



'How We Consult With You' – Plymouth's Statement of Community Involvement and Compact Code of Practice – sets out a minimum standard of consultation practice. Plymouth's Local Strategic Partnership has agreed to adopt this in April 2009.

The 'Plymouth Compact' is an agreement between the local public sector bodies and the third sector to support and improve partnership working.

This statement sets out how Plymouth City Council's Planning Service will involve people in decision making. It should be read as an appendix to 'How We Consult With You'.

For more information about Plymouth2020, Local Strategic Partnership and the Plymouth Compact visit the website:

www.plymouth.gov.uk/tspcompact



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Involving you in Planning Services

Planning affects all our lives.

The homes we live in, the open spaces we enjoy, the leisure facilities we use, and the roads we travel on are all the result of planning decisions. For many people planning is something they only get involved with when a development directly affects them. Even then, often their involvement is frustratingly too late to really influence the process.

This statement sets out how Planning Services implement the commitments set out in 'How We Consult With You'. It includes a brief explanation about how planning works and what you can expect when you get involved. It also provides a basis against which all planning consultation can be measured.

This statement is a legal requirement as set out in the Planning and Compulsory Purchase Act 2004.

Planning is a continuous learning process, seeking to understand and influence the future of the city.

1. Planning Policy: Policies are produced to guide the city's future development. Policies need to take into account local, regional and national needs and interests. This includes developing policies for the historic environment, green spaces and tall buildings for example. They also need to consider how changes will be delivered and monitored.

The Local Development Framework (LDF) forms the main planning policy for the city. This is a set of documents that contain the policies and guidance for how the city will develop in the future.

2. Planning Applications: Planning applications are considered using the LDF and lots of other advice and information. This is where specific, detailed decisions are made about what happens to a piece of land or a building.



Top tip: The earlier you can get involved in planning decisions the more influence you can have.

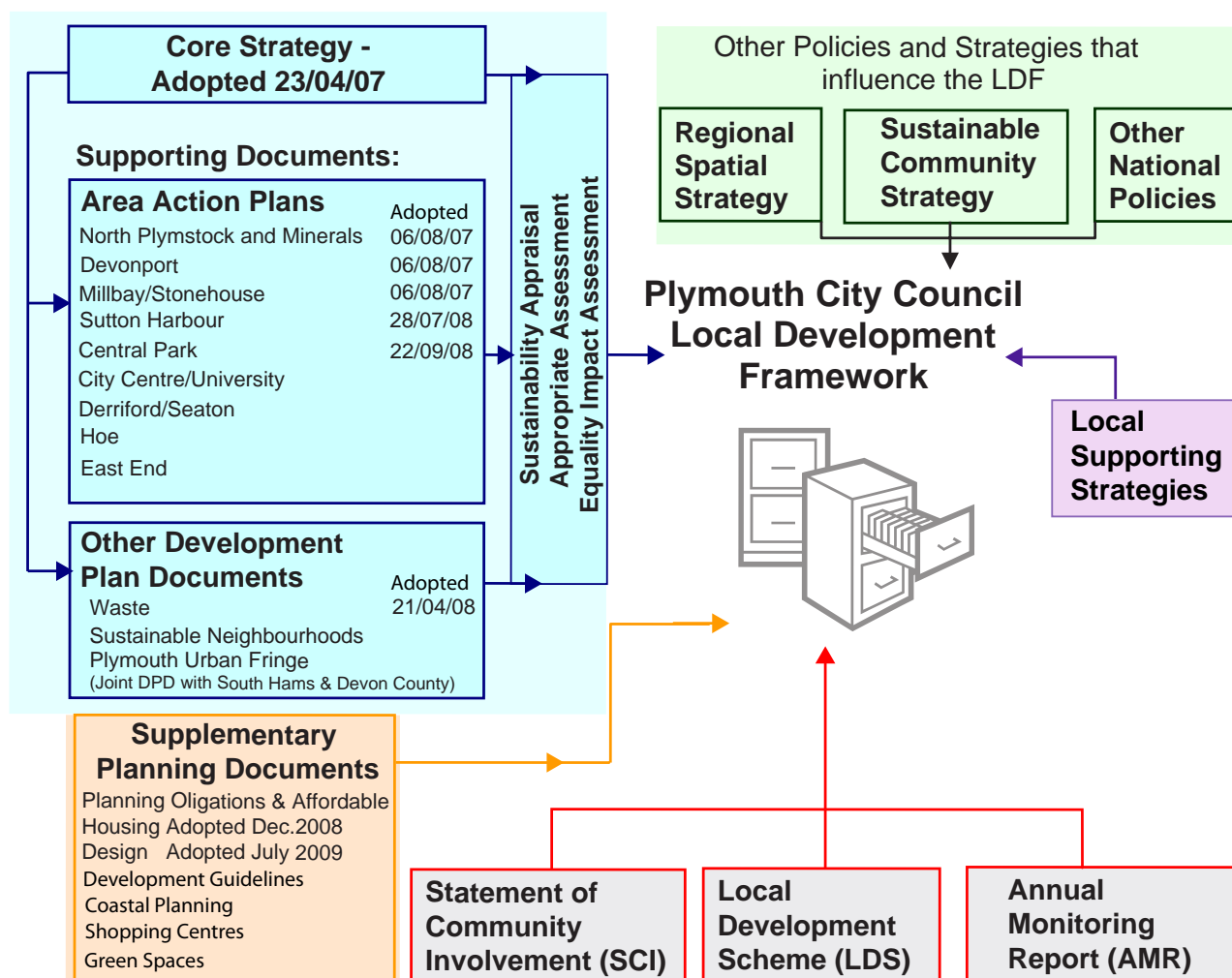
Planning Services support this approach by investing time and resources at the early stages when comments and ideas can best be considered and included.



