

Appendix 1

# Statement of Community Involvement

## Submission Consultation Draft

April 2007

Planning Services

Bath & North East Somerset  
Local Development Framework



**BATH & NORTH EAST SOMERSET**

**Key contacts for advice on planning issues in Bath & North East Somerset are listed at the back of this SCI.**

**This includes details of:**

- **Bath & North East Somerset Council's website;**
- **Contact details for Council Connect;**
- **Details about the Planning reception;**
- **A list of Deposit Stations for formal consultations on the LDF;**
- **Details of useful publications and websites;**
- **Details of Planning Aid.**

If you have any comments/questions about this Statement of Community Involvement. Please contact us:

**Planning Policy Team:**

**Trimbridge House**

**Trim Street**

**Bath**

**BA1 2DP**

**or by fax: 01225 477641**

**or by telephone: 01225 477548**

**or email: [planning\\_policy@bathnes.gov.uk](mailto:planning_policy@bathnes.gov.uk)**

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# **Preface for submission consultation**

This is the submission consultation draft of Bath & North East Somerset's Statement of Community Involvement (SCI).

The production of this document has been informed by an 'issues and options' consultation and a 'preferred options' consultation (see **Appendix A** for more information). Details of these previous consultations and the Council's response to the comments received can be found on the Council's website and at the Planning reception. Enquiries about the consultation process in the preparation of this SCI can be made by contacting Council Connect.

This SCI has now been published for a six week period of formal consultation and has been submitted to the Secretary of State.

**Please send your comments using the SCI representation form provided alongside this document to:**

## **Planning Policy Team**

Trimbridge House  
Trim Street  
Bath  
BA1 2DP

**or** by fax: 01225 477641

**or** email: [planning\\_policy@bathnes.gov.uk](mailto:planning_policy@bathnes.gov.uk)

The six week statutory consultation period on this draft SCI is to be held between **12<sup>th</sup> April** and **23<sup>rd</sup> May 2007**. Your comments must be received by **5.00pm on 23<sup>rd</sup> May 2007**.

If you would like to speak to someone about this draft SCI please ring the Planning Policy Team on 01225 477548.

This SCI together with supporting documentation is available to view at the Planning reception and on our website ([www.bathnes.gov.uk](http://www.bathnes.gov.uk)).

## **Executive Summary**

Planning shapes the places where people live and work. The planning system also helps protect and enhance the character of places that are locally valued. It is crucial that people should be enabled and empowered to take an active part in the planning process.

This Statement of Community Involvement (SCI) explains how the local community can get involved in the preparation of the Local Development Framework and the consideration of Planning Applications in Bath & North East Somerset.

The preparation of planning policy documents which make up Bath & North East Somerset's Local Development Framework will need to meet the standards for community consultation laid out in this SCI. This includes the need for:

- early involvement;
- consultation to be linked with other community involvement initiatives in the district;
- consultation to be inclusive;
- the target groups identified in this SCI to be involved;
- minimum standards for consultation to be met and exceeded;
- a variety of methods to be used to involve the community;
- feedback to be provided;
- details of community involvement and consultation to be made publicly available in the form of a schedule of comments and a consultation report.

In the consideration of Planning Applications community consultation will need to meet the standards of the SCI. This includes the need to:

- actively encourage developer led pre-application consultation for major applications;
- the need for developers to submit a consultation statement outlining details of pre-application consultation for major applications;
- meet the minimum standards for consultation on Planning Applications;
- exceed the minimum standards for consultation on Planning Applications.

The success of this approach to community involvement outlined in this SCI will be assessed as part of a formal review process (see section 5).

# 1 Introduction

1.1 Bath & North East Somerset Council want to ensure that all members of the community have the opportunity to be involved in the planning process if they want to. We want to encourage more people to be involved and to make this involvement as easy as possible.

1.2 When talking about community involvement in planning it is necessary to define what is meant by this. The 'community' can be defined as:

*People who live or work in Bath & North East Somerset, or who have an interest in the area.*

## **What are the benefits of Community Involvement in Planning?**

1.3 It is important that we involve the wider community at an early stage in the decision-making process, when it is possible to make a difference. The benefits of involving communities in planning include:

- a stronger evidence base for plans;
- empowering communities to influence decisions that have an impact on them;
- enabling the community to identify and contribute to conserving valued local assets such as a landscape feature or open space;
- adding democratic credibility to the decision-making process;
- better, swifter decisions on proposals;
- transparency and increased understanding of the planning process.

## **What is the Statement of Community Involvement?**

1.4 The Statement of Community Involvement (SCI) is statutory document which sets out:

- *how* and *when* the community can be involved in the planning process;
- what *feedback* the Council will give following consultation; and
- *what will happen to your views* in the decision making process.

1.5 The Council already meets the minimum national requirements for community involvement planning. This SCI sets out how we aim to go beyond these minimum requirements.

1.6 There are two main aspects of planning in which the community can be involved:

- **The preparation of Local Development Framework** – the community can be involved in the preparation of a number of policy documents which guide future housing, business and other types of development within Bath & North East Somerset.
- **Planning Applications** – the community can be involved in the consideration of applications for proposed development within Bath & North East Somerset. These range from applications from householders to applications for major development of sites for a range of uses (e.g. new housing, office space and leisure facilities).

