



Gloucestershire
COUNTY COUNCIL

Statement of Community Involvement

1st Review

Adopted (March) 2013



**Gloucestershire County Council
Shire Hall
Gloucester
GL1 2TG**

www.goucestershire.gov.uk

Telephone: 01452 425000

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1 | INTRODUCTION

The planning system touches the lives of everyone in Gloucestershire. However, for many of us we come into contact with it only when we find out about a nearby planning application. What is often not known is that approved schemes have got to fit into the wider plan for an area, as well as be consistent with national policies issued by Central Government.

For every new planning document that we produce and any planning applications that are submitted to us to determine, we must consult and engage with people and organisations in making our decisions.

To help set out how we will go about this a Gloucestershire County Council Statement of Community Involvement (SCI) has been prepared. It is also a requirement for the County Council as a planning authority¹.

The SCI covers all consultations that will be undertaken in relation to our future development plan documents covering minerals and waste and also for all planning applications that are submitted to the County Council.

The first SCI was adopted by the Council in December 2005. This 1st Review version is a replacement that incorporates numerous changes to the planning system in England that have taken place since the end of 2005.

We undertook a public consultation on a draft 1st Review SCI for a period of eight weeks between November 2012 and January 2013 before elected members of the Council adopted this replacement SCI in March 2013.

In undertaking all future consultation and engagement we will also have regard to wider County Council policy and to the following legislation:

- Human Rights Act,
- Freedom of Information Act,
- Data Protection Act, and
- Equality Act.

¹ A statement of community involvement is required under Section 18 of the Planning and Compulsory Purchase Act 2004 as amended by the Planning Act 2008, Localism Act 2011, The Town and Country Planning (Local Planning) (England) Regulations 2012 and is informed by the National Planning Policy Framework 2012.

2 | CONSULTATION: DEVELOPMENT PLAN DOCUMENTS

This SCI sets out guidelines for any development plan preparation that we intend to carry out in the foreseeable future. This includes the new Gloucestershire Minerals Local Plan, which will replace the Adopted Minerals Local Plan (1996 - 2006) and other Development Plan Documents, covering such matters as waste development management policies. All future Development Plan Documents will sit alongside the Gloucestershire Waste Core Strategy, which was adopted in November 2012.

A key aim of consultation and engagement is to attempt to build consensus in Gloucestershire for the way forward for minerals and waste development. Whilst it is accepted that full consensus is not possible, greater understanding should help minimise conflict and avoid delays in plan preparation.

Consultation methods and processes for engagement will be chosen to make them as relevant and effective as possible based on the different stages of the plan-making process. Electronic communication, online representations and social media will be used as widely as possible. Where this is not possible a person may request a hard copy of consultations documents, although at certain stages of the plan-making process a charge may have to be made by the Council to cover costs. Where a person does not have an email address, letters shall be sent to them informing them of the consultation and written representations will be welcomed.

The table over the page provides information on who we particularly wish to engage with at each of the specific consultation stages. The 'specific consultation bodies' are those that we are statutorily required to consult with in preparing our new plans and proposals. In addition, there are a number of other 'general consultation bodies' that we will also consult as a matter of course, mostly comprising local organisations and groups representing different sections of the Gloucestershire community. Outside these two broad categories, interested parties or individuals will also be added to our main list of consultees if they wish to be notified of consultations. We will manage and review our consultation database regularly to keep it as up-to-date as possible.

Types of consultee	Who this means?
Specific Consultation Bodies	<ul style="list-style-type: none"> • Environment Agency; • English Heritage; • Natural England; • Network Rail; • Highways Agency; • Local authorities, parish / town councils and the police & crime commissioner in and adjoining the planning authority area; • Communication operators / facility owners (e.g. mobile phones); • Clinical commissioning groups operating within the planning authority area (formerly the primary care trust); • Electricity, gas, sewerage and water companies; • Homes and Communities Agency; • Coal Authority; and • Marine Management Organisation.
General Consultation Bodies	<ul style="list-style-type: none"> • Voluntary bodies in the area – including those representing environmental, heritage and wildlife matters; • Bodies representing groups of people who share protected characteristics as per the Equality Act; • Bodies representing business in the area - i.e. the Local Enterprise Partnership, minerals and waste trade bodies, and transport and/ or haulage organisations, NFU; and • Other agencies such as British Geological Survey, HSE and Crown Estates.

Consultation periods

All consultation periods will be for a minimum of six weeks but where possible we will extend this to eight weeks, or, if the consultation period occurs over a key holiday period, for longer.

