby and Woodborough), plus the development briefs for the larger allocations.

2.8 Consultation on SPDs is a formal requirement before they can be adopted, although there is no independent examination. The consultation stages for Supplementary Planning Documents are as follows:-

- Informal consultation and discussions – in order to gather evidence in relation to the subject of the document with any relevant stakeholders.
- Preparation of Draft SPD and accompanying Sustainability Appraisal report



- Formal consultation stage – on the draft document and SA report. This is a formal consultation stage and consists of a 4-6 week period to allow written comments to be submitted. The aim is to give individuals a formal opportunity to comment on the content of the SPD.
- Consideration of representations and preparation of Final SPD – after the formal consultation period has expired, full consideration will be given to all comments made and preparation of the Final SPD undertaken.
- Adoption – This is a formal process for Gedling Borough Council to adopt the document as part of the Local Development Framework.

### Annual Monitoring Report (AMR)

2.9 The Local Development Scheme also refers to the Annual Monitoring Report, which the Council is required to prepare each December for the proceeding financial year with submission to the Secretary of State via the Government Office for the East Midlands. The purpose of the document is to set out progress against the programme for preparing DPDs and SPDs as set out in its Local Development Scheme and also to assess policy implementation. Any variation in this programme will be detailed in the AMR. The AMR will be available on the Borough Council's website or from the Borough Council (see contact details provided in **Section 6** of this document).

### Sustainability Appraisal of Local Development Documents

2.10 All DPDs **and SPDs** produced will be subject to a Sustainability Appraisal (SA) to ensure that what is being proposed has been considered in relation to economic, social and environmental issues and are subjected to consultation, alongside the "parent" DPD. These documents will be available on the Borough Council's website and at the Council Offices. In addition, the European 'SEA' Directive (2001/42/EC) requires a formal environmental assessment of certain plans and programmes.

## **Consultation**

### Aims

2.11 To consult widely and cost-effectively to ensure engagement with all who have an interest in proposals have had the opportunity to express their views, using a range of appropriate consultative techniques.

### Who will be consulted?

2.12 The Council has identified four categories of consultation bodies that will be included at various stages of the involvement process, as follows:-

- 1) Statutory consultees – as set out in the Town and Country Planning (Local Development) (England) Regulations 2004 and in Planning Policy Statement 12: Local Development Frameworks. Listed in **Appendix 4**.
- 2) Non-statutory consultees. Listed in **Appendix 5**.
- 3) Local community – including Borough residents, service users and non-users, Council tenants/ tenants associations, the voluntary sector, community and religious groups, MPs, pressure groups, other interest or need based groups, employers and recognised trade unions and funding partners.
- 4) Hard to reach groups – including, amongst others, young people, older people, black and minority ethnic communities (BME) and individuals, lesbian and gay people, people with disabilities and homeless people. This will be in compliance with the Race Relations (Amendment) Act (2000) and the Disability Discrimination Act (1995). At regular intervals, the Borough Council will invite the public to suggest groups that should be considered for inclusion on the consultation database.

***17 The Borough Council will also consult with additional bodies if it is appropriate to do so. 18 There is also the need to discuss gypsy and traveller's accommodation needs with gypsies and travellers themselves, their representative bodies and local support groups with the aim to ensure the DPD properly reflects the needs and aspirations of all sectors of the community.***

Consultation techniques with all four categories of bodies will incorporate a range of methods including public meetings where appropriate.

### Gedling Partnership

- 2.13 Gedling Partnership (who prepare the Gedling Community Strategy) undertake a range of consultations itself and also draws upon other consultations when developing its Community Strategy. The methodology used for Partnership consultation depends on the nature and focus of the work involved.

The Partnership has recently adopted a new approach for its strategic consultation of partner agencies pro-actively going out to consult with groups and organisations in the community at their meetings rather than expecting them to come to the Partnership. This was proved a success as part of its Community Strategy Review in 2005.

The consultation mechanisms used by the Partnership can be best summarised as:-

Attending meetings of community organisations and groups, such as neighbourhood watch, residents group, local area forums, parish councils and the district youth assembly;  
Resident surveys focused on specific geographic areas designated as Area Based Initiatives;

Public meetings and residents focus groups to get feedback on specific issues and encourage community involvement in the Partnership's work;  
Surveys and focus groups with young people in partnership with schools and the district youth assembly;  
Circulating information to partner agencies for comments on a regular basis;  
and  
Holding network events for partner agencies, including the community and voluntary sector based on specific themes within the Community Strategy.

### Gedling Community Strategy 2006-2008

2.14 The Community Strategy in its Building Social Capital and Pride in the Local Area theme, commits to greater community involvement and better co-ordinated consultation in the Borough. Specific targets are to develop a Gedling "Compact", deliver community driven area based initiatives, involve the voluntary and community sector more in the work of the Partnership and to develop a consultation framework for Gedling Partnership that links directly to this Statement of Community of Involvement.

