

**GEDLING BOROUGH**  
**Consultation Draft Statement of Community**  
**Involvement**

**Cabinet Version 5<sup>th</sup> September 2019**

**Planning Policy Section**  
**Gedling Borough Council**  
**Civic Centre**  
**Arnot Hill Park**  
**Arnold**  
**Nottingham**  
**NG5 6LU**

**Tel: 0115 901 3757**  
**[planningpolicy@gedling.gov.uk](mailto:planningpolicy@gedling.gov.uk)**

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



**1. Introduction**

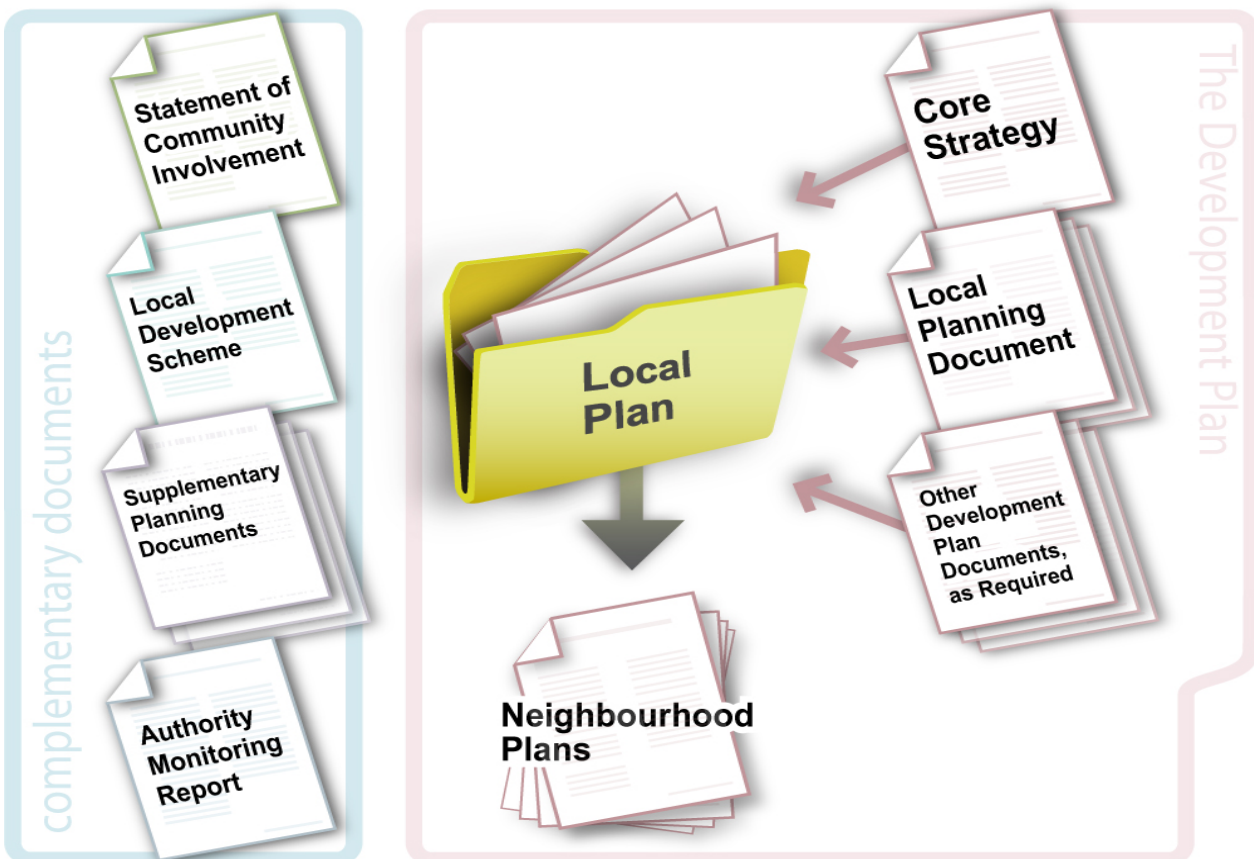
1.1 This Statement of Community Involvement sets out our policies on community consultation and involvement in planning policy documents and planning applications. This Statement replaces the adopted version of the Statement of Community Involvement (called Statement of Consultation) adopted in 2014. It exceeds the minimum legal requirements for consultation set out in the Planning Acts and regulations. A glossary of terms used in the document is attached at **Appendix 2** to help the reader.