## 2 Linking community involvement in planning with other community involvement initiatives

### Introduction

2.1 For community involvement in planning to be effective it is crucial that existing community involvement initiatives are utilised as a way of communicating with the community about planning and gathering information and ideas. To avoid over-consultation and the ensuing 'consultation fatigue', the Council aims to carry out joint consultations and utilise views and information collected by others.

2.2 Bath & North East Somerset Council's corporate values in relation to community consultation are outline in **Figure 1**. All community involvement and consultation about planning must be carried out in accordance with these values and the Council's *Consultation & Market Research Strategy* (2005). Furthermore, the Council will make every endeavour to meet the requirements of the *Race Relations Act 2000* and the *Disability Discrimination Act 1995*.

**Figure 1: Bath & North East Somerset Council's Corporate Values on community involvement**

|                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>What is consultation?</b>                             | A process by which the Council seeks and responds to the views of members of the general public who will be affected by particular policies or decisions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Why consult?</b>                                      | The Council has certain statutory duties to consult, but it also carries out consultation to improve existing services and to inform planned projects, schemes and policies. A range of methods can be used: <ul style="list-style-type: none"> <li>▪ to assess whether or not services are meeting needs and expectations;</li> <li>▪ to improve relevance and take-up of services;</li> <li>▪ to test options for service changes;</li> <li>▪ to discover what perceptions and attitudes are prevalent;</li> <li>▪ to keep track of perceptions and attitudes;</li> <li>▪ to measure current satisfaction levels;</li> <li>▪ to discuss alternative ways of delivering Council services, and improve delivery;</li> <li>▪ to understand the views of minority community groups;</li> <li>▪ to involve local people in decision making;</li> <li>▪ to weigh up different and conflicting priorities.</li> </ul> |
| <b>Benefits of consultation for the Council include:</b> | <ul style="list-style-type: none"> <li>▪ maximising the efficiency and effectiveness of services;</li> <li>▪ increasing relevance of services;</li> <li>▪ improving our understanding of communities by collecting views, opinions and experiences;</li> <li>▪ establishing a clearer direction for service development.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Benefits for participants include:</b>                | <ul style="list-style-type: none"> <li>▪ greater knowledge and understanding of the Council and its services;</li> <li>▪ increased involvement, participation and engagement with the Council;</li> <li>▪ contributing to local decision making;</li> <li>▪ opportunity to express views and concerns;</li> <li>▪ opportunity to identify service improvements.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

### Existing Democratic structures

#### *Local Councillors*

2.3 Democratically elected Councillors have a key role to play in making decisions about the future of the district. They have a key role in representing



their constituency and can also provide support and information to the local community. All major decisions about the Local Development Framework (LDF) and Planning Applications are referred to Councillors, through the Council's committees.

### ***Parish and Town Council Liaison***

2.4 Parish and Town Councils have the potential to reach a large number of people across Bath & North East Somerset, and effective working between the Council and Parish and Town Councils is very important.

2.5 The Parish Charter sets out the working relations between the Council and the Local Councils. In line with this, the planning department will engage, liaise and consult regularly with Parish and Town Councils on a range of planning issues. Direct mailing and update bulletins will be used and where there are specific local issues other more interactive forms of consultation and engagement will be used. Parish Liaison meetings will be used as a forum for discussion wherever possible.

2.6 Parish Plans, Village Design Statements, Market Town Health Checks and other community plans will be used to inform the LDF.

### **Find out more about local democracy in Bath & North East Somerset**

☎ 01225 394360

✉ [democratic\\_services@bathnes.gov.uk](mailto:democratic_services@bathnes.gov.uk)

Look at the website to find your local Councillor or find out more about Parish Plans: [www.bathnes.gov.uk](http://www.bathnes.gov.uk)

### **Linking with community involvement initiatives established by the Council**

2.7 Planning Services needs to ensure that evidence collected and the results of community consultation by other service areas is utilised so that duplication of information and effort does not occur. Effective links with community involvement initiatives within the Council need to be fostered.

### ***Linking with Bath & North East Somerset's Community Strategy***

2.8 The current Community Strategy (2004) has been produced by the Bath & North East Somerset Local Strategic Partnership (LSP) following extensive consultation with the community

2.9 The LSP (established in 2002) currently comprises of a wide range of public service, voluntary and community representatives. These include the Council (the Council Leader currently Chairs the LSP), the Police, Primary Care Trust, and the Somer Housing Group as well as representatives from residents'

associations, Town & Parish Councils, the Council for Voluntary Service and Envolve.

Bath & North East Somerset's **Community Strategy** is a ten year strategy which sets out ambitions to promote and improve the economic, social and environmental well-being of the district.

☎ Contact Council Connect to request a copy 01225 394041

🌐 Look at the Community Strategy website [www.beintouch.org.uk](http://www.beintouch.org.uk)

2.10 The LSP also is responsible for delivering the emerging Local Area Agreement (LAA) for Bath & North East Somerset. The LAA is a 3-year plan agreed by partners, the Council and Government which sets out agreed targets for the district alongside a series of clear outcomes and detailed performance indicators to monitor delivery. The LSP will play the key governance role in delivering the LAA, working through four "blocks". These are:

- Safer and Stronger Communities
- Healthier Communities and Older People
- Children and Young People
- Economic Development and Enterprise

2.11 The LDF will take into account the ambitions outlined in the Community Strategy and the Local Area Agreement. Close working with the LSP and its associated partnerships and governance bodies in the production of the LDF will be very important. The LSP is currently reviewing its structures to ensure that it has the capacity to deliver in this significant role. It is expected that this lead to a high-level "Board" which provides overall governance, alongside a "Delivery Group" which will carry out the commitments contained in the LAA.