Local Development Framework

The LDF is central to delivering Plymouth's vision for the future. It sets out how the city will grow and develop over the next 15 years.

There is a range of documents included in Plymouth's LDF, including a Core Strategy and Area Action Plans for areas that will be going through significant change in the coming years. These are known as local Development Plan Documents. The scope and detail of Plymouth's LDF is outlined in the latest Mini Guide.



★ Top tip: The Local Development Scheme sets out the timetable and processes for each part of the LDF that is being developed or reviewed. Have a look at the latest copy so you know what is happening when. It is updated every year.

There are two different types of Local Development Framework documents:

Development Plan Documents: These are formal plans for a geographical area or on a subject (for example Waste). They are subject to rigorous procedures including several consultation stages and an independent examination. They also require a Sustainability Appraisal (SA) – an assessment of the economic, social and environmental impacts of a plan

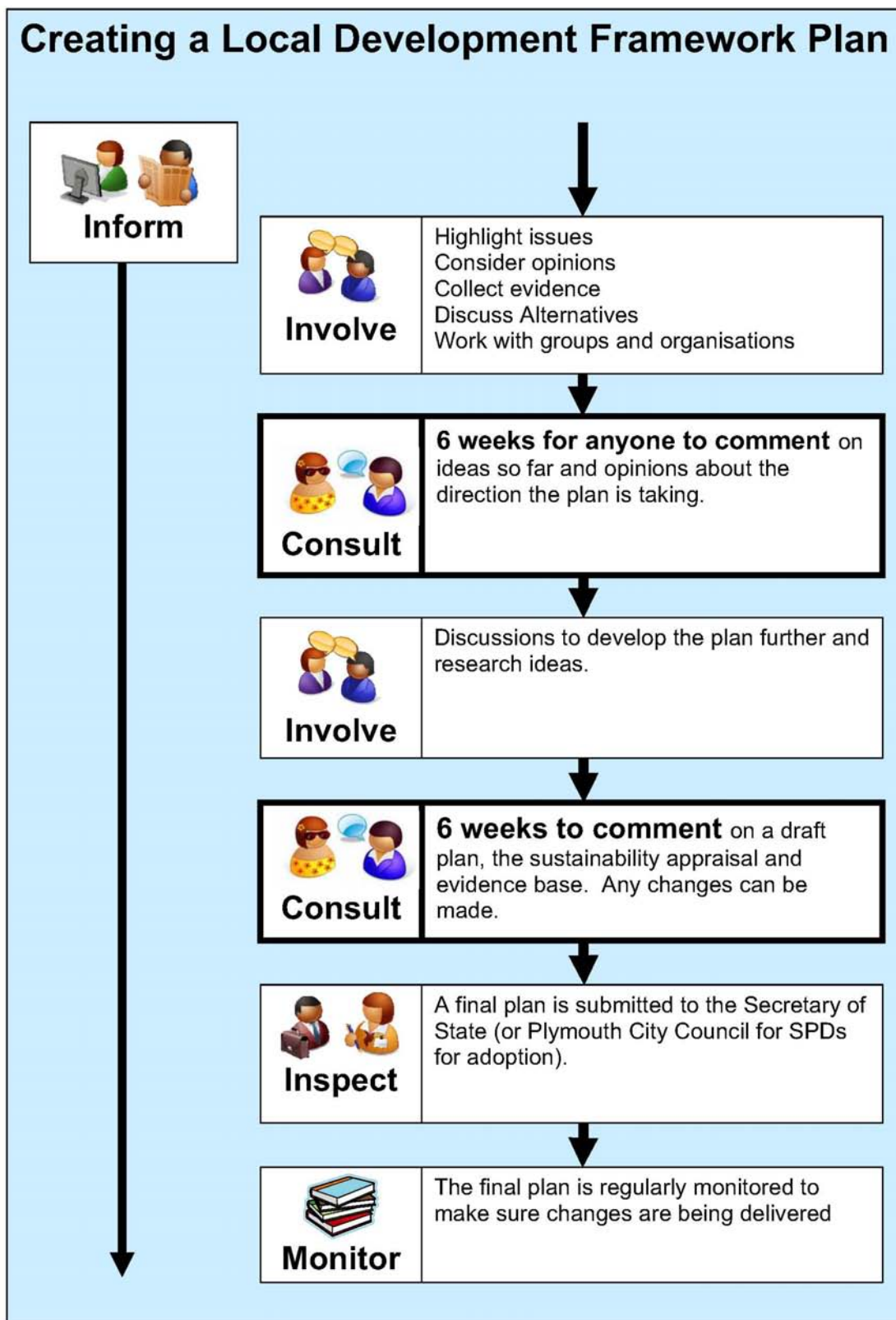
Supplementary Planning Documents: These can provide further details to the Development Plan Documents where required. These need to be consulted on and are agreed by Council (all of the elected local councillors).



Top tip: As well as commenting on the document, don't forget you can also comment on the Sustainability Appraisal.



To produce a document for the Local Development Framework these are the main stages:



This process seeks to build consensus between all the different ideas and issues to create the best plan possible.

Once a plan is adopted it is still constantly monitored to make sure changes are being delivered. It may be reviewed, where necessary, to accommodate unexpected changes or circumstances.