2.15 Regarding 'hard to reach groups', the Council will work with Gedling Partnership identify and engage with hard to reach groups and their representatives. We will contact these groups and discuss with them the best way to engage their interest actively and imaginatively. This could involve a variety of engagement measures including:-

- Specific meetings/forums with these groups.
- Use of web-site and on-line forum to target these groups.
- Utilising the East Midlands Planning Aid service to target these groups and to hold 'Planning for Real' events.
- Targeting particular venues to engage these groups, such as visits to travellers' sites and schools.

The Borough Council will ensure that information is available in a variety of formats, including Braille, large print, other languages and audiotape on request.

### Methods of Involvement

2.16 The Borough Council cannot attempt to engage every local resident in the consultation process, as this would be both unwieldy and require the allocation of resources that are unavailable. However using appropriate methods to engage the various groups that have been identified, information will be made available to local residents and interested parties and the future planning of an area can be debated in public at an early stage in the process. However, any person or organisation that has an interest in a document which is out for public consultation can make representations on that document. The Borough Council will endeavour to encourage every opportunity for individuals to play an active part in developing proposals and options and be consulted and make representation on formal proposals.

**Appendix 6** sets out consultation methods which can be used to help produce the LDF, it identifies at which stage of preparation it applies, e.g. preferred options or submission, the implications and the benefits/resources of each method. The table does not attempt to be an exhaustive and should be considered for opportunities for continuous involvement.

**Appendix 7** sets out a summary of stages of community involvement at key stages in the preparation of Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs). It should be noted that the consultation exercises listed exceed those statutory requirements as set out in the Town and Country Planning (Local Development) (England) Regulations 2004 – which are identified in ***bold italics*** in the appendix.

### **3. Planning Applications**

3.1 Planning decisions can often be controversial. There will often be good reasons for and against any development and the Borough Council must apply planning criteria in a reasonable manner. The important issue is to make the decision making process as clear, transparent and inclusive as possible. It is important to realise that the number of objections to a proposal is not a determining factor and applications can only be refused for clear planning-related reasons. If planning permission is refused applicants have a right of appeal to the Secretary of State. However, if permission is granted objectors have no such right.

3.2 This Statement of Community Involvement sets out the Borough Council's policy for consulting the community on planning applications, setting out what we will do and when.

3.3 Gedling Borough Council is not responsible for determining all planning applications within the Borough. Nottinghamshire County Council control certain categories of applications, such as minerals and waste developments – and in these cases, they will be responsible for any consultation.

3.4 At all stages of the planning process, including information, consultation, participation and feedback, the Borough Council will:-

- supply general advice and guidance to the public;
- provide a 'one stop shop' approach for all enquiries; and
- ensure that all administrative, procedural and technical enquiries can be dealt with by an appropriately qualified and experienced officer during normal office opening hours.

#### **Pre-application stage**

3.5 At the pre-application stage, the Borough Council will:-

- Actively encourage and hold pre-application discussions with prospective applicants whatever the scale proposed. Planning proposals such as those which may give rise to local controversy, on sensitive sites or of a significant scale may require wider communication and commences at the pre-application stage. Consultation will be normally limited to technical consultees such as County Highways, Environment Agency, Architectural Liaison Officer and Conservation advice;
- For the more significant applications, discuss with applicants the need to engage with the community including the need to hold exhibitions and other events to publicise their proposals; and
- Publish and update advice relating to the submission of planning applications on the Borough Council's website.

## Planning Application Stage

### Statutory Publicity

3.6 Gedling Borough Council is required by law to give publicity to all planning applications. The Council's Borough publicity policy for various categories of applications is set out in the following table:-

Type of Development	Publicity Required
Major Development (a) 10 or more dwellings or, where the site is 0.5 ha or more; and (b) for all other uses, floor space of 1000 sq m or more or site area of 1 ha or more.	Notice in local newspaper and either a site notice or neighbour notification letter.
Minor Development (all other development)	Site notice or neighbour notification.
Other Publicity Arrangements*	Notice in local newspaper and either a site notice or neighbour notification letter.
Listed Buildings and development in Conservation Areas	Notice in local newspaper and site notice.
Amendments to Planning Applications	Dependent on the type of amendment and at the discretion of the Head of Service.
Appeals	People who have previously made comments will be notified by letter as well as all original consultees.

\* Other publicity arrangements include the advertisement of the following types of development:-

- (a) Those affecting nearby property by causing noise, smell, vibration, dust or other nuisance;
- (b) Those attracting crowds, traffic and noise into a generally quiet area;
- (c) Those causing activity and noise during unsocial hours;
- (d) Those introducing significant change, for example the erection of particularly tall buildings;
- (e) Those resulting in serious reduction or loss of light or privacy, beyond adjacent properties;
- (f) Those affecting the setting of an Ancient Monument or archaeological site;
- (g) Those proposals affecting trees subject to Tree Preservation Orders (TPO) **33 for example felling and other pruning works 34 and Parish Council will be consulted by letter**; and
- (h) Those proposals affecting Public Rights of Way.