2.12 Planning services will utilise the LSP's existing distribution networks to provide information and request feedback. Opportunities for joint consultation, joint community involvement ventures and information sharing will also be sought.

### ***Linking with Local Area Initiatives***

2.13 Bath & North East Somerset has a number of locally-based partnership initiatives which bring together elected members.

Examples include:

- the Somer Valley Partnership, which brings together stakeholders in Midsomer Norton, Radstock and surrounding communities to work together to implement the "Brighter Futures" Community Plan;
- Oldfield Outlook, which brings together businesses, residents and others to deliver an Action Plan in the Oldfield Park area of Bath;

- The Bath South Local Committee, which covers 7 wards in the South of Bath.

2.14 We will explore opportunities to work with these bodies as we develop the LDF.

### ***Linking with other Council Strategies***

2.15 Planning Services needs to ensure that evidence collected and the results of community consultation in other service areas is utilised and taken into account in the preparation of the LDF. For example regard will be given to the emerging 'Future for Bath Vision', and the 'Future for Somer Valley Vision'.

### **Linking with wider community involvement initiatives**

2.16 Effective links with other community involvement initiatives need to be established to facilitate community involvement in the LDF. Details of how we intend to link with other local service providers as well as the community and voluntary sector are outlined below.

### ***Linking with other local public service providers***

2.17 Planning Services needs to ensure that evidence collected and the results of community consultation undertaken by other local service providers (e.g. the Primary Care Trust, Police, Housing Associations etc) is utilised and considered in the preparation of the LDF. Joint working with these service providers is crucial.

### ***Linking with the community and voluntary sector***

2.18 Planning Services needs to ensure that meaningful opportunities for community and voluntary sector organisations to contribute their knowledge and views are provided. Community organisations, Residents' Associations and Interest groups will be encouraged to be engaged in the preparation of the LDF.

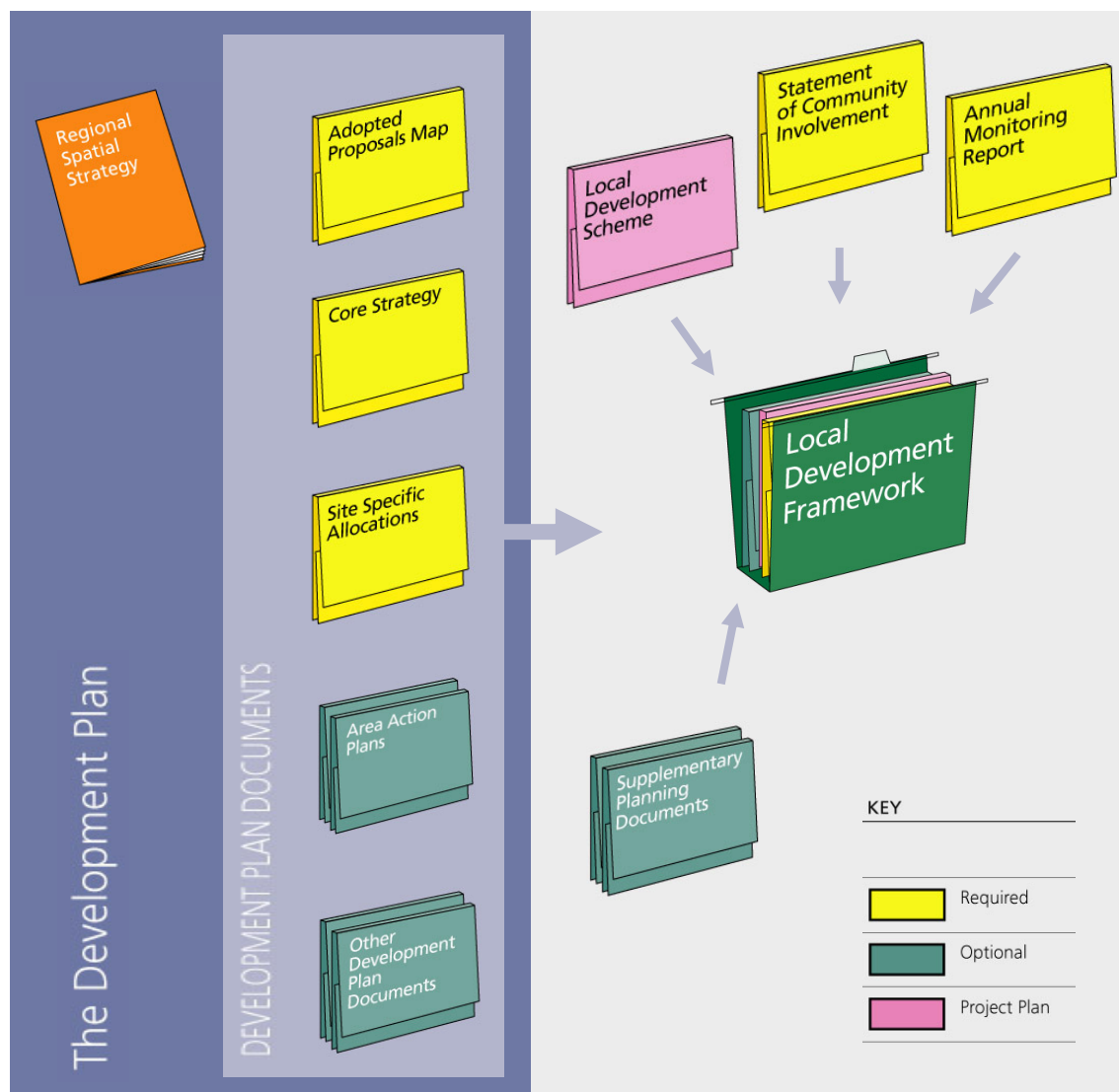
2.19 The Bath & North East Somerset Compact is an agreement that sets out how the voluntary and community sector and the statutory sector will work together. This will inform the way in which we work with community and voluntary sector organisations.