Top tip: All documents, and their supporting evidence base, are available for free on the website and for you to read in libraries, Housing Offices and the Civic Centre.

Planning Services are committed to using material wisely to protect the environment and costs. Consequently, we have to charge for paper documents at the more formal stages of plan production. You can find out more about this in the Planning Services Fees Policy.

A range of methods to involve, consult and inform will be used throughout the plan making process.

Statutory requirements at all stages and for all LDF plans

Planning Regulations contain minimum requirements for consulting on Development Plan Documents and the SCI. The Council has to make all consultation documents available at the Council Offices and other places (such as libraries and Housing Offices) for a period of six weeks. Documents and supporting information need to be published on the website (which will include information on when and where people can see the documents). As well as sending documents to the 'specific consultation bodies', a notice needs to be placed in the local newspaper with detailed information on the six week consultation period and where comments can be sent to.

Who are we talking to?

The following list sets out the people Planning Services consult at statutory stages in preparing their LDF.

This list is not prescriptive but shows the broad range of people that are consulted.

An up-to-date list of all the organisations on the database is available on the web:
www.plymouth.gov.uk/sci

This list is constantly updated. Organisations, groups and individuals that wish to be added can do so by going to www.plymouth.gov.uk/ldfgetinvolved or by contacting Planning Services directly.

Please note this list relates to successor bodies where re-organisation occurs.