## **Statutory Consultees**

3.7 The Borough Council will notify statutory consultees on development proposals as appropriate.

## **Neighbour Notification**

3.8 To notify neighbours of all applications the Borough Council will either erect a site notice or notify adjoining owners/occupiers by letter. Neighbour notification is considered by the Borough Council to be the most effective method where small numbers of residents are likely to be affected by a development. This will normally mean those neighbours whose property adjoins or is across the road from a boundary of an application site and which faces an elevation of a proposed new development.

## **Parish Councils**

3.9 Parish Councils will be consulted on all applications within their areas and also where a proposal directly affects an adjoining Parish they will be notified.

## **Community Groups**

3.10 Where requested, local groups such as residents associations and community groups will be provided with weekly lists of planning applications or alternatively will be directed to the Borough Council's planning website where it is available.

## **Period for Making Representations**

3.11 After the initial newspaper publication, display of notice or delivery of notification letter, consultees have 21 days in which to respond. After that period a decision may be taken, but any comment received before the application is decided will be considered. ***(R4) In addition, bodies such as English Nature will be allowed a longer period of time to comment on applications where this is prescribed by legislation.***

## **Access to Information and Commenting on Applications**

3.12 Planning applications are available for inspection at the Gedling Borough Council offices at Arnold during office hours, and online at the following web address: [www.gedling.gov.uk](http://www.gedling.gov.uk). Officers from the Planning and Environment Department will be available to offer advice or answer questions. Any

comments received will be placed on the application file. This file is available for public inspection. All written representations will be acknowledged in writing and taken into account when the decision is made.

### **Amendments to Applications**

- 3.13 Where amendments to applications are negotiated which satisfy all objections no further consultation will be undertaken. Equally, where very minor objections are made there will be no further consultation. In all other cases, where amendments are made which affect individuals then reconsultation will be undertaken.

### **The Decision**

- 3.14 The Borough Council decides many planning applications under “delegated powers”, involving informal discussions through a panel of elected members and Development Control officers. More complex proposals are referred to the Planning Committee, which meets approximately every three weeks. The Borough Council provides an opportunity for residents and developers to speak on those applications determined by the Planning Committee.
- 3.15 Only one speaker is allowed in support and one in opposition of any proposal. Each speaker is allowed a maximum of three minutes and this is carefully controlled by an Officer of the Council.

### **Consideration of Applications**

- 3.16 The Borough Council can only consider “material considerations” when deciding planning applications. Examples include planning policies in the Gedling Borough Replacement Local Plan, government advice and policy, the impact on residential amenity, highway safety and traffic, noise and disturbance, ***30 crime and disorder issues in accordance with the Nottinghamshire Planning Out Crime protocol***, design, impact on Listed Buildings, Conservation Areas and trees amongst other factors. Reference should not be made to non-planning issues such as private property rights, covenants, competition, loss of view and property value, as these cannot be taken into account.

### **After the Decision**

- 3.17 The applicant/agent will receive a decision notice detailing conditions and reasons for approval or reasons for refusal. A copy of the decision notice is kept on file and is available for viewing at the Civic Centre as well as on the website.



- 3.18 Any persons who have made representations will be informed in writing of a decision and will be provided with a summary of either reasons for a refusal/grant of permission and a list of conditions if permission has been given, where applicable.
- 3.19 Any appeal by the applicant needs to be made within six months of the decision. Each person who responded to the original application will be informed and given the opportunity to make further representation to the Planning Inspector dealing with the case.

### **Developer Community Involvement**

- 3.20 The Borough Council considers that developers can have a crucial role in engaging local communities with the planning process. Carrying out a Community Involvement Exercise will help the community understand what is being proposed and also give them opportunity to voice any concerns.
- 3.21 A wide range of proposals are likely to benefit from Developer Community Involvement and include:-
- Industrial and commercial development of 1500+sqm;
  - Residential development of 100+ dwellings / 3+ hectares;
  - All major infrastructure projects; and
  - All new educational or institutional buildings and extensions of 1000+sqm.

## **4. Resourcing**

- 4.1 There are currently adequate resources to carry out the consultation as laid out in this Statement of Community Involvement and the Borough Council has a commitment to ensure adequate resources will be available in the future. Existing revenue budgets will continue to be supplemented by Planning Delivery Grant to deliver all elements of the Local Development Framework.
- 4.2 Work on community engagement for Local Development Documents for the LDF will be carried out mainly from within the Planning Policy section. The Local Strategic Partnership and the Council's Cabinet Office will also have important roles to play.
- 4.3 Participation on significant planning applications will be carried out by staff in the Development Control section.
- 4.4 Successful community engagement will to a large extent be reliant on partners/other stakeholders' active participation in the process.
- 4.5 The issue of resourcing will be kept under review as part of the Local Development Scheme and the Annual Monitoring Report.