### 3 Community Involvement in the Local Development Framework

#### Introduction

3.1 National government planning legislation (*Planning & Compulsory Purchase Act 2004*), has introduced a new approach to planning. Under the new planning system Structure Plans and Local Plans will be replaced by a series of planning documents called Local Development Documents (LDDs), these are contained within an overall Local Development Framework (LDF). The documents which will make up the LDF are illustrated in **Figure 2**.

**Figure 2: The Local Development Framework**



Taken from *PPS12: Creating Local Development Frameworks* (ODPM, 2004).

3.2 When taken as a whole the LDF sets out the framework for delivering the spatial planning strategy for the district, including delivering the aspirations of the Community Strategy, the Local Area Agreement (see glossary for definitions) and

other Council strategies. Policies within the LDF will be used to determine planning applications in the district. Thus, the LDF will provide the basis for managing and controlling development and use of land in Bath & North East Somerset.

3.3 The Bath & North East Somerset LDF must be consistent with national policy and must generally conform to the Regional Spatial Strategy for the South West (2006-2026). The LDF will include input from national government in particular the designated environmental consultation bodies – English Heritage, Natural England and the Environment Agency. Community involvement in the preparation of these LDDs is very important. However, consultation at the local level cannot take place without regard to higher level policy set outside of the authority.

### **What will the Local Development Framework look like?**

3.4 The Local Development Framework is a portfolio of documents, some of which are statutory requirements and others which are optional.

3.5 Development Plan Documents (DPDs) are statutory policy documents whose preparation is controlled through statutory processes and which are subject to independent public examination into their 'soundness'. Supplementary Planning Documents (SPDs) supplement policies contained in DPDs and, whilst they too must follow a statutory process, are not subject to formal examination. SPDs consequently can be prepared more quickly than development plan documents and will be endorsed by the Council members.

#### ***Development Plan Documents (DPDs)***

3.6 The Core Strategy, Site Allocations Development Plan Document and the Proposals Map are statutory DPDs which must be produced and which will be examined by an independent inspector on behalf of the Secretary of State. The Council also has the option of producing Area Action Plans and other DPDs (e.g. Generic Development Control Policies). The preparation of DPDs should take approximately three years. All of the DPDs that the Council are intending to produce together with a timetable for their production can be found in the Local Development Scheme. Details of how and when you can be involved in the preparation of DPDs are outlined later in this section.

#### ***Supplementary Planning Documents (SPDs)***

3.7 SPDs provide additional detail to show how policies in Development Plan documents should be implemented. The process for preparing SPDs should take approximately 12 months. All of the SPDs that the Council are intending to produce together with a timetable for their production can be found in the Local Development

Scheme. Details of how and when you can be involved in the preparation of SPDs are outlined later in this section.

### **Statutory process documents**

3.8 The LDF will also contain a number of statutory process documents which will guide the process of preparing the LDF. The key process documents are: the Statement of Community Involvement, the Local Development Scheme and the Annual Monitoring report.

#### **Find out more about the documents that Bath & North East Somerset will be producing as part of the LDF**

A timetable for the production of the policy documents and details of the documents produced can be found in the **Local Development Scheme** (see paragraph 3.17 of this SCI). A definition of each of the documents which makes up the LDF can be found in the **glossary** to this report.

### **Who will we involve in the preparation of the LDF?**

3.9 The Council will work closely with a variety of organisations in the preparation of the LDF (see section 2 of this SCI) and will publicise opportunities for community involvement widely throughout the district using the methods outlined in **Appendix B**. All members of the community are encouraged to be involved in the preparation of the LDF.

3.10 We will also contact statutory consultees and other interested parties directly to publicise opportunities to be involved in the creation of the LDF. Contact details will be maintained in a LDF consultation database, which anyone can join on request. See **Appendix C** for a list of consultees and for further details about joining the consultation database.

3.11 We acknowledge that in many cases we will have to make extra effort to reach certain groups. In line with national guidance, the 'issues and options' consultation for this SCI and a survey of Bath & North East Somerset Council staff involved in consultation (December 2005), we have identified a number of groups as 'target groups we need to engage'.

3.12 By recognising the needs of these different groups, we hope to increase the number of people who can and want to get involved and ensure that participation is more representative of the community. **Figure 3** outlines a number of specific groups which we will encourage to be involved.