The following groups will be consulted as required throughout the preparation of the LDF. They are also indicated in the Town and Country Planning (Local Development) (England) Regulations 2004.

- South West Regional Assembly (Regional Planning Body)
- Natural England
- The Environment Agency
- English Heritage
- National Rail
- Highways Agency
- Relevant Strategic Planning Authorities (Cornwall, Devon, Dartmoor and Torbay)
- Relevant District Councils (Caradon, South Hams, West Devon)
- Relevant Parish Councils and Town Councils
- South West Regional Development Agency – SWRDA (Regional Development Agency)
- Relevant electronic communication companies
- Strategic Health Authority
- Relevant electricity and gas companies; such as SWEB, British Gas
- Relevant sewerage and water undertakers; such as South West Water
- Government Office for the South West (GOSW)

Seldom heard groups

Planning Services are committed to providing fair and equal access to our services. Resources will be directed towards seldom heard groups that are identified in Equality Impact Assessments. This is important to ensure that people who are most affected by plans have a chance to be involved, and to ensure we are meeting our statutory obligations under equalities legislation. This will be reviewed against a published baseline to monitor changes required.

Other Planning Policy

There is a range of other planning policies developed by the Council that support the Local Development Framework and are used to inform and guide planning applications. For example, policies on:

- Historic Environment
- Coastal matters
- Design
- Nature Conservation
- Transport
- Planning Briefs
- Sustainability
- Employment
- Housing

These policies will be developed in accordance with the values set out in Plymouth's Statement of Community Involvement. In addition to local policies, there are also national and regional policies and guidance.



Planning Applications

The Council's Planning Service is responsible for making decisions on all development proposals within the city. These can range from supermarkets and new offices to a simple house extension.

This includes determining the Council's own applications (for example, a new school or waste disposal site) and applications affecting historic areas (for example, Conservation Areas and listed buildings). These need to follow special procedures, but the consultation requirements are the same as for other applications.

There are two distinct stages for community involvement in planning applications.

- 1. Pre-application consultation:** this is consultation run by a developer prior to putting in a formal planning application. Planning Services strongly recommend that this is carried out for any major or significant planning application.
- 2. Application consultation:** once a planning application has been submitted the Council takes over responsibility for carrying out consultation through statutory publicity and notification.

Developers have to provide additional community benefits to offset the impact of a development. It can include the need to provide affordable housing, transport changes and other local community benefits. These are called planning obligations or Section 106 agreements. This is set by a tariff outlined in the Planning Obligations Supplementary Planning Document.

Occasionally there are additional planning obligations that are negotiated. Often these will be set out in LDF documents showing how changes should be delivered. These are subject to several stages of consultation. Developers are also encouraged to consult on larger applications prior to putting in their planning applications. This can identify specific impacts or opportunities that their development could have.

Pre-application Consultation (by developers)

Developers running pre-application consultation on major or significant applications are strongly advised to conform to the commitments set out in Plymouth's Statement of Community Involvement.

In particular, Planning Services expects developers to:

- Set clear objectives and agree the consultation approach with the Planning Service.
- Inform people about the details and scope of the scheme and be clear what can be influenced by making comments.
- Adopt a range of methods recommended in Plymouth's Statement of Community Involvement.
- Consider what is required to involve seldom heard groups or groups that will particularly be affected by the changes.
- Clearly identify any changes made as a result of comments based on sound planning reasons.
- Submit a statement outlining the community involvement that has been carried out with the Planning Application to enable the process and outcomes to be validated.

Application Consultation (by the Council)

- Once a planning application has been submitted there will be a statutory consultation period of 21 days.
- The Council will publish applications on-line.
- The Council will be advertised on the Council website, with a site notice, neighbour letters and press advert if appropriate.
- All comments must be received in writing within the specified consultation period.
- Comments can be submitted either by letter or e-mail.
- Comments made outside of this formal consultation period will only be considered if circumstances allow.



