

East Cambridgeshire District Council

Statement of Community Involvement

Local Development Framework and
Planning Applications

April 2012

1 Introduction

This Statement of Community Involvement sets out how we will involve the community in planning for the future of the district. This includes the alteration and development of planning policy documents and applications for planning permission.

The Council adopted a Statement of Community Involvement (SCI) in 2006. This new SCI reflects changes in national planning policy including a new emphasis on 'localism'.

What is planning?

Most new buildings, major changes to existing buildings (including their use) or significant changes to the local environment need consent – known as planning permission. Without a planning system anyone could construct buildings or use land in any way they wanted, no matter what effect this would have on other people in the area.

East Cambridgeshire District Council, as your local planning authority, is responsible for deciding whether a development – anything from an extension on a house to a new shopping centre – should go ahead. In determining planning applications, the Government requires local planning authorities to have regard to the Local Development Framework (LDF). This is a collection of documents which set out the planning policies that will shape the future of East Cambridgeshire.

The main document in the East Cambridgeshire LDF is the Core Strategy (adopted 2009). This is currently being reviewed with the aim of producing a new Local Plan for East Cambridgeshire by 2013.

General principles of planning consultations

We will apply some general principles to our planning consultations:

- Involvement will be open to all regardless of gender, faith, race, disability, sexuality, age, rural isolation and social deprivation.
- Comments may be rejected where they are defamatory, obscene, racist or otherwise likely to cause offence.
- We will seek views of interested and affected parties as early as possible.

- We will select consultation processes by balancing cost and time constraints, community impact and our level of discretion on the outcome.
- Consultation publications will be clear and concise and avoid unnecessary jargon, without understating the complexities of any decision.

How can I be involved in the planning process?

You can get involved in planning decisions affecting you and your community by:

- Having your say during public consultation periods for the Local Development Framework.
- Having your say on planning applications affecting your community.
- Reporting planning control breaches (such as a neighbour building a large extension to their home without planning consent).
- Taking part in any neighbourhood planning initiatives proposed by your Parish or Town Council.

2 Local Development Framework

The LDF is the statutory development plan for the district. It is periodically reviewed or added to in order to keep it up-to-date.

The Council maintains a database of residents and other stakeholders who have asked to be kept informed on the Local Development Framework. From time-to-time we will contact you to see if you still wish to be involved. If we ask if you want to be kept on the database but receive no reply, then your details will be removed from the database. This is to make sure that we only consult interested parties.

Development Plan Documents

We prepare Development Plan Documents containing policies for development and related issues. They must be supported by evidence and generally accord with national policies.

Current planning legislation sets out minimum requirements for a formal consultation process for each DPD but does allow some flexibility for each Local Authority to decide how best to engage stakeholders. The Council is committed to wide community engagement,

including working in close partnership with Parish Councils.

During the final stage of production, the documents are submitted to the Government and an independent Planning Inspector then carries out an Examination into the document, considering the views of interested people. The final decision is made by that Inspector.

The Statement of Community Involvement has a similar process, except that there is no submission to the Government or Planning Inspector involvement. You can find more detailed guidance on the minimum legal requirements for producing DPDs on the Planning Advisory Service website: www.pas.gov.uk/pas/core/page.do?pagelid=109798

Who we will consult

- Statutory organisations including the County Council, neighbouring councils, infrastructure providers and government bodies as legally required or otherwise appropriate
- Organisations that represent 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
- The general public

How we will consult

- We will contact appropriate organisations and individuals directly
- All consultation documents will be made available for download on the Council's website: www.eastcambbs.gov.uk
- We will publicise consultations by a range of methods including: local press advertisements, leaflets, posters, displays, community and social media, existing community groups, community events and joining with other consultations
- We will leave consultation documents on display at locations open to the public such as council offices and libraries
- Copies of some consultation documents may be subject to a small charge, reflecting publication costs
- If asked we will provide a copy/copies of consultation documents to community

groups, councils and other statutory organisations

- Where invited, we will attend relevant meetings, such as Parish Council meetings and Neighbourhood Panel meetings to discuss local issues
- We will publish comments received or a summary as soon as feasible and explain how comments have been taken into account when decisions are taken. A summary of comments will also be reported to a Council committee meeting.