**Figure 3: Target groups we need to involve in the preparation of the LDF**

|                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Young people</b></p>                      | <p>Children and young people have not traditionally been involved in planning issues. However, we will seek to involve young people through existing initiatives within the Council led by Youth Services (such as DAFBY - the Democratic Action for Bath &amp; North East Somerset Youth initiative).</p> <p>Involvement will also be encouraged through initiatives linked to local universities, colleges, schools and youth groups. To effectively engage young people we will need to provide information which is accessible, relevant and engaging. Interactive workshops and the use of models and diagrams would be appropriate.</p> <p>We will seek to secure the support of youth workers, teachers and play workers to assist us in developing and delivering appropriate activities.</p> |
| <p><b>Faith, Ethnic and Language groups</b></p> | <p>Further work needs to be done to ensure that faith, ethnic and language groups are engaged and informed in the planning process. Many organisations representing faith, ethnic and language groups will be routinely consulted. Information might also be disseminated through community newsletters or at community events. Work undertaken by other initiatives within the Council will also be taken on board e.g. the LSP is currently considering how best to engage faith communities in the district in the Community Strategy.</p>                                                                                                                                                                                                                                                         |
| <p><b>Disabled People</b></p>                   | <p>We will seek ideas and feedback from disabled individuals and local and national organisations representing disabled people to ensure that community consultation is inclusive. We will ensure that all community involvement events are fully accessible, and will always respond to any accessibility requests in a positive way.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p><b>Gypsies and Travellers</b></p>            | <p>We will involve gypsy and traveller groups, particularly as part of the policy evidence gathering process. We will consult members of the gypsy and traveller communities, particularly where issues are of direct relevance.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p><b>People living in rural areas</b></p>      | <p>Residents in rural areas may not have easy access to council offices and may have less access to community events depending on where these are held. We aim to build on established Parish Council networks in order to disseminate information and attain feedback at the most local level possible. We will also make links with the creation of Parish plans, working with bodies such as <i>Community Action</i> who are helping to support the development of these Plans. The development of e-consultation within the Council will ensure that consultation reaches a wider audience. Information, posters and leaflets will be provided for display on village notice boards and in mobile libraries.</p>                                                                                  |
| <p><b>Small business owners</b></p>             | <p>Small businesses have an important role in the local economy. However, there is evidence that small business owners often do not have the time or resources to spare to become involved in planning issues. To overcome this, organisations representing small businesses will be consulted. The Economic Development Partnership currently links to the LSP and contains business representation, whilst Business West is directly represented on the LSP. In addition, direct links will be made with local Chambers and with the local representatives of the Federation of Small Businesses.</p>                                                                                                                                                                                               |
| <p><b>Residents</b></p>                         | <p>We acknowledge that we need to ensure that all residents in the district have opportunities to be involved in planning issues.</p> <p>Information about a variety of opportunities to be involved in the preparation of the LDF will need to be disseminated widely, and advertised in good time. Residents Associations will also be utilised as a way of disseminating information where they are established. It is noted that unlike residents in the rest of the district, residents of Bath are not represented by either Town or Parish Councils, and that extra effort is needed to reach these residents.</p>                                                                                                                                                                             |

**Appendix B** illustrates how some of the methods proposed can be used to target the specific groups identified above.

## **How will we involve the community in the preparation of the LDF?**

3.13 Many people find the planning system complex and confusing and this can act as a barrier to involvement. We aim to improve the way that we communicate and are committed to making sure that all consultations are accessible and that documents produced are available in a variety of formats.

3.14 The involvement techniques that we will use can be classified into three broad categories:

- **Information** – Providing information through the internet, local media and local publicity.
- **Consultation** – Finding out the views of the community through meetings, exhibitions, qualitative research surveys and questionnaires. Draft documents will be produced to generate discussion.
- **Participation** – Involvement which actively identifies needs and priorities, methods include workshops, discussion, focus groups and linking with existing community involvement initiatives.

3.15 **Appendix B** presents a toolbox of methods which the Council will use to encourage community involvement in the creation of the LDF and go beyond the statutory minimum requirements. An indication of the target group the methods are appropriate for and the type of document it will be used for is also included.

## **When can you get involved in the preparation of the LDF?**

3.16 Community involvement in the development will be 'frontloaded', i.e. the emphasis will be on community involvement *early* in the preparation of Local Development Documents (LDDs).

3.17 All LDDs that the Council intends to produce as part of the LDF are set out in the Bath & North East Somerset **Local Development Scheme** together with a timetable for their preparation. This document is essentially a project plan and provides clear information about when the Council will be looking to involve the community in the preparation of each LDD. The current Local Development Scheme can be viewed on the Council's website or at the Planning reception.

3.18 There are a number of key opportunities for community involvement in the preparation of both DPDs and SPDs. **Figure 4** outlines the key stages in the preparation of DPDs and highlights when opportunities for community involvement will occur. **Figure 5** outlines the key stages in the preparation of SPDs and highlights when opportunities for community involvement will occur.



**Figure 4: Diagram to summarise the key opportunities for community involvement in the preparation of Development Plan Documents (DPDs)\***

**Stage 1 Pre-production consultation to establish issues and options**

'Issues and options' and evidence gathering consultation. Early community involvement using a wide range of methods (as outlined in **Appendix B**).

There will be more than one specific consultation carried out at this stage and consultations will be targeted at a range of consultees.

Statutory and non-statutory consultees will be consulted and efforts will be made to secure the involvement of the target groups outlined in this SCI.

*Statutory consultees (and other relevant consultees where identified) will be consulted on the Sustainability Scoping Report.*



**Stage 2 Preferred Options consultation**

The Council's preferred options will be presented for a statutory consultation period of 6 weeks. Comments made will be considered and feedback given as outlined in this SCI. Community Involvement opportunity will be provided using a wide range of methods (as outlined in **Appendix B**).

Statutory and non-statutory consultees will be consulted and efforts will be made to secure the involvement of the target groups outlined in this SCI.