## **5. Monitoring and Review**

- 5.1 Gedling Borough Council will monitor the success of community involvement methods and use the results to review the techniques used in the future.
- 5.2 Feedback will be gathered after consultations to gauge how the participants felt it went and whether or not any improvements should be made. This feedback can also be used to analyse who attended the meetings and if there are any groups that were not reached.
- 5.3 As part of this approach, the Borough Council will carefully consider the resource implications of all of the methods used to try to ensure that the most effective use is made of all the resources available for this work. The Borough Council recognises that good quality community engagement has significant costs in terms of time and financial resources.
- 5.4 It is also clear that the Borough Council may not be able to meet all of the aspirations for engagement that the community may wish to promote, due to time and resource limitations. However, the Borough Council will strive for transparency at all stages and will seek to ensure that views can be put forward whenever possible. Methods of community involvement that provide the best results in terms of the quality and quantity of involvement, for the best cost, will be utilised more regularly where appropriate.

## 6. Further Information

6.1 If you wish to know more about the Statement of Community Involvement or any aspect of the Local Development Framework or planning applications, please contact the Borough Council at the address shown below. Information on the Adopted Replacement Local Plan and the new development plan process is also available on the Borough Council's website.

By post: Gedling Borough Council  
Planning and Environment (Planning Policy)  
Civic Centre  
Arnot Hill Park  
Arnold  
Nottingham  
NG5 6LU

By fax (0115) 9013758

By telephone (0115) 9013733

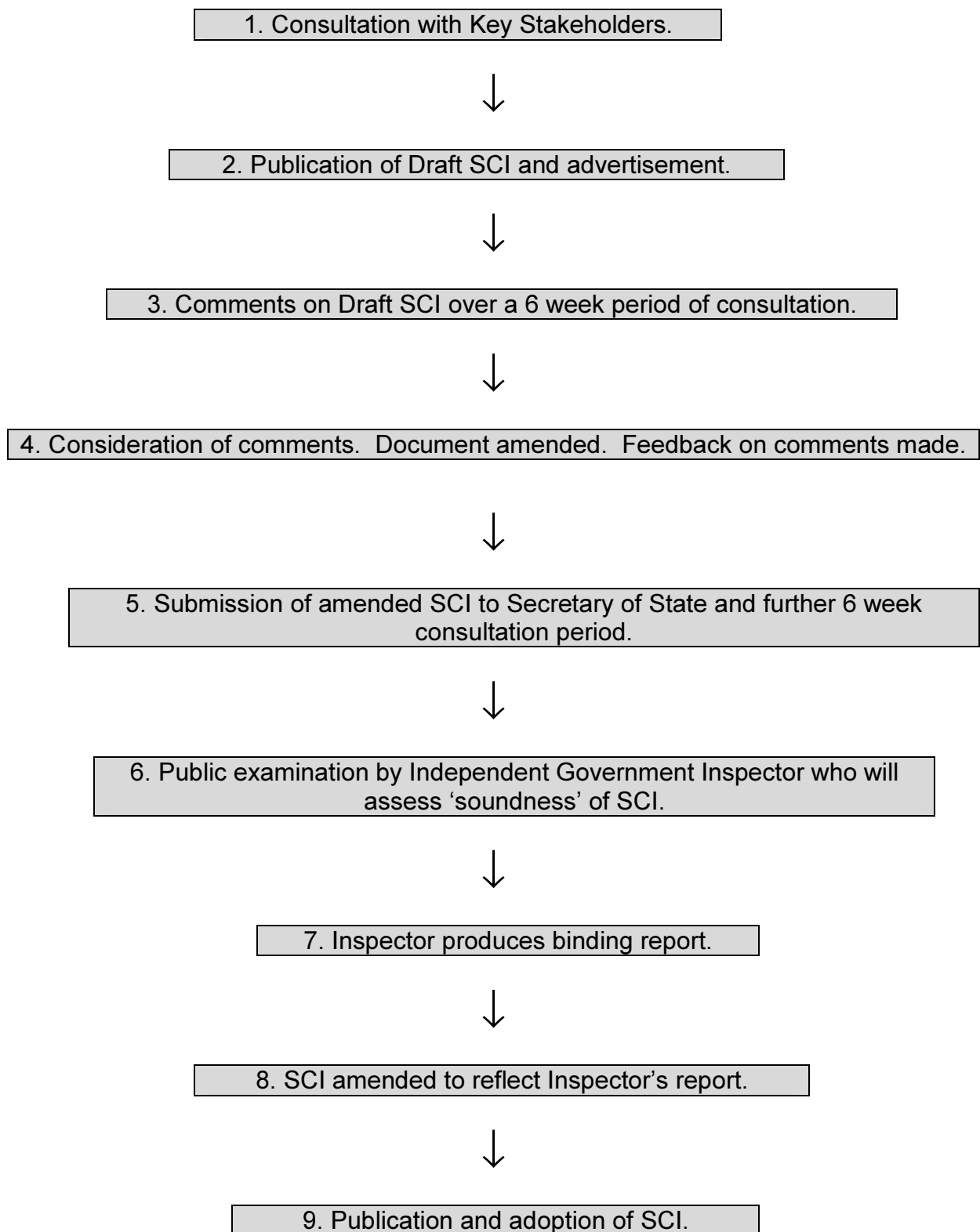
By e-mail: [planningpolicy@gedling.gov.uk](mailto:planningpolicy@gedling.gov.uk) for the Local Development Framework.

