

GEDLING BOROUGH COUNCIL

GEDLING BOROUGH STATEMENT OF CONSULTATION

June 2014

**Planning Policy Section
Gedling Borough Council
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1. Introduction

- 1.1 This Statement of community Involvement (called the Statement of Consultation) 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 prepared in 2006. It exceeds the minimum legal requirements for consultation set out in the Planning Acts and regulations.

2. Planning Policy

The Local Plan (formerly Local Development Framework)

- 2.1 The Local Plan sets out how the District 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



- 2.2 Development Plan Documents may include:
- Core strategy – setting out the overarching spatial vision
 - Development Management Policies – sets out policies for the management of development against which planning applications will be considered
 - Other Development Plan Documents – allocates land for specific uses
- 2.3 Supplementary Planning Documents give further explanation and detail to Development Plan Document policies. They are subject to statutory procedures including community involvement but are not subject to independent examination.
- 2.4 Other documents that support a Local Plan include:
- Local Development Scheme - sets out the programme for the preparation of Development Plan Documents and also lists supplementary planning documents to be prepared
 - Statement of Community Involvement (this document)
 - Authority Monitoring Report

Principles

- 2.5 We will abide by the following principles when consulting on the Local Plan:
- We will involve the public and consultees at the earliest opportunity when producing documents
 - 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)

- 2.6 We prepare development plan documents of which the most important is the core strategy which includes the overall vision for the area, the key strategic objectives and delivery strategy. Gedling Borough along with Broxtowe Borough Council and Nottingham City Council have jointly prepared Aligned Core Strategies and all three core strategies are covered within a single document called Greater Nottingham Aligned Core Strategies (ACS). Although the commencement of the aforementioned joint working on the Aligned Core Strategies pre-dated the introduction of the duty to cooperate brought in by the Localism Act 2011, it is considered that the joint working between the Greater

Nottingham Authorities to date is very much a good model for cooperative working and fit for purpose in terms of the 2011 Localism Act.

- 2.7 Within the strategic planning framework set out in the ACS, we are preparing the Local Planning Document for Gedling Borough which contains both site specific development policies and development management policies. The above mentioned duty to cooperate between local authorities on significant planning issues impacting on more than one local authority set out in the Localism Act applies to both the ACS and the Local Planning Document.
- 2.8 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 regulations¹ do prescribe certain stages where the public are to be consulted and this is shown in the appendix. Essentially the consultation policy will be the same for both Development Plan Documents like the Gedling Borough Local Planning Document and for Supplementary Planning 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

- Statutory organisations ²including Councils, infrastructure providers and government bodies as legally required or otherwise appropriate;
- Organisations representing local geographical, economic, social and other communities or other relevant interests;
- Local businesses, voluntary and other organisations;
- Others who have expressed an interest in the subject matter; and
- The general public.

How we will consult

- Before starting a consultation, we will prepare a consultation strategy;
- 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 locations open to the public like Council offices and libraries;
- If requested we will give consultation documents to community groups, councils and statutory organisations;
- 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. We will explain how these comments have been considered when decisions are taken.

¹ The Regulations are set out in the Town and Country Planning, (Local Planning) (England) Regulations 2012.

² The Town and Country Planning (Local Development) (England) Regulations 2012.

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; and
- 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;
- We will formally publish the Proposed Submission document for representations prior to independent examination.

For Supplementary Planning Documents (SPDs)

- We will ask for views on issues, ideas and information from appropriate organisations, individuals or communities;
- After considering the initial comments we will carry out informal consultation;
- We will consult on a draft version of the Supplementary Planning document
- After considering the responses to the draft we will consider the need for further consultation; and
- Once we consider there has been enough community involvement we will adopt the Supplementary Planning document

Seldom Heard Groups

- 2.9 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.
- 2.10 We will ensure information is made available in a variety of formats, including Braille, large print, and other languages on request.

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.
- 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, 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
 - Provide information and advice to applicants on the process of administering pre- applications on the Borough Council's website.
- 3.4 Details of charges made for providing pre-application advice will be set out on the Council's website.

Planning Application Stage

How we will publicise planning applications

- 3.5 We are required by law³ 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:-

³ Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2010.

Type of Development	Publicity Required
Major development submitted with an environmental statement; Applications involving a departure from the development plan; Or development affecting a public right of way	Posting of a site notice and Notice in a local newspaper.
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 letter.
Other Publicity Arrangements. Examples of development subject to special publicity may include those which affect nearby property by causing noise, smell or vibration or other nuisance; those attracting crowds, traffic and noise during unsocial hours; or those introducing significant change such as tall buildings.	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.

How we will consult

- Anyone can comment not just those who have received a letter. In addition to placing a site notice and notifying neighbours, 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 set out below. 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: www.gedling.gov.uk.
- We will consult various specialists and relevant organisations including statutory consultees⁴ such as parish councils, the Environment Agency and

⁴ As set out in Schedule 5 to the Town and Country Planning (Development Management Procedure) (England) Order 2010.

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 or through the Public Access System on the Council's website. Only those received by e-mail through the Public Access System will be acknowledged as having been received.
- Comments should consider 'material planning considerations'. Examples include
 - § Loss of light or overshadowing
 - § Impact on residential amenity
 - § Planning policy including the Local Plan and National Planning policy
 - § Impact on listed buildings and conservation areas
 - § Nature conservation
- Examples of issues that are not material planning considerations include: loss of property value or the loss of a person's private view.

Amendments to Applications

- 3.6 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 re-consultation will be undertaken. The timeframes for re-consultation will vary between 7 and 14 days dependent upon the time available (there is no statutory requirement to carry out re-consultation).

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 10 dwelling or for commercial developments over 5000 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 for viewing at the Civic Centre as well as on the website.

3.10 To check on the progress of a planning application:

- Contact the Development Management Team on 0115 901 3971 or call in at the Civic Centre
- Register on the Councils website at <https://pawam.gedling.gov.uk/online-applications/registrationWizard.do?action=start> As well as checking on current applications you can register to be notified of any future applications.

Developer Community Involvement

3.11 At the pre-application stage we consider 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.

3.12 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. Further Information

- 4.1 If you wish to know more about the Statement of Consultation or any aspect of the planning policy or planning applications, please contact us 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 Economic Development (Planning Policy)
Civic Centre
Arnot Hill Park
Arnold
Nottingham
NG5 6LU

By telephone (0115) 901 3757

By e-mail: planningpolicy@gedling.gov.uk for planning policy.
developmentcontrol@gedling.gov.uk for planning applications.

Website: 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

Stages of the Preparation of a development plan document

Development Plan Document Stage	Consultation
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 (regulation 18)	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 (regulation 19)	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 (regulation 22)	The Council will formally submit the development plan document to the Secretary of State 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 documents as part of the Local Plan.