When we will consult

- First, we will ask for ideas, views and information from appropriate stakeholders. After considering the initial comments and the relevance of previous consultation results we will consult on documents which explain issues (and possibly options) to be considered. This is usually known as the 'Issues and Options' stage.
- We will consider the need to prepare documents for additional consultation stages setting out further options, information, greater detail or a preferred option or other useful content.
- We will formally publish the draft document (or equivalent under any revision to the relevant regulations) for consultation once we think there has been enough community involvement.

Supplementary Planning Documents

We may prepare Supplementary Planning Documents (SPDs) to add further detail to the policies in the Local Plan. These may provide further guidance for development on specific sites or on particular issues such as design. Again, they must be supported by appropriate evidence and generally accord with national policies. We will carry out at least one stage of consultation before we adopt. A planning inspector is not involved. You can find more detailed guidance on the minimum legal requirements on the Planning Advisory Service website: www.pas.gov.uk/pas/core/page.do?pagelid=109798

Who we will consult

- Statutory organisations including the County Council, neighbouring 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
- The general public, via the Council's website

How we will consult

- We will contact appropriate organisations and individuals directly
- All consultation documents will be made available for download on the Council's website: www.eastcambs.gov.uk
- We will publicise consultations using a range of methods which may include: local press advertisements, 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
- Copies of some consultation documents may be subject to a small charge, reflecting publication costs
- If asked we will provide copies of consultation documents to community groups, councils and other statutory bodies
- Where invited, we will attend relevant meetings, e.g. Parish Council meetings and Neighbourhood Panel meetings
- We will publish comments received or a summary as soon as feasible and explain how comments have been taken into account when decisions are taken. A summary of comments will also be reported to a Council committee meeting.

When we will consult

- First, if appropriate, we will ask for ideas, views and information from appropriate organisations, individuals and local communities.
- We will then prepare and consult on a draft version of the SPD.
- After considering the responses to the draft, we will consider the need for further consultation and report to committee.
- Once we consider that there has been enough community involvement we will adopt the SPD.

3 Community involvement in planning application decisions

The Town and Country Planning (Development Management Procedure) 2010 sets out the minimum requirements for publicising planning applications. This Authority exceeds these requirements and this section sets out our current practice.

ECDC encourages meaningful community involvement in all planning applications.

Types of planning applications

Planning applications are classified as¹:

Minor household: extensions to dwellings, garages, etc.

Other: Including development up to 10 dwellings, changes of use, commercial development up to 999m² floorspace.

Major: 10+ dwellings, sites of 0.5ha or more, or other uses where floorspace is more than 1000m².

The role of the Council

The extent of community involvement that we seek and/or undertake will depend upon the type of application that is being considered and more extensive consultation will be required for major applications or applications with a significant interest (e.g. likely to be controversial or have significant impacts).

The Council operates a Pre-Application Advice Scheme. This scheme encourages developers to involve the community at the earliest stage of the planning application process, especially in the case of major/significant applications. Details of the scheme can be viewed at www.eastcambs.gov.uk/planning/pre-application-advice-scheme.

Planning applications are public documents and can be viewed at the Council offices and on the Council website through the 'Public Access' system. Public Access allows the

¹ The Council is required to give 'Prior Notification' of certain developments (e.g. agricultural buildings within size limits) and sometimes to make Non Material Amendments to previously approved planning applications. Neither procedure falls under the normal consultation procedures for planning applications.

public to view plans and documents, monitor the progress of an application, submit comments about the application, search a list of applications received and decided each week and view details of historic applications. Public Access is available at: www.eastcambs.gov.uk/planning/planning-applications-online

The Council publishes a weekly list of all planning applications on its website - www.eastcambs.gov.uk and details of all applications are sent to Parish/Town/City Councils for their views.

An application will be advertised in the Cambridge Evening News if:

- It is in a Conservation Area or for a Listed Building;
- It is a departure from the Local Plan;
- It affects a footpath or right of way;
- It requires an EIA (Environmental Impact Assessment);
- It is considered to be a major or significant application; or,
- It is of wider public interest.

The Council's policy is to notify neighbouring properties of the submission of an application. Further details on neighbour notification procedures can be viewed at: www.eastcambs.gov.uk/planning/planning-guidance-notes.

For planning applications (as defined above) a site notice, with a site map, will be erected close to the development site so that interested parties can comment. All site notices, newspaper advertisements and neighbour notifications will specify that all consultees with an interest in an application have 21 days to make written comments.