[developmentcontrol@gedling.gov.uk](mailto:developmentcontrol@gedling.gov.uk) for planning applications.

Website: [www.gedling.gov.uk](http://www.gedling.gov.uk)

**Please contact Planning Policy section should you require translation or interpretation into sign language, Braille, languages other than English or other accessible formats such as large print or audiotape.**

## Appendix 1 – STATEMENT OF COMMUNITY INVOLVEMENT: THE PROCESS



## Appendix 2 – ASSESSING THE SOUNDNESS OF STATEMENTS OF COMMUNITY INVOLVEMENT

Planning Policy Statement 12 sets out nine tests (listed below) which a SCI should meet if it is to be sound. The following table also shows how each test has been met by this SCI:-

Test of Soundness	How test is met in this SCI
1. Local planning authority has complied with minimum requirements for consultation as set out in Regulations.	Addressed in <b>12</b> appendixes 6, 7 and section 2.
2. Local planning authority's strategy for community involvement links with other community involvement initiatives eg the community strategy.	Addressed in section 2.
3. Statement identifies in general terms which local community groups and other bodies will be consulted.	Addressed in appendices 4 and 5.
4. Statement identifies how community and other bodies can be involved in a timely and accessible manner.	Addressed in appendix 6, 7 and section 2.
5. Methods of consultation to be employed are suitable for intended audience and for the different stages in the preparation of local development documents.	Addressed in appendix 6, 7 and section 2.
6. Resources are available to manage community involvement effectively.	Addressed in section 4.
7. Statement shows how results of community involvement will be fed into the preparation of development plan documents and supplementary planning documents.	Addressed in appendix 6 and 7.
8. Authority has mechanisms for reviewing the statement of community involvement.	Addressed in section 5 and appendix 6 and 7.
9. Statement clearly describes planning authority's policy for consultation on planning applications.	Addressed in section 3.

### Appendix 3 – LIST OF ABBREVIATIONS AND GLOSSARY

<b>Annual Monitoring Report (AMR)</b>	A report submitted to the Secretary of State via the Government Office by local planning authorities or regional planning bodies assessing Local Development Framework or Regional Spatial Strategy production progress and policy effectiveness.
<b>Community Strategy (CS)</b>	The Gedling Community Plan 2003-2008 was prepared during 2003 by the Gedling Partnership (the Local Strategic Partnership) to highlight the key issues for the people of the Borough and sets out the challenges in dealing with these over an initial five year period.
<b>Development Plan Document (DPD)</b>	Local Development Documents that have development plan status. Once adopted, development control decisions must be made in accordance with them unless material considerations indicate otherwise. The DPDs which local planning authorities must prepare include the core strategy, site-specific allocations of land and, where needed, area action plans. There will also be a proposals map, which illustrates the spatial extent of policies that must be prepared and maintained to accompany all DPDs. All DPDs must be subject to rigorous procedures of community involvement, consultation and independent examination, and adopted after receipt of the inspector's binding report.
<b>Gedling Local Strategic Partnership</b>	Represents the key public, private and voluntary sector stakeholders in the Borough. The Partnership undertakes a range of consultations itself and pulls upon other consultations in drawing up its Community Strategy.
<b>Joint Structure Plan (JSP)</b>	The Nottinghamshire and Nottingham Joint Structure Plan, establishing the interim strategic policy context for Development Plan Documents. This will be superseded by the next Regional Spatial Strategy.
<b>Local Development Document (LDD)</b>	These include Development Plan Documents, which will form part of the statutory development plan, and Supplementary Planning Documents, which do not form part of the statutory development plan. LDDs collectively deliver the spatial planning strategy for the local planning authority's area, and they may be prepared jointly between local planning authorities.

<b>Local Development Framework (LDF)</b>	The Local Development Framework is a non-statutory term used to describe a folder of documents, which includes all the local planning authority's Local Development Documents (comprised of Development Plan Documents, which will form part of the statutory development plan, and Supplementary Planning Documents). The Local Development Framework will also comprise the Statement of Community Involvement, the Local Development Scheme and the Annual Monitoring Report.
<b>Local Development Scheme (LDS)</b>	The local planning authority's time-scaled programme for the preparation of Local Development Documents that must be agreed with the Secretary of State via the Government Office. The LPA must consult with the Government Office and the Planning Inspectorate in the development and review of the LDS. The AMR will indicate whether the LDS requires to be formally revised.
<b>Planning Delivery Grant (PDG)</b>	Government grant to local authorities based upon planning performance of Local Development Documents and development control.
<b>Planning Policy Statement (PPS)</b>	Issued by central Government to replace the existing Planning Policy Guidance notes (PPG), in order to provide greater clarity and to remove from national policy advice on practical implementation, which is better expressed as guidance rather than policy.
<b>Regional Spatial Strategy (RSS)</b>	Prepared by the regional planning body, the East Midlands Regional Assembly (EMRA). It sets out the strategic policies in relation to the development and use of land in the region and will be approved by the Secretary of State. (Previously known as Regional Planning Guidance). The RSS provides a spatial framework to inform the preparation of LDDs. The RSS review is currently underway.
<b>Sustainability Appraisal (SA)</b>	The process of weighing and assessing all the policies in a development plan, Local Development Document, or Regional Spatial Strategy, for their global, national and local implications. (See also Strategic Environmental Assessment).
<b>Statement of Community Involvement (SCI)</b>	The SCI sets out standards to be achieved by the local authority in involving the community in the preparation, alteration and continuing review of all local development documents and development control decisions.