*Consultation on the associated Sustainability Appraisal will also occur alongside this.*



**Stage 3 Draft DPD Submitted to the government with 6 week statutory consultation**

Comments made will be considered and any issues which cannot be resolved through discussion will go forward to be dealt with by a Planning Inspector. Community Involvement opportunity will be provided using a wide range of methods (as outlined in **Appendix B**).

Statutory and non-statutory consultees will be consulted and efforts will be made to secure the involvement of the target groups outlined in this SCI.

*Consultation on the submission Sustainability Appraisal will also occur.  
Any alternative sites for development (proposed by objectors) will be published for a further period of consultation.*

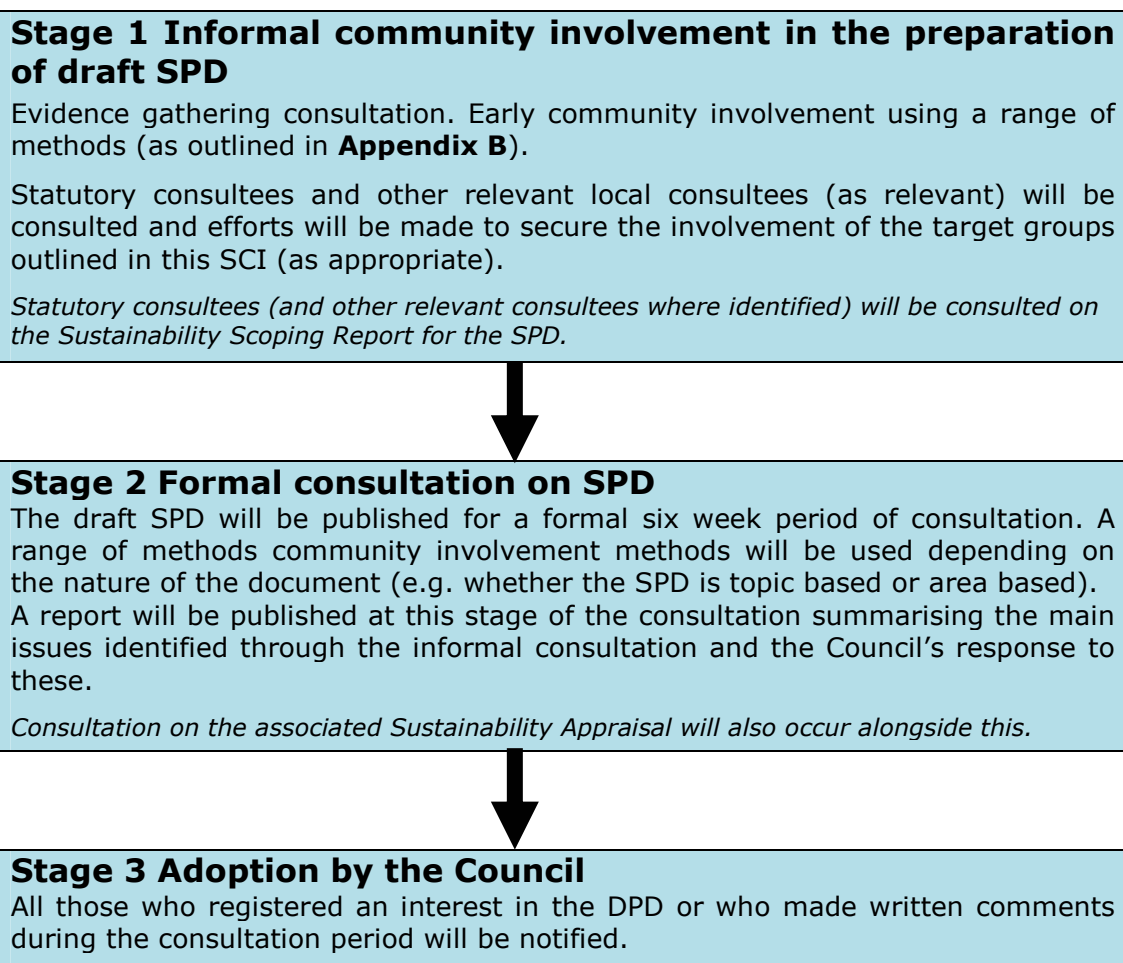


**Stage 4 Examination by Planning Inspector**

Council alter the DPD in line with the Inspector's recommendations and adopt the Plan. All those who registered an interest in the DPD or who made written comments during the consultation period will be notified.

\* Details of the minimum statutory requirements for community consultation in the preparation of DPDs can be found in the Town & Country Planning (Local Development) (England) Regulations 2004 – Regulations 25, 25 & 26.

**Figure 5: Diagram to summarise the key opportunities for community involvement in the preparation of Supplementary Planning Documents (SPDs)\***



*\* Details of the minimum statutory requirements for community consultation in the preparation of SPDs can be found in the Town & Country Planning (Local Development) (England) Regulations 2004 – Regulation 17.*

### **How will the findings from community involvement be fed into the creation of the Local Development Framework?**

3.19 When undertaking community involvement on planning issues it is crucial that the purpose and parameters of particular consultations are clear. We are aware of the importance of providing feedback and the need to show the community how their views have been taken into account.

3.20 Three key documents will be produced alongside each consultation, which will be made publicly available:

- A **schedule of comments** made during the consultation will be available for public inspection. This will be presented to the Council Executive, Council or

Executive member/Portfolio holder as appropriate. Please note we cannot treat any comments made as confidential.