Top tip: Comments should consider planning considerations, examples include:

- Loss of light or overshadowing
- Overlooking/loss of privacy
- Strategic views
- Transport problems
- Noise and disturbance resulting from use
- Hazardous materials
- Smells
- Loss of trees
- Effect on listed building and Conservation Areas
- Layout and density of building
- Design, appearance and materials
- Landscaping
- Local, strategic, regional and national planning policies (for example, the LDF)
- Disabled persons' access
- Previous planning decisions (including appeal decisions)
- Nature conservation
- Archaeology

Examples of issues that are not planning considerations include the loss of value on a property or the loss of a person's private view.


Who makes the decisions?


Once the consultation period has been completed, a recommendation on the planning application is made by a Planning Officer. The final decision is then made in accordance with the Council's Scheme of Delegation, either by a Senior Planning Officer, or by Planning Committee.


In some circumstances where there is an appeal, the final decision will be made by an Independent Planning Inspector.

Pre-application Consultation


Consultation by developers

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|  <p>Agree process</p> | <p>Developer agrees process of involvement with Planning Services.</p> <p>Developers will be asked to follow Plymouth's Statement of Community Involvement.</p> |
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|  <p>Consult</p> | <p>Developers consult with relevant communities, organisations and Council representatives.</p> |
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|  <p>Review</p> | <p>Developer produces a report explaining what consultation they have done, the issues raised and how those issues have been considered in the final application</p> |
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Failure to consult adequately or not including a detailed report may result in an invalid application


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|  | <p>Application is validated by Planning Services and recorded on the Planning Register – this is available for the public to view</p> |
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Application Consultation


Statutory for ALL planning applications

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|  <p>Consult</p> | <p>By law the Planning Application is publicised (e.g site notice, neighbour letter, website and press adverts).</p> <p>21 days for you to make comments</p> |
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|  <p>Review</p> | <p>The Council examine all the material considerations including comments made.</p> <p>If new issues are raised there may be an additional 14 days to comment on amended plans.</p> |
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|  <p>Decision</p> | <p>For smaller applications a delegated decision will be made by the Head of Planning Services; otherwise the decision will go to Planning Committee.</p> <p>Planning Committee is made up of 12 Councillors. It is a public meeting with the opportunity for people to speak by prior arrangement</p> |
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Decision made

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|  <p>Inform</p> | <p>Information about the decision is sent to interested parties.</p> |
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Please note:

Appeals against the decision or conditions may be made to the Planning Inspectorate. The Planning Service will notify those who commented so they can make further comments. The Planning Inspector decides to allow or dismiss the Appeal. Planning Inspectorate notifies interested parties of the decision.


Are we doing what we have promised?

Planning Services are committed to good quality engagement and opportunities for you to be involved. If you have any comments about how Planning Services are involving you, or how the SCI can be improved, please get in touch.

You can do this by:

- Contacting us directly;
- Going through the Council's formal comment procedure 'Have your say';
- Comment formally as part of the planning process that we, or a developer, have not met the commitments outlined in this document.

The SCI will be reviewed at least every 5 years. It may be reviewed sooner if regulations or circumstances require.

 **Top tip:** You may also be interested in the Planning Services Customer Charter which sets out generally the standard of service you can expect.

Where will the resources come from?

Community involvement has clear implications for resource management. Planning Services will seek to run all consultation as effectively as possible. It will also seek to maximise return from other consultation or existing networks to avoid duplication and reduce consultation fatigue.

Consultation carried out for LDF documents, and once a planning application has been submitted, will be resourced by Planning Services.

Pre-application consultation will be resourced by the applicant, with the assistance of the Development Management Unit where necessary.

Planning Services may also work together with organisations to jointly fund or support events where appropriate.

Further help

Planning Aid

Planning Aid is a service offering free professional advice and support on town and country planning matters (e.g. Development Plan Documents and planning applications) to community groups and individuals who cannot afford to pay the fees of a consultant.

Planning Aid is not part of central or local government but an independent source of advice and support which complements the assistance given by local authorities. The Council's Planning Service works closely with Planning Aid to enable them to offer training opportunities and support wherever possible.