**2. Planning Policy**

**The Local Plan (formerly Local Development Framework)**

2.1 The Local Plan sets out how the Borough will develop in the future. It comprises a set of planning documents collectively called Development Plan Documents and in combination this constitutes the development plan as shown in the diagram below. These plans are subject to a statutory process including community involvement. They must be supported by a sustainability appraisal, equalities impact assessment and subject to an independent examination.

The Local Plan



### Local Plans containing strategic policies

2.2 The National Planning Policy Framework states that: the development plan must include strategic policies which can be contained in joint or individual local plans by authorities working together or independently. In the context of the Greater Nottingham area the individual councils are working together to align core strategies containing key strategic policies with each authority responsible for its own individual core strategy (known as part 1 Local Plans - please see paragraph 2.10 for more details).

2.3 Strategic policies should set out the overall strategy for the pattern, scale and quality of development including for:

- Housing, employment, retail, leisure and other commercial development;
- Infrastructure or transport;
- Community facilities; and
- Conservation and enhancement of the natural, built and historic environment.

### Local Plans containing non-strategic policies and Neighbourhood Plans

2.4 The NPPF goes on to state that: policies to address non-strategic matters should be included in local plans that contain both strategic policies and non-strategic policies; and/or neighbourhood plans that contain just non-strategic policies. Non-strategic policies set out more detailed policies for specific areas, neighbourhoods or types of development.

2.5 In addition to their core strategies, the Greater Nottingham councils have included planning policies of both a strategic and non-strategic nature in more detailed local plans (called Part 2 Local Plans - please see paragraph 2.12 for more details).

2.6 A number of Neighbourhood Plans have been made in Gedling Borough which contain non-strategic policies. These are prepared by Parish Councils or Neighbourhood Planning Forums who are largely responsible for their production. However, Gedling Borough Council provides a supporting role including carrying out the formal consultation and in doing so Gedling Borough Council will follow the principles set out for consulting on Local Plans in paragraph 2.9 below. For more detail on which Parishes are covered by neighbourhood Plans and Gedling Borough Council's approach to supporting their preparation see paragraphs 2.14 – 2.16.

### Supplementary Planning Documents

2.7 Supplementary Planning Documents give further explanation and detail to the Local Plan. They are subject to statutory procedures including community involvement but are not subject to independent examination.

2.8 Other documents that support a Local Plan include:

- Local Development Scheme - sets out the programme for the preparation of the Local Plan and also lists supplementary planning documents to be prepared
- Statement of Community Involvement (this document)

- Authority Monitoring Report

## Principles

2.9 We will abide by the following principles when consulting on the Local Plan:

- Plans should be shaped by early proportionate and effective engagement with communities, organisations, businesses and other consultees;
- 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;
- The consultation process will allow local communities and consultees to see how ideas have developed at various stages with effective feedback and;
- Wherever possible, consultation will be carried out in tandem with other community engagement initiatives.