- A **consultation report**, for each key stage in the preparation of a DPD or SPD which sets out who was consulted, how they were consulted, a summary of the main comments received and how these have been addressed will be prepared. For DPDs this will be submitted to the Secretary of State. For SPDs this will be presented to the Council Executive, Council or Executive member/Portfolio holder as appropriate.
- A **statement of compliance to the SCI** will be produced. This statement will outline how the Local Authority has complied with the SCI during consultation on LDDs. For DPDs this will be submitted to the Secretary of State. For SPDs this will be presented to the Council Executive, Council or Executive member/Portfolio holder as appropriate.

## 4 Community involvement in the consideration of planning applications

### Introduction

4.1 The process of deciding planning applications is called **Development Control**. The Development Control department deal with all planning applications in Bath & North East Somerset. Within Development Control there are currently three teams: two area based teams (East & West) and a Major Development Team.

4.2 All planning applications must be decided in accordance with Bath & North East Somerset's LDF, as well as Regional and National policy guidance. It is possible for anyone to comment on a planning application.

4.3 The majority of planning applications considered by the Council are small scale e.g. householder applications or applications for development which will affect a relatively small area. **Figure 6** is a summary diagram outlining the process of determining a planning application. The Council aims to determine the majority of planning applications within 8 weeks of validation.

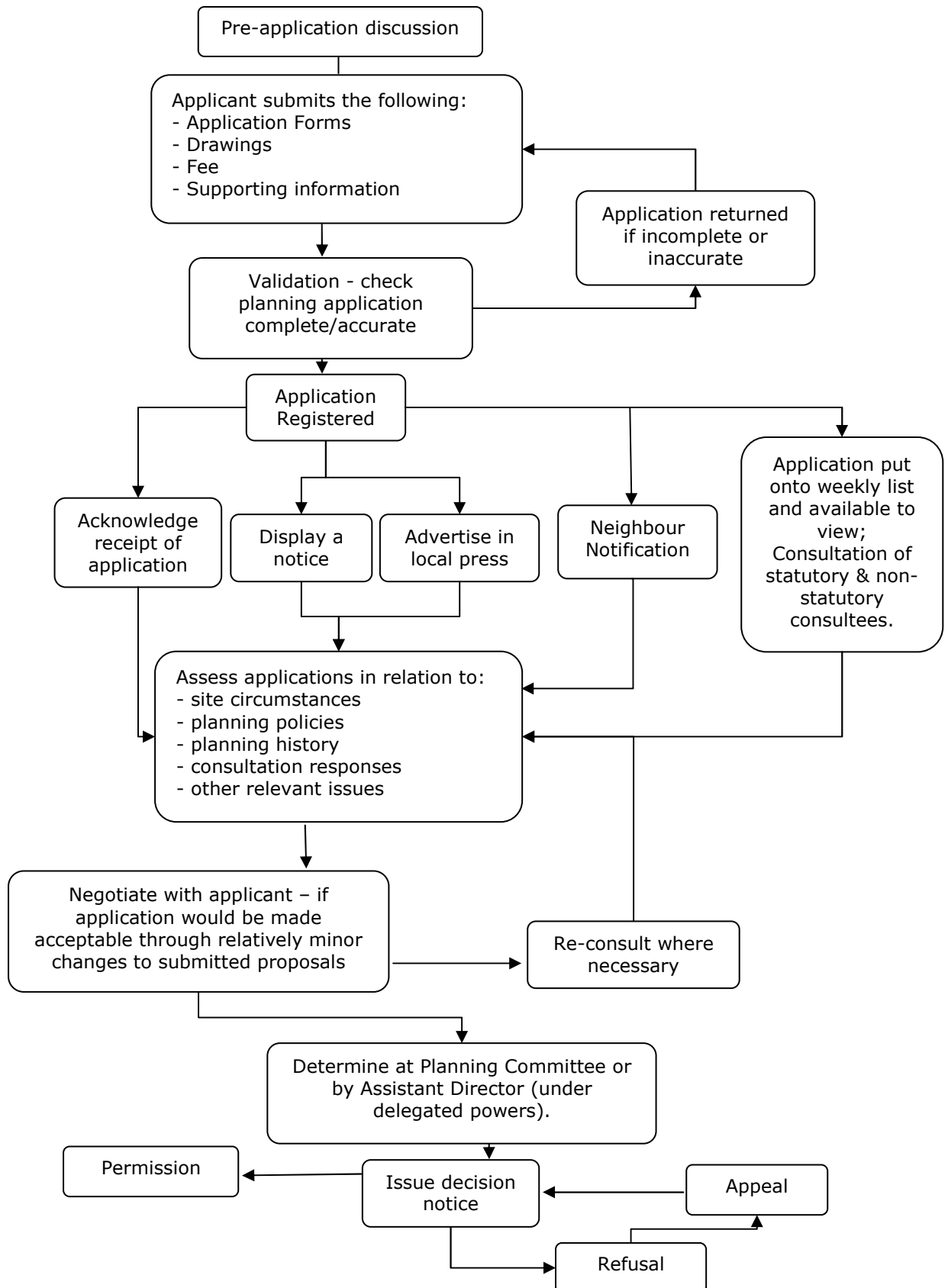
4.4 Planning applications for major development in Bath & North East Somerset require wider community consultation and a greater degree of community involvement. For major development it is advisable for community involvement to be initiated at the pre-application stage.