You can contact them at:

South West Planning Aid
 The Architecture Centre, Narrow Quay, Bristol BS1 4QA
 Helpline: 0870 850 9807 or 0117 929 729
 Email: swco@planningaid.rtpi.org.uk
www.planningaid.rtpi.org.uk



Glossary

Community – This is very difficult to define as there are lots of varied interpretations. In this statement it is considered as a group of people who have common characteristics. Communities can be defined by location (such as a street or a neighbourhood), race, ethnicity, age, occupation, a shared interest (such as cycling or local businesses) or affinity (such as religion and faith) or other common bonds.

Consultation – A more structured form of participation. A dialogue between individuals or groups, based upon a genuine exchange of views, and normally with the objective of influencing decisions, policies or programmes of action.

Engagement – Actions taken to establish effective relationships with individuals or groups so that more specific interaction can then take place.

Equality Impact Assessment – This looks at what we are doing and makes sure that it meets the rules and regulations we have to meet. It is one of the ways to make sure we talk with people from a range of backgrounds and gather information to do the very best that we can to deliver services in a fair, equitable and needs-sensitive way. The six equality strands – age, disability, faith and belief, gender, race and sexual orientation – are covered in EIAs. By completing them, we get a better idea of what impacts there might be on those groups. We can then make sure we have thought about and put in place a plan of action to address any negative impacts identified.

Involvement – Applies to a wide variety of interactions between decision makers, individuals and representative stakeholders to identify issues and exchange views on a continuous basis.

Key Stakeholders – Organisations selected on the basis of their interest in the outcomes.

Local Strategic Partnership – Plymouth has a Local Strategic Partnership called Plymouth 2020. Based on the principle that many issues facing the city and its community today can only be tackled and resolved if all parts of the community work together, the Partnership brings together many organisations and groups that are involved in making decisions that affect the future well-being of the people of Plymouth. The voluntary, community, business and public sectors are all represented within Plymouth 2020 Partnership.

Major Application – Applications for larger scale housing, retail and commercial developments.

Participation – An all round term that describes the extent and nature of activities undertaken by those who take part in public or community involvement.

Place Survey – A survey carried out across the country to find out people's opinion on a wide variety of local issues. The survey will be held annually in Plymouth.

Planning Committee – The planning committee is responsible for making decisions on the bigger and more sensitive planning applications received by the council. The planning committee is made up of 12 city councillors who are responsible for deciding planning applications, listed building and conservation area consents, as well as enforcement cases. Which items are considered by the committee is decided through the Council's Scheme of Delegation.

Planning Consideration – The councillors or council officers who decide your application must consider whether there are any good planning reasons for refusing planning permission or for granting permission subject to conditions. They are not permitted to reject a proposal simply because people oppose it. They will look at whether your proposal is consistent with the development plan for the area. The types of planning issues they can additionally consider include the effect on amenity, impact upon the appearance of surrounding areas and potential traffic problems. Personal circumstances of the applicant, moral issues or the effect the development may have on nearby property prices are not relevant to planning and will not usually be taken into consideration by the council.

Planning Inspector/Inspectorate – The Planning Inspectorate may get involved in a variety of work; for example, the processing of planning and enforcement appeals and holding inquiries into local development plans. They also deal with a wide variety of other planning-related casework including listed building consent appeals, advertisement appeals, and reporting on planning applications.

Scheme of Delegation – Sets out the roles and areas of responsibilities carried out by cabinet members.

Significant Application – Significant applications are major planning applications that are a departure from the Local Development Framework; applications where an Environmental Impact Assessment is required; large scale retail proposals; large scale residential developments on greenfield land and developments proposed on playing fields.

Stakeholder (see Key Stakeholder)

Statutory – Required by law (statute), usually through an Act of Parliament.

Third Sector – This is made up of organisations that are not in the private or public sector, for example, voluntary organisations and community groups.

Abbreviations

DPD – Development Plan Document

EIA – Equality Impact Assessment

LDF – Local Development Framework

LDS – Local Development Scheme

SCI – Statement of Community Involvement

PPS – Planning Policy Statement

RSS – Regional Spatial Strategy

SPD – Supplementary Planning Document

SA – Sustainability Appraisal

More information

If you are interested in getting involved in decision making you may find the following link informative:

Communities in Control: Real People, Real Power – www.communities.gov.uk

The Empowerment Fund – www.communities.gov.uk/empowermentfund