## Consultation on Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs)

- 2.10 Gedling Borough Council along with Broxtowe Borough Council and Nottingham City Council have prepared the Greater Nottingham Aligned Core Strategies (ACS) which forms Part 1 of the Local Plan for each of the three councils. The other councils within the Greater Nottingham Housing Market Area, namely Erewash Borough and Rushcliffe Borough, have produced separate but aligned Core Strategies.
- 2.11 The Greater Nottingham councils are now undertaking a review of the Aligned Core Strategies to an agreed timetable. The history of joint working and achievements in producing Aligned Core Strategies demonstrate that there is an established and successful model of joint working across the Nottingham Housing Market Area and this is set to continue. The National Planning Policy Framework 2019 has introduced a requirement for councils to prepare a Statement of Common Ground to identify cross boundary matters and set out how they will be addressed.
- 2.12 Gedling Borough Council adopted the Local Planning Document on 18 July 2018 which forms Part 2 of the Council's Local Plan and conforms to the Aligned Core Strategy. A review of the Local Planning Document will follow on from the review of the Aligned Core Strategy and the timetable will be published at an appropriate time in the future.
- 2.13 The Government does not set out precise detail of how a council should prepare a plan but rather considers councils are best placed to decide the exact process and how to engage with their communities. However, the Regulations<sup>1</sup> do prescribe certain stages where the public are to be consulted and this is shown in **Appendix 1**. Essentially the consultation policy will be the same for both Development Plan Documents (like the Gedling Borough Local Planning Document) and for Supplementary Planning

<sup>1</sup> The Regulations are set out in The Town and Country Planning, (Local Planning) (England) Regulations 2012 as amended.

Documents. However, there are slight differences between the two as Supplementary Planning Documents are not subject to the formal examination process.

### *Who we will consult*

#### *For Development Plan Documents*

- Statutory organisations<sup>2</sup> including councils, infrastructure providers and government bodies as legally required or those likely to have an interest;
- Organisations representing local geographical, economic, social and other communities or those likely to have an interest;
- Local businesses, voluntary and other organisations;
- Others who have expressed an interest in the subject matter; and
- The general public.

#### *For Supplementary Planning Documents*

- Statutory organisations<sup>3</sup> including councils, infrastructure providers and government bodies as legally required or those likely to have an interest;
- Other consultees likely to have an interest;
- The general public.

### *How we will consult*

#### *For Development Planning Documents*

- Before starting a consultation, we will prepare a consultation strategy;
- We will contact statutory consultees and organisations and individuals registered on the Planning Policy database direct;
- We will publicise consultations by methods such as leaflets, websites, posters, displays, commercial, community and social media, social network sites, existing community groups, community events and joining with other consultations;
- We will write to properties likely to be directly affected by an allocated site and put up site notices around the site;
- We will leave consultation documents on display at certain locations open to the public like Council offices and libraries;
- Consultation documents will be made available on Gedling Borough Council's web site;
- We will consider organising events such as stakeholder meetings or workshops; and
- We will publish comments received and/or provide a summary as soon as possible and will explain how these comments have been considered when decisions are taken; and
- At the discretion of the Service Manager Planning Policy, we will give consultation documents to community groups, councils and statutory organisations;

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<sup>2</sup> Town and Country Planning, (Local Planning) (England) Regulations 2012 as amended by The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012.

<sup>3</sup> Statutory consultees are listed in the regulations referenced above.

*For Supplementary Planning Documents*

- Before starting a consultation, we will prepare a consultation strategy;
- We will write to properties likely to be directly affected by an allocated site and put up site notices around the site;
- We will contact appropriate organisations and individuals direct;
- We will publicise consultations by methods such as leaflets, websites, posters, displays, commercial, community and social media, social network sites, existing community groups, community events and joining with other consultations;
- We will leave consultation documents on display at certain locations open to the public like Council offices and libraries;
- Consultation Documents will be made available on Gedling Borough Council's website;
- We will consider organising events such as stakeholder meetings or workshops; and
- We will publish comments received and/or provide a summary as soon as possible and will explain how these comments have been considered when decisions are taken.
- At the discretion of the Service Manager Planning Policy, we will give consultation documents to community groups, councils and statutory organisations;

*When we will consult**For Development Plan Documents*

- We will ask for views on issues, ideas and information from appropriate organisations, individuals or communities;
- After considering the initial comments we will consult on documents which explain issues to be considered and which may also include potential options;
- We will consider the need to prepare documents for additional consultation stages setting out further options, information or a preferred option or other useful content; and
- We will formally publish the proposed submission document for at least six weeks inviting representations prior to independent examination.