Availability of documents

All consultation documents and supporting material will be made available in hard copy as well as in electronic format. Hard copies will be made available for inspection in the main reception areas of the County Council (at Shire Hall, Westgate Street, Gloucester); the primary offices of Gloucestershire's district, borough and city councils; and throughout Gloucestershire County Council's libraries.

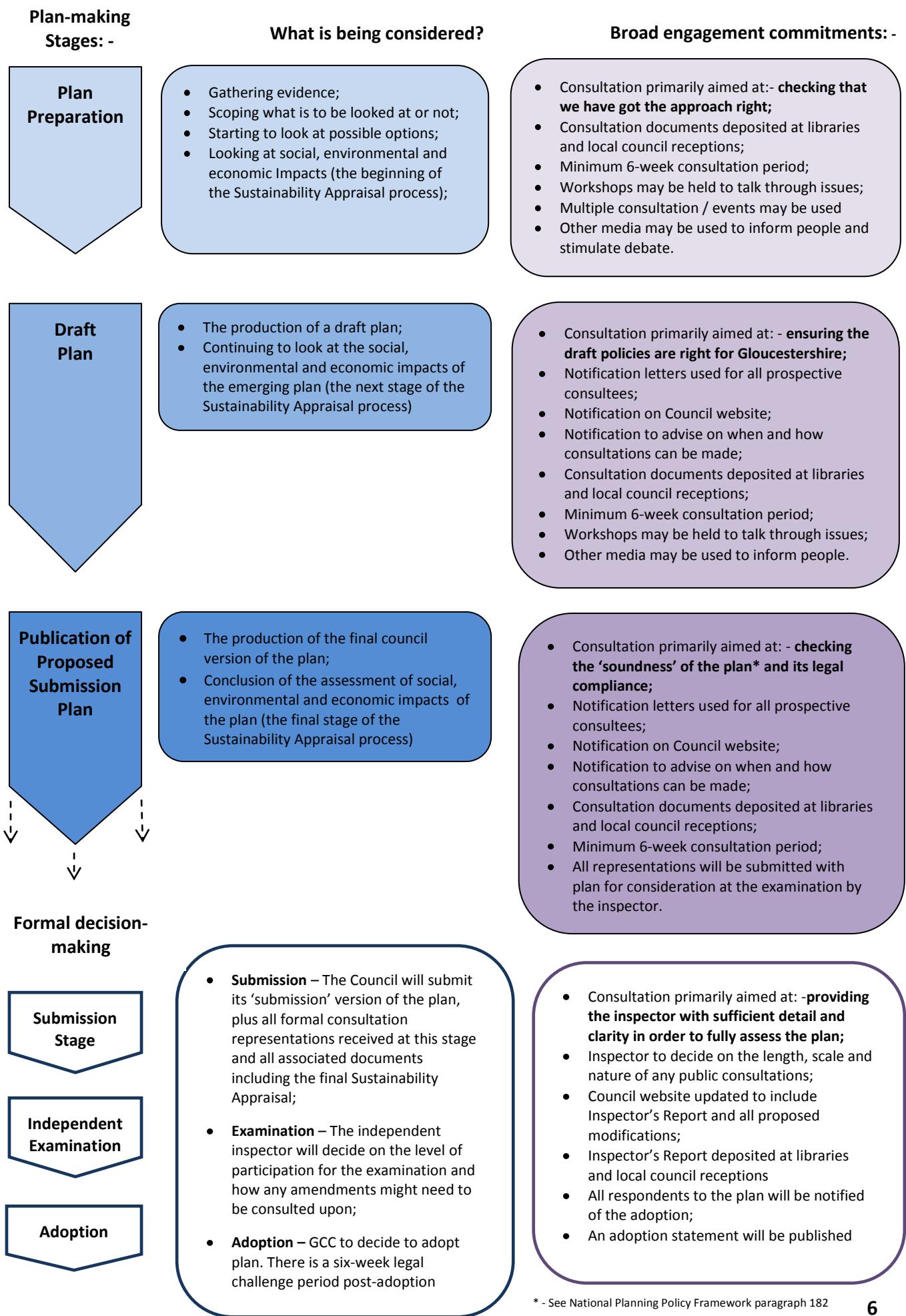
Copies of consultation documents will be sent on request to specific bodies (such documents being in an electronic format). However, a charge to cover costs may be made for other requests. All documents will be freely available on our website.

Consultation stages

The plan-making stages of consultation and engagement are governed by statutory procedures². National guidance is also provided to support the process. The later, decision-making stages are more formal in nature and we cannot deviate from these. The diagram over the page shows the key stages of consultation and broad engagement commitments we intend to carry out.