<b>Strategic Environmental Assessment (SEA)</b>	<p>An environmental assessment of certain plans and programmes, including those in the field of planning and land use, which complies with the EU Directive 2001/42/EC.</p> <p>The environmental assessment involves the:-</p> <ul style="list-style-type: none"> <li>§ preparation of an environmental report;</li> <li>§ carrying out of consultations;</li> <li>§ taking into account of the environmental report and the results of the consultations in decision making;</li> <li>§ provision of information when the plan or programme is adopted; and</li> <li>§ showing that the results of the environment assessment have been taken into account.</li> </ul> <p>(See also Sustainability Appraisal).</p>
<b>Supplementary Planning Document (SPD)</b>	<p>An SPD is a Local Development Document that may cover a range of issues, thematic or site specific, and provides further detail of policies and proposals in a 'parent' DPD.</p>
<b>The Act</b>	<p>Planning and Compulsory Purchase Act (2004).</p>
<b>The Regulations</b>	<p>The Town and Country Planning (Local Development) (England) Regulations, 2004. Provides regulatory detail to support the implementation of the Act.</p>

## Appendix 4 – STATUTORY CONSULTEES

Specific consultation bodies as set out in the Town and Country Planning (Local Development) (England) Regulations 2004) and in Planning Policy Statement 12: Local Development Frameworks. At regular intervals the Borough Council will review its lists to ensure it has the correct information and that addresses are up to date. ***(R2)<sup>2</sup> This list relates to successor bodies where reorganisation occurs.***

All adjoining Local Planning Authorities, County and Parish Councils including:-

- Ashfield District Council
- Newark and Sherwood District Council
- Nottingham City Council
- Rushcliffe Borough Council
- Nottinghamshire County Council
- Annesley and Felley Parish Council
- Bestwood Parish Council
- Blidworth Parish Council
- Bulcote Parish Council
- Burton Joyce Parish Council
- Calverton Parish Council
- Colwick Parish Council
- Epperstone Parish Council
- Holme Pierrepont and Gamston Parish Council
- Lambley Parish Council
- Linby Parish Council
- Lowdham Parish Council
- Newstead Parish Council
- Oxton Parish Council
- Papplewick Parish Council
- Radcliffe on Trent Parish Council
- Rainworth Parish Council
- Ravenshead Parish Council
- Shelford and Newton Parish Council
- Stoke Bardolph Parish Council
- Woodborough Parish Council

Government Office for the East Midlands (GOEM)  
East Midlands Regional Assembly (EMRA)  
East Midlands Development Agency (EMDA)  
Countryside Agency  
Environment Agency  
Historic Buildings and Monuments Commission for England (English Heritage)  
The Highways Agency  
English Nature  
Strategic Rail Authority

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<sup>2</sup> Numbering refers to the Inspector's recommendations shown in Appendix 1

Electronic Communications Code Operators  
Strategic Health Authority  
Electricity Act Licensees  
Gas Act Licensees  
Sewerage Undertakers  
Water Undertakers

## Appendix 5 – NON-STATUTORY CONSULTEES

At regular intervals the Borough Council will review its lists to ensure it has the correct information and that addresses are up to date. **(R3) This list is not exhaustive and relates to successor bodies where reorganisation occurs.**

Gedling Local Strategic Partnership  
Representational Groups (e.g. Age Concern, Ethnic, Disabled and Youth groups)  
Relevant Community and Resident Groups  
Conservation, Heritage and Amenity Groups  
Emergency services/crime prevention (e.g. Architectural Liaison Officer)  
Chambers of Trade  
Business Forums  
**25** Home Builder's Federation  
Registered Social Landlords  
Environmental bodies (e.g. CPRE, RSPB, Wildlife Trust, Greenwood and Woodland Trust)  
Network Rail  
Developers and Landowners  
Primary Care Trusts  
**32** Sports England and relevant local sports groups and bodies  
Housing Corporation  
Bus Operators  
Regional Housing Body  
Sub-Regional Strategic Partnerships (e.g. Greater Nottingham Partnership)  
Relevant Government Departments

Appendix 6

CONSULTATION METHODS

Group

Consultation Method	Group												Advantages	Disadvantages	Resource Implications
	Statutory consultees			Non statutory consultees			Local Community			Hard to reach groups					
Stage	Issues and options	Preferred options	Submission	Issues and options	Preferred options	Submission	Issues and options	Preferred options	Submission	Issues and options	Preferred options	Submission			
Letter	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Effective way of spreading information to a wide number of potential consultees.	Only as good as the database.	Staff time and postage.
Documents / leaflets	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Good way of spreading the core message.	Cost for wide scale distribution could be high.	Staff time and postage.
Questionnaires / surveys	✓	✓		✓	✓		✓	✓		✓	✓		Could be online or postal.	Feedback requires analysing.	Staff time and cost of software packages.
Email / website (including online comments box)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Allows easy access to documents and easy way to	Not all individuals have access or skills to access the Internet.	Staff time.