*For Supplementary Planning Documents*

- We will ask for views on issues, ideas and information from appropriate organisations, individuals on communities;
- After considering the initial comments we will carry out informal consultation;
- We will consult on a draft version of the Supplementary Planning Document for at least four weeks; and
- We will adopt the Supplementary Planning Document and inform those who have commented that this is the case.

## Neighbourhood Planning Support

2.14 Gedling Borough Council is also obliged to provide assistance to Parish Councils or Neighbourhood Forums to help them produce Neighbourhood Plans. The Council's role is set out in legislation<sup>4</sup> which also prescribes certain statutory deadlines.

2.15 A number of Neighbourhood Plans have now been produced and form part of the development plan including:

- Burton Joyce Neighbourhood Plan;
- Calverton Neighbourhood Plan;
- Linby Neighbourhood Plan; and
- Papplewick Neighbourhood Plan.

2.16 We will continue to support neighbourhood planning by:

- Being proactive in providing information, mapping expertise and advice on strategic environmental assessments;
- Providing informal comments on draft documents in advance of statutory consultations;
- Fulfilling our duties and taking decisions as soon as possible and within the statutory time periods, unless otherwise agreed;
- Providing a clear and transparent decision making timetable on request;
- Publishing the Submission Regulation 16 Neighbourhood Plan for a minimum of six weeks and inviting representations; and
- Constructively engaging with the Parish Council throughout the process including when considering the recommendations of the independent examiner of a Neighbourhood Development Plan or Order proposal.

## Seldom Heard Groups

2.17 We are committed to providing fair and equal access to planning services. Resources will be directed towards those 'seldom heard groups' identified in Equality assessments to ensure those affected by the plan have a chance to be involved and to ensure we meet our statutory obligations under equalities legislation.

2.18 We will ensure information is made available in a variety of formats, including Braille, large print, and other languages on request.

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<sup>4</sup> [Neighbourhood Planning \(General\) \(Amendment\) Regulations 2015](#)

Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016  
Neighbourhood Planning (General) and Development Management Procedure (Amendment) regulations 2017

### 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. The Council can only take into account “material planning considerations” when deciding planning applications. Guidance on these considerations is set out in **Appendix 3**.
- 3.2 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.

#### Pre-application stage

- 3.3 The aim of pre-application consultation is to encourage discussion before a formal application is made. The process can help to identify improvements and overcome objections at a later stage. At the pre-application stage, we 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 this will commence at the pre-application stage. Consultation will be normally limited to technical consultees such as County Highways, Environment Agency, and Conservation advice;
  - For the more significant applications, encourage applicants to engage with the community including exhibitions and other events to publicise their proposals.
- 3.4 Details of charges made for providing pre-application advice are set out on the Council’s website.

#### Planning Application Stage

##### How we will publicise planning applications

- 3.5 We are required by law<sup>5</sup> to give publicity to all planning applications. The Borough Council’s publicity policy for various categories of applications is set out in the following table:-

<sup>5</sup> Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.



<b>Type of Development</b>	<b>Publicity Required</b>
Major development submitted with an environmental statement; Development affecting a public right of way	Posting of a site notice and notice in a local newspaper.
Applications involving a departure from the development plan;	Notice in local newspaper and either a site notice or neighbour notification letter.
Major Development (a) 10 or more dwellings or where the site is 1.0. 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 <sup>6</sup> notification letter.
Amendments to Planning Applications under an application made under Section 73 <sup>7</sup> .	As set out above.
Listed Buildings and development in Conservation Areas	Notice in local newspaper and site notice.
Appeals	People who have previously made comments will be notified by letter or e-mail as well as all original consultees.
<u>Applications for works to trees covered by a Tree Preservation Order</u>	<u>Site notice or neighbour notification letter.</u>

### How we will consult

- Anyone can comment not just those who have received a letter. All planning applications are available for inspection at the Civic Centre in Arnold during office hours or can be seen on the Public Access System on the Council's website<sup>8</sup>. The availability of information on major planning applications will be considered on a case by case basis and if it is judged necessary information will be made available at places additional to the Civic Centre.
- We will consult various specialists and relevant organisations including statutory

<sup>6</sup> Neighbouring properties include those directly adjoining the development site.