² Statutory procedures are contained within the Town & Country Planning (England) (Local Planning) Regulations 2012 as made by the Planning and Compulsory Purchase Act 2004, Planning Act 2008 and Localism Act 2011.

Figure 1: Key consultation stages & engagement for development plan documents



* - See National Planning Policy Framework paragraph 182

3 | CONSULTATION: DEVELOPMENT PROPOSALS AND PLANNING APPLICATIONS

This SCI also sets out the how we will consult the public and other organisations when dealing with planning applications, including at the pre-application stage. In the first instance we must meet minimum requirements, which are provided in regulations and set out in law. A separate document – **Gloucestershire County Council Development Management Standards of Service** will explain what these mean in more detail for Gloucestershire. It will also highlight current service delivery commitments through our planning service. The Standards of Service is to be prepared following the conclusion of the revised SCI.

We are responsible for determining planning applications, and for providing pre-application advice, for the following types of developments: -

- Mineral extraction such as quarrying and mining;
- Waste disposal, recycling and other related operations such as landfill sites, household waste recycling centres or scrap dealers; and
- Infrastructure development on land controlled by the County Council such as new or extended libraries, schools or new roads.

Involvement in pre-application proposals

Where development proposals may be expected to have significant effects in the local area we will encourage prospective developers / applicants to undertake community engagement at an early stage in drawing up their plans. This also includes Gloucestershire County Council or its agents in relation to major County Council development. Prospective developers / applicants will therefore need to think about the various methods available to ensure communities are involved in drawing up their proposals. These might include letters and leaflets with easily readable plans and diagrams explaining emerging proposals, public meetings, exhibitions or more involved workshops. We may require a 'Statement of Pre-application Community Engagement' to be produced, should such a proposal progress to the application stage. Failure to do so could incur difficulties and delay in being able to validate any associated planning applications. The Statement of Pre-application Community Engagement will need to show: -

- How communities have been engaged;
- What were the issues raised by communities;

- The resulting recommendations for the emerging application proposal; and
- The changes that have been made to the proposal prior to submission of the application.

Awareness raising and notifying the public of new planning applications

On receipt of a valid planning application we will place a notice on or near the application site giving details of the application, where further information can be found, and the date by which any comments will need to be submitted to us. This site notice must be displayed for at least 21 days. A copy of the notice will also be placed on the Council's website for the same period.

For most planning applications for minerals and waste development we will also place a public notice in a local newspaper, which is in circulation in the vicinity of the site. The newspaper notice will also invite comments from the public for not less than 21 days following publication.

Where there are people living or working nearby an application site, we will notify them by letter giving 28 days from the date of the letter in which to respond. This extended period of notice is to accommodate unforeseen delays in postal collections and deliveries. Generally we do not employ tight thresholds for deciding who to include in such consultations. However, we will try to ensure all properties bordering the application site outlined in red on the submitted plans and those we believe would most likely be affected by proposals are sent a consultation letter. The Development Management Service will decide which properties to consult on a case by case basis guided by regulatory requirements and local notification criteria set out in the Development Management Standards of Service.

Informing others of new planning applications

In addition to notifying the public about new planning applications we will consult public bodies such as district and parish / town councils and other relevant technical organisations or agencies, giving them a minimum of 21 days to respond. Most public bodies have a duty to respond to our consultations. However, we may agree time extensions for complex applications and to accommodate meeting schedules to give them more time to respond.

Dealing with comments made on planning applications

Where we receive comments to planning applications by post or by e-mail, these will be available for public inspection at Shire Hall, Westgate Street, Gloucester by appointment. However, if comments arrive via our website, they will also appear on our website for others to see – albeit only the contributor's name will be associated with comments and all other details removed. Responses received from other statutory, public bodies and / or general consultation bodies will also be made available to view on our website. We will endeavour to make such comments available to view within 5 working days of their receipt.

In very exceptional circumstances – for example, when the development proposal in question is very large and / or is likely to generate an exceptional level of public interest – we may decide to put all public comments onto our website, regardless of the way in which such comments were submitted. Under these circumstances, only the contributor's name will be associated with the electronic publication of postal or hard copy comments and all other details removed. This process may take longer than 5 working days of receipt of comments.

Making decisions on planning applications

Minor and less contentious planning applications are more often determined under delegated powers at Director-level on the advice of officers. In all other cases, applications are referred to the County Council's Planning Committee for a decision.

The Planning Committee is made up of elected members who represent communities from across Gloucestershire. All those who have responded to a planning application will be invited to attend the relevant Planning Committee meeting. In many instances respondents will be able to speak at Planning Committee meetings. Details on how, when and for how long public speaking can take place will be set out in the Gloucestershire County Council Development Management Standards of Service and will be published on the County Council website.