														<b>respond.</b>		
<b>Press releases</b>	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Instantly reaches a very large audience.	Media has editorial control and not guaranteed that everyone listens or reads local media.	Cost of notices.
<b>Stakeholder meetings / workshops</b>	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Allows an open discussion of issues.	May not result in the resolution of issues and may reinforce differing views.	Staff time and room hire.
<b>Public meetings / exhibitions (including availability of response sheets)</b>	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Allows an open discussion of issues and gives a large group of people access to information.	Large meetings can be intimidating for some and unless well publicised attendance may be poor.	Staff time, cost of exhibition material and room hire.
<b>Gedling Partnership</b>							✓	✓	✓	✓	✓	✓	✓	Large number of organisations can be reached by consulting the Partnership.	The Partnership does not have comprehensive membership.	Staff time.
<b>Planning Aid</b>							✓	✓	✓	✓	✓	✓	✓	Useful for hard to reach groups.	May not reach all groups.	Time consuming for Planning Aid.

## Appendix 7

### SUMMARY OF STAGES OF COMMUNITY INVOLVEMENT – DEVELOPMENT PLAN DOCUMENTS

The entries in ***bold italics*** are those that are statutory requirements under the Town and Country Planning (Local Development) (England) Regulations 2004.

Stage of Production	How we will keep people informed	How you can respond	How we will provide feedback	Council Decision stages
<p>Issues Stage and Initial Sustainability Report</p>	<p><b><i>Programme for production of DPDs set out in LDS, available on web site and from the Civic Centre.</i></b></p> <p><b><i>Issues document will be sent to appropriate statutory and non-statutory consultees (Appendices 3 and 4), local community<sup>14</sup>, and hard to reach groups, and all those requesting notification in earlier documents.</i></b></p> <p>Documents will be placed on the Borough Council's web site.</p> <p>Documents will be placed in the Civic Centre and local libraries.</p> <p>Notification in appropriate local paper(s).</p> <p>Use of email alerts.</p>	<p><b><i>13 Not a formal eConsultation stage- will involve a continuous process of informal discussion.</i></b></p>	<p>Summary of responses will be placed on web site and at the Civic Centre.</p>	<p>No Council decision required at this stage (as emphasis is on ongoing informal discussion to identify key issues and options).</p> <p>LDF Steering Group to receive reports on emerging issues and options.</p>

<p>Preferred Options Stage</p>	<p><b>Copies of the proposals document and proposals matters and copies of the pre-submission proposals and proposals matters will be available for inspection at the Civic Centre during office hours (Mon-Thur 0900 – 1715, Fri 0900 – 1645), local libraries and as detailed on the website.</b></p> <p><b>Copies will be sent to appropriate statutory and non-statutory consultees, local community and hard to reach groups 14, and Borough Councillors and all those requesting notification in earlier documents.</b></p> <p><b>Press notices will be placed in appropriate local paper(s) advising of the proposals matters and that the pre-submission proposals documents are available for inspection at the civic centre and the local libraries.</b></p> <p>Early warning of consultation to Parish Councils, community groups and key stakeholders.</p>	<p><b>Six week period for representations.</b></p> <p><b>Forms will be available on website for download or online completion. Will also be available from the Civic Centre and local libraries, Bestwood Community Centre and St George's Centre, Netherfield..</b></p>	<p>Summary of responses including information and feedback about progress and outcomes available at the Civic Centre, local libraries and on web site.</p>	<p>Consideration by LDF Steering Group.</p> <p>Cabinet Approval of Preferred Options for consultation.</p>
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	<p>Possible use of leafleting or the Council's magazine (Contacts), for DPDs that are likely to have Borough-wide implications.</p> <p>Use of email alerts.</p>			
Submission of DPD to Secretary of State	<p><b><i>Submission documents will include the Sustainability Appraisal report; when adopted the Statement of Community Involvement; a consultation statement including a summary of the main issue raised in the consultations and how they have been addressed in the DPD; a statement outlining how many representations were made, summary of main issues raised and how issues were addressed and any supporting documentation. Documentation will be sent to appropriate statutory and non-statutory consultees, local community and hard to reach groups, Borough Councillors, and Parish Councils,14 and all those requesting notification in earlier documents Parish Councils</i></b></p> <p><b><i>Four paper copies to be sent including one electronic copy of the SA, SCI, Consultation</i></b></p>	<p><b><i>11 Six week period for representations. Representations to be sent to the Civic Centre. Forms will be available on the website for download or online completion. Will also be available from the Civic Centre and local libraries, Bestwood Community centre and St George's Centre, Netherfield.</i></b></p> <p><b><i>Members of the public can request to be heard at examination stage.</i></b></p>	<p><b><i>11 Summary of responses including information and feedback about progress and outcomes available at the Civic Centre, local libraries, Bestwood Community Centre, St George's Centre, Netherfield and on the website.</i></b></p>	<p><b>Cabinet approval of submission document to Secretary of State.</b></p>