If amended plans are required/received, a further 14 days written consultation may be carried out with the Parish Council/other consultees.

Various statutory and non-statutory bodies (e.g. Highways, Natural England, the Environment Agency) may also be consulted in writing depending on the type of development proposed.

The Council encourages public participation in Development Control Committee meetings and the right to speak is extended to the

applicant, supporters, objectors, the Parish Council and the Ward Councilors. The speaker list operates on a first come, first served basis.

Further details on speaking at Committee meetings can be viewed at: www.eastcambs.gov.uk/planning/planning-guidance-notes

In addition, the Council has a duty officer available to advise landowners, agents and the general public on planning matters, and the Council also provides a range of advice leaflets which are available at: www.eastcambs.gov.uk/planning/planning-guidance-notes

The role of the applicant/agent

The role of the applicant is becoming increasingly more important in community involvement, and there are examples of good practice in the District where developers have undertaken a large amount of community involvement before and during, submission of an application. The Council would like to see this good practice become more widespread.

For major applications or applications with a significant interest, the Council expects developers to carry out consultation before submitting a planning application. Failure to consult may lead to objections being made which could be important in the determination of an application.

The format of this consultation may vary, but should look to include the following aspects:

- Discuss proposals with Parish/Town/City Councils and other local groups (e.g. Neighbourhood Panels)
- Working closely with the local community (particularly any directly affected parties) to evolve designs that take account of their views. Examples of how to do this include:
 - Newspaper advert
 - Public exhibitions
 - Workshops
 - Preparation of a development brief (as required for certain proposals by Core Strategy Policy EN2)
- Consider the consultation responses received, and take them into account before making their planning application.
- Where a statutory body would be a consultee (e.g. Highways, Natural

England, Environment Agency), applicants are advised to contact them directly.

- Seek pre-application advice from the Council, and consider these discussions when preparing their proposals.

Before making other types of planning application prospective applicants should consider people that are likely to be affected by their proposal. This might be as simple as talking over plans with a neighbour.

Decision making process

Before a decision is made, the case officer will prepare a report with a recommendation. The report will consider all planning issues and any representations made. The case officer will negotiate with applicants where appropriate in order to arrive at a balanced decision in the public interest.

Delegated decisions

The Council enables the majority of planning applications to be determined by the Head of Planning and Sustainable Development under delegated powers. Full details of the delegation scheme are set out in the Council's constitution which can be viewed at: www.eastcambs.gov.uk/council-and-democracy/councils-constitution.

Committee decisions

If the application is to be determined by Planning Committee, the Planning Officer will write a report and make a recommendation. All neighbours originally consulted and any person who has commented will receive written notification in advance of the meeting.

The Council welcomes public speaking at the meeting in accordance with adopted protocol. Please see our website for further information: www.eastcambs.gov.uk/committees/about-planning-committee.

Notification

The Council will write to statutory consultees and interested persons who commented on the application to advise them of the decision. Decision notices can also be viewed on the Council's website. The reason for refusal will be given or the full text of conditions imposed where permission is granted.

Appeals

If the person who applied for planning permission does not agree with the decision that the Council has made to refuse their application, they may lodge an appeal with the Planning Inspectorate. No one else has the right to appeal the decision. However, when an application has been appealed, the Council does inform all parties that objected during the application stage. The Council advises of this as soon as it receives notification from the Inspectorate. All copies of letters and comments received during the application stage are also forwarded to the Planning Inspectorate.

Planning enforcement

The role of the Planning Enforcement Team is to investigate complaints into alleged breaches of planning control. You can report an alleged breach of planning control by:

- Completing and submitting our online Planning Enforcement Complaint Form which is available at: www.eastcambs.gov.uk/planning/enforcement
- Writing and posting your complaint to: Planning Enforcement, East Cambridgeshire District Council, The Grange, Nutholt Lane, Ely, CB7 4EE
- Phoning the Planning Enforcement Team on 01353 665555

4 Neighbourhood Planning

The Localism Act introduced new rights and powers to allow local communities to shape new development by coming together to prepare neighbourhood plans.

Parish / Town Councils who are interested in exploring neighbourhood planning are advised to contact Forward Planning at the District Council at an early stage in the process, for general advice and guidance.