Informing decisions on planning applications

All those who have responded to planning applications either by letter, email or via our website will be notified of the decision once it has been made. This will normally be by e-mail unless only postal details have been provided.

GLOSSARY OF TERMS

Adoption The final formal stage in the evolution of a statutory planning document. Once a plan is adopted it has full legal weight in the determination of planning applications.

Communities and Local Government (CLG) The Government department with responsibility for planning and local government.

Core Strategy (CS) A type of development plan document, which should set out the long-term spatial vision for the local planning authority area and the strategic policies and proposals to deliver that vision.

Development Management Alternative name for development control. The act of determining planning applications (and similar) in conformity with the development plan and material considerations.

Development Management Standards of Service The Council's detailed approach to involving people in the process of making decisions on planning applications. It goes beyond the principles and legal requirements as set out in Section 3 of the SCI.

Development Management policies A set of criteria-based policies required to ensure that all development within the area meets the vision and strategy set out in the core strategy.

Development Plan The suite of development plan documents that collectively provide the planning framework used to assess development proposals for a given local planning authority area.

Development Plan Document (DPD) Spatial planning documents that set out the local planning authority's policies and proposals for the development and use of land and buildings in the authority's area. In two-tier areas it may include adopted district local plans, adopted county local plans for minerals & waste, core strategies and / or area action plans (where these have been prepared) and neighbourhood plans. All DPD's are subject to independent examination. There is a right for those making representations seeking change to be heard at an independent examination.

Elected Members Locally elected community representatives that form part of the decision making body in a local authority.

GCC Abbreviation commonly used locally for Gloucestershire County Council

General Consultation Bodies These organisations are listed in the Town and Country Planning (Local Development) (England) Regulations 2012.

Independent Examination The process by which a planning inspector may publicly examine a Development Plan Document.

Inspector's Report This will be produced by the Planning Inspector following the Independent Examination.

Localism Act The Localism Act devolves greater powers to local government and neighbourhoods and gives local communities more rights and powers over decisions about development. It also includes reforms to make the planning system more democratic and more effective.

Local Community - A generic term which includes all individuals (including the general public) and organisations external to the Council. It can also include statutory and other consultees.

Local Development Scheme (LDS) Sets out the programme for the preparation of the development plan documents.

Minerals & Waste Development Plan Document (M&WDPD) Statutory spatial minerals and waste related planning documents that are subject to independent examination. There will be a right for those making representations seeking change to be heard at an independent examination.

National Planning Policy Framework (NPPF) A document setting out the Government's national planning requirements, policies and objectives. It replaces much of the national advice previously contained within Planning Policy Statements, Planning Policy Guidance and Circulars. The NPPF is a material consideration in the preparation of planning documents and when considering planning applications.

Pre-application Community Engagement The process by which a prospective developer will give local people an opportunity to help shape development proposals before they are formally submitted to the planning authority as a planning application.

Planning Inspectorate An organisation which processes planning appeals and holds examinations into DPDs or Local Plans and the Community Infrastructure Levy (CIL).

Public Access the name of the system used to host information on the County Council website about current planning applications and those already decided upon.

Public Consultation A process through which the public is informed about emerging plans or proposals put forward by a planning authority or by development promoter, and are invited to submit comments upon them.

Specific Consultation Bodies These organisations are listed in Town and Country Planning (Local Development) (England) Regulations 2012.

Sustainability Appraisal and Strategic Environmental Assessment (SA/SEA) A systematic and iterative appraisal process incorporating the requirements of the European Directive on Strategic Environmental Assessment. The purpose of the sustainability appraisal is to appraise the economic environmental and social effects of the strategies and policies in a development plan from the outset of the preparation process.

Supplementary Planning Document (SPD) Policy guidance to supplement the policies and proposals in development plan documents. It does not form part of the development plan or subject to independent examination.

Statement of Community Involvement (SCI) The County Council must produce a local development document that sets out how and when the community may be involved in the preparation of Development Plan Documents and the consideration of planning applications.

Statutory bodies A government appointed body set up to give advice on development plans and planning applications affecting matters of public interest. Examples of statutory bodies include Environment Agency and Natural England.

Validation The process of checking the information submitted by planning applicants is sufficient to enable the planning authority to consider the impacts of a proposal and reach a decision on whether or not it should be permitted. A validation checklist is available to assist applicants in identifying what the planning authority might need for each type of planning proposal it is responsible for assessing.

A fuller glossary of common planning terms and phases can be found on the National Planning Portal at:

<http://www.planningportal.gov.uk/general/glossaryandlinks/glossary>