	<p><b>Statement and Statement of Representations and supporting documentation.</b></p> <p><b>DPD documents and matters available during office hours at the Civic Centre, local libraries and on website including a statement that the documents are available for inspection.</b></p> <p><b>Press notices will be placed in appropriate local paper(s) advising of the availability of documents for inspection.</b></p> <p><b>Letters to people who ask to be notified.</b></p> <p>Early warning of consultation to Parish Councils, community groups and key stakeholders.</p> <p>Possible use of leafleting or the Council's magazine (Contacts) for DPDs that are likely to have Borough-wide implications.</p>			
Examination	<p><b>The date and time of the Public Examination will be advertised on the Borough Council's website and by a press notice in appropriate local paper(s).</b></p>	<p><b>Respondent(s) seeking a change to the DPD will have an opportunity to appear at the Examination.</b></p>	<p><b>The recommendations of the Inspector will be published on the Borough Council's website and made available at the Civic</b></p>	

	<p><b><i>Anybody who has made representations will be informed of the Examination in writing.</i></b></p>		<p><b><i>Centre and local libraries.</i></b></p> <p><b><i>Those people who requested to be notified will be informed of the availability of the Inspector's recommendations.</i></b></p> <p><b><i>The Borough Council must make any changes recommended by the Inspector before adopting the DPD.</i></b></p>	
Adoption	<p><b><i>The adopted DPD will be made available for inspection at the Civic Centre and local libraries.</i></b></p> <p><b><i>The document will be placed on the Borough Council's website.</i></b></p> <p><b><i>A notice will be placed in appropriate local paper(s).</i></b></p>			<p>Cabinet approval of DPD for adoption. Resolution of Borough Council to adopt DPD.</p>

## SUMMARY OF STAGES AND METHODS OF COMMUNITY INVOLVEMENT – SUPPLEMENTARY PLANNING DOCUMENTS

The entries in ***bold italics*** are those that are statutory requirements under the Town and Country Planning (Local Development) (England) Regulations 2004.

Stage of Production	How we will keep people informed	How you can respond	How we will provide feedback	Council Decision stages
Evidence gathering	<b><i>Programme for production of SPD in LDS available on website and Council Offices.</i></b>	Not a formal consultation stage.	Summary of responses from evidence gathering exercise will be placed on website, at the Civic Centre and in local libraries.	No Council decision required at this stage (where emphasis is on evidence gathering).
Draft SPD and Sustainability Appraisal Report	<p><b><i>21 The SPD document, SPD matters and statement of fact that the SPD documents are available Documents available can be accessed at Council Offices during normal office hours, local libraries, Bestwood Community Centre and St Georges Centre and on website.</i></b></p> <p><b><i>Copies 21 of the SPD, sustainability appraisal report, consultation statement, any supporting documents, notice of SPD matters and statement that the SPD documents are available for inspection as noted above sent to appropriate statutory and</i></b></p>	<p><b><i>4-6 week period for objections or statements of support.</i></b></p> <p><b><i>Forms will be available on website for download or online completion. Will also be available from the Civic Centre and local libraries.</i></b></p>	Summary of responses including information and feedback about progress and outcomes will be placed on website, at the Civic Centre and in local libraries.	<p>LDF Steering Group to receive reports on evidence base.</p> <p>Executive approval of draft SPD for consultation.</p>

	<p><b><i>non-statutory consultees 14 and Borough Councillors and those requesting notification in earlier documents. These bodies also to be sent the Consultation Statement (this is a statement prepared by the Council to set out the names of any persons consulted during the preparation of the SPD; how they were consulted; a summary of the main issues raised; and how the issues were addressed in the SPD), relevant supporting documents plus a statement of the times and places that the documents are available for inspection.</i></b></p> <p>Press notices in appropriate local paper(s) <b><i>21advertising the SPD matters, fact SPD documents are available for inspection at the Civic Centre during normal office hours and local libraries, Bestwood Community Centre and St George's Centre, Netherfield.</i></b></p>			
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Adoption	<p><b><i>Adopted SPD 21, Consultation Statement and adoption statement will be placed on website and will be available at the Council Offices during normal office hours and local libraries, Bestwood Community Centre and St George's Centre, Netherfield. Anybody who has responded to the consultation will be 21informed-sent the adoption statement by letter or e-mail.</i></b></p>		<p><b><i>Statement of consultation on draft SPD placed on website and available at the Civic Centre and local libraries. Anybody who has responded to the consultation will be informed by letter or e-mail.</i></b></p>	<p>Executive approval of adoption of SPD.</p>
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