<sup>7</sup> Under Section 73 of the Town and Country Planning Act 1990 an application can be made to vary or remove conditions associated with a planning permission. One of the uses of a section 73 application is to seek a minor material amendment. Note non material amendments to planning applications will not be subject to further consultation.

<sup>8</sup> <http://www.gedling.gov.uk/>

consultees<sup>9</sup> such as parish councils<sup>10</sup>, the Environment Agency and Natural England and other organisations as appropriate such as district and parish councils which adjoin Gedling Borough.

- There is a statutory consultation period of 21 days and all comments must be received within the specified consultation period. Comments can be sent by letter, email or through the Planning Public Access System on the Council's website. Only those received through the Public Access System will be acknowledged as having been received. Comments should consider 'material planning considerations' (see Appendix 3 for further information).

### **Amendments to Applications**

- 3.6 Where amendments to applications are negotiated and result in amended proposals, additional consultation of between 7 and 14 days will be undertaken, unless the amendments are very minor in nature and are not materially different to the original plans.

### **The Decision**

- 3.7 The Council decides many planning applications under delegated powers. Applications which raise material planning objections will be referred to a panel of elected members who recommend whether an application should be determined under delegated powers or by Planning Committee. Applications that are for more than 9 dwellings or for commercial developments over 5,000 square metres are dealt with by Planning Committee. Any comments received on planning applications will be considered within the Recommendation report. All reports are available for viewing on the Council's website.
- 3.8 The Borough Council provides an opportunity for residents and applicants to speak on those applications determined by the Planning Committee. 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.
- 3.9 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 on the Council's website.
- 3.10 To check on the progress of a planning application:
- Contact the case officer or call the duty planner on 0115 901 3719 or call in at the Civic Centre

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<sup>9</sup> As set out in Schedule 4 to the Town and Country Planning (Development Management Procedure) (England) Order 2015.

<sup>10</sup> Under the Neighbourhood Planning Act, Local Planning Authorities must also consult Neighbourhood Forums on planning applications if they have been set up to produce a Neighbourhood Plan. Currently there are no Neighbourhood Forums within Gedling Borough.

#### 4. Further Information

- 4.1 If you wish to know more about the Statement of Community Involvement or any aspect of planning policy or planning applications, please contact us at the address shown below. Information on the Aligned Core Strategy and the Local Planning Document and the development plan process is also available on the Borough Council's website.

By post: Gedling Borough Council  
Planning and Economic Growth and Regeneration  
Civic Centre  
Arnot Hill Park  
Arnold  
Nottingham  
NG5 6LU

By telephone (0115) 901 3733 for planning policy  
(0115) 901 3719 for planning applications

By e-mail: [planningpolicy@gedling.gov.uk](mailto:planningpolicy@gedling.gov.uk) for planning policy.  
[P&EServiceSupport@gedling.gov.uk](mailto:P&EServiceSupport@gedling.gov.uk) for planning applications.

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

**Please contact the Planning Policy section should you require** information made available in a variety of formats, including Braille, large print, and other languages.

## Appendix 1

### Stages of preparation of a development plan document

<b>Development Plan Document Stage</b>	<b>Consultation</b>
Early tasks	This stage involves the Council gathering evidence including concerns and proposals the community may wish to make regarding planning issues. This stage also involves consultation on the Sustainability Appraisal Scoping Report and Equalities Impact Assessment.
Pre-submission <b>(regulation 18)</b>	This is a key stage of plan development and community engagement is crucial. The Council will normally consult on issues and options in the early stages of this process and will continue to engage with stakeholders and the community throughout the pre-submission stage using a variety of methods.
Pre-submission Consultation or publication stage <b>(regulation 19)</b>	This stage involves a formal consultation on the final proposed submission document, when the Council will invite all interested parties to submit representations. The consultation will last six weeks. The Council will consider any representations received.
Submission <b>(regulation 22)</b>	The Council will formally submit the development plan document to the Planning Inspectorate for independent examination.
Examination	Interested parties can seek to make representations to the independent Planning Inspector.
Adoption	This is a formal process for Gedling Borough Council to adopt the document as part of the Local Plan.

## **Appendix 2**

### **Glossary of Terms and Abbreviations**

**Adoption:** The formal approval by a Council of the final version of a Development Plan Document once the Inspector has found it sound.

**Aligned Core Strategy:** The key strategic plan for the area, setting out the long term vision for the area, objectives and strategic policies for:

- Housing, employment, retail, leisure and other commercial development;
- Infrastructure for transport, telecommunications, utilities and flood risk etc.;
- Community facilities such as health and education; and
- Conservation and enhancement of the natural, built and historic environment

**Authority Monitoring report (AMR):** A report produced by local planning authorities assessing progress with and the effectiveness of the Local Plan.

**Core Strategy:** see Aligned Core Strategy above.

**Development Plan:** This includes adopted Local Plans and Neighbourhood Plans.

**Development Plan Document:** A spatial planning document which is part of the Local Plan, subject to extensive consultation and independent examination;

**Development Management:** Development management describes the range of activities and interactions in dealing with planning applications so that the control of development becomes a more positive and proactive process.

**Equality Impact Assessment (EqIA):** A management tool that makes sure that policies and working practices do not discriminate against certain groups and that opportunities are taken to promote equality.

**Housing Market Area (HMA):** Geographical area defined by household demand and preferences for housing. They reflect the key functional linkages between places where people live and work. The Nottingham Core Housing Market Area consists of the council areas of Broxtowe, Erewash, Gedling, Nottingham City and Rushcliffe, together with the Hucknall part of Ashfield.

**Local Development Scheme (LDS):** A project plan setting out the timetable for the preparation of planning documents.

**Local Plan:** The plan for the future development of the local area, drawn up by the local planning authority in consultation with the community. For Gedling Borough Council the Aligned Core Strategy forms part 1 of the Local Plan and the Local Planning Document forms part 2 of the Local Plan.

**National Planning Policy Framework (NPPF):** The NPPF sets out the Government's planning policies for England and how these are expected to be applied. It provides the framework within which Local Plans and Neighbourhood Plans can be produced.

**Neighbourhood Plans:** A plan prepared by a Parish Council or Neighbourhood Forum for a particular neighbourhood area.

**Nottingham Core Housing Market Area:** See Housing Market Area above.

**Planning Condition:** A condition imposed on a grant of planning permission.

**Planning Inspectorate (PINS):** Independent agency which examines Local Plans to ensure they are sound. Also decides planning appeals for individual planning applications.

**Spatial Objectives:** principles by which the Spatial Vision will be delivered.

**Spatial Planning:** Spatial planning goes beyond traditional land use planning to bring together and integrate policies for the development and use of land with other policies and programmes which influence the nature of places and how they function for example, investment decisions which are not being delivered solely or mainly through the granting of planning permission such as investment in university research programmes or health care.

**Spatial Vision:** A brief description of how an area will be changed by the end of a plan period.

**Statement of Common Ground:** this is a document that local authorities use to identify cross boundary planning issues and how they are to be addressed by the partner Councils working together.

**Supplementary Planning Document (SPD):** A document which adds further detail to the policies in the Local Plan. It can be used to provide further guidance for development on specific sites, or on particular issues, such as design.

**Sustainability Appraisal (SA):** Examines the social, environmental and economic effects of strategies and policies in a Local Plan from the beginning of its preparation

## Appendix 3

### Guidance on “Material Planning Considerations”

The Council can only take into account “material planning considerations” when deciding planning applications. Examples of “material planning considerations” include:

- Residential amenity
- Highway safety and traffic;
- Design and appearance;
- Impact on Listed Buildings, Conservation Areas, trees; and
- The planning policies of the Council.

Examples of non-planning issues include:

- Private property rights;
- Access for maintenance;
- Covenants;
- Loss of view;
- Property values,
- Competition; and
- Applicants morals or motives.