#### **What is a Major Development?**

- Housing developments of more than 10 dwellings
- Housing development on a site of 0.5 hectares or more
- Any other development with a floor area of 1000m<sup>2</sup>
- Any other development on a site of 1 hectare or more
- Waste development or mineral working

4.5 The process for applying for planning permission for major development is more complex and the applicant is required to submit more documentary evidence (e.g. an environmental assessment, transport study, design & access statement etc). Planning obligations (section 106 agreements) are also likely to be negotiated with applicants for this scale of development (details of Planning Obligations under negotiation are reported on Committee papers/reports). The Council aims to determine the majority of major applications within 13 weeks of validation.

**Figure 6: Summary diagram to show how a planning application is decided**



4.6 For some very large schemes the Council will produce Supplementary Planning Documents (e.g. Bath Western Riverside SPD), which outline the development requirements of the site in more detail. SPDs require community involvement as outlined earlier in the SCI.

4.7 The opportunities for community involvement at each stage in the Development Control process will be outlined in this section of the SCI. The key stages are:

- Pre-application;
- Submission of an application;
- Considering an application;
- Determination of an application;
- Post-determination;
- Enforcement Action.

## **Pre-application**

### ***Pre-application Advice***

4.8 It is recognised that it is beneficial to all parties if applications are discussed prior to the submission of a formal application. The Council offers an advisory and guidance service for all those wishing to make a planning application. All meetings and correspondence prior to the registering of an application will be treated as confidential.

4.9 The Council is looking to introduce a system whereby pre-application advice is available to customers at a charge, which reflects the cost of providing the pre-application advice. The Council recognises that some advice should be exempt from charge. Such advice is likely to include pre-application advice in relation to Conservation Area and Listed Building Consent proposals for all customers, 'over the counter' pre-application advice through a duty planning officer for household and small business extensions and enquiries about the planning history of sites. Those seeking pre-application advice should contact Council Connect in the first instance.

4.10 Pre-application dialogue in relation to proposals for major development is also undertaken by the Council. A productive dialogue at this stage can resolve issues and help ensure that the application submitted is well presented and includes the appropriate information to enable the proposal to be assessed and understood by the Local Authority, consultees and stakeholders. This dialogue should take place through the Council's multi-disciplinary development team

approach. More detail about this service can be found on the Council's website and in the leaflet entitled *Planning Delivery Agreements for Major Development Proposals* (available from the Planning reception or on request from Council Connect).

### **Pre-application consultation**

4.11 The Council actively encourages applicants to engage the community in pre-application consultation. Advice on appropriate methods for community involvement will also be suggested. Pre-application consultation should allow those affected or concerned by a proposal to discuss their concerns before any key decisions have been made. It should also help resolve or identify areas of concern earlier in the process and avoid unnecessary objections at a later stage.

4.12 To ensure that developer undertake pre-application community involvement that is suitable for the size and type of development proposed is proposed. Guidelines for the level of community involvement which will be encouraged have been produced. **Figure 7** illustrates the types of community involvement which will be encouraged by the Council for significant developments of varying scales and sizes. Examples of applications which could fall into each level are summarised in **Figure 8**. The glossary to this SCI explains many of the terms used in these diagrams.

4.13 Any consultation undertaken by developers should be in accordance with this SCI, and as such when undertaking consultation applicants should ensure that involvement is inclusive and that efforts are made to include sections of the community identified as target groups we need to involve (as appropriate). Consultation undertaken by developers must be advertised clearly to members of the public as such, to distinguish it from Council-led consultations.

4.14 Details of any pre-application public consultation undertaken by developers should be outlined alongside the planning application in the form of a consultation statement. The pre-application consultation will be organised, managed and funded by the potential developer.

4.15 It must be noted that the Council cannot refuse a planning application because pre-application consultation has not taken place. However, failure to carry out suitable consultation activities could result in objections being made which lead to the refusal of the planning application.

| <b>Figure 7: Community involvement in planning application</b> |                                                                                                                                            |                                                                                                                                        |                                                                                                                                                                                                            |
|----------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Approach</b>                                                | <b>Level 1</b><br>Applications where there are issues of scale and controversy or which are contrary to local development framework policy | <b>Level 2</b><br>Applications broadly in accordance with the local development framework but raising a controversial issue or detail. | <b>Level 3</b><br>Applications of a scale or on a site for which authorities require wider community involvement. Also, applications that fall within sites that are 'sensitive' to development pressures. |
| Public Meetings                                                | ✓                                                                                                                                          |                                                                                                                                        |                                                                                                                                                                                                            |
| Public Exhibition                                              | ✓                                                                                                                                          | ✓                                                                                                                                      |                                                                                                                                                                                                            |
| Surgeries                                                      | ✓                                                                                                                                          | ✓                                                                                                                                      |                                                                                                                                                                                                            |
| Development briefs                                             | ✓                                                                                                                                          |                                                                                                                                        |                                                                                                                                                                                                            |
| Workshops                                                      | ✓                                                                                                                                          |                                                                                                                                        |                                                                                                                                                                                                            |
| Workshops and other interactive events                         | ✓                                                                                                                                          | ✓                                                                                                                                      |                                                                                                                                                                                                            |
| Citizen Panel                                                  | ✓                                                                                                                                          | ✓                                                                                                                                      | ✓                                                                                                                                                                                                          |
| Consultation Panel                                             | ✓                                                                                                                                          |                                                                                                                                        |                                                                                                                                                                                                            |
| Town/parish councils                                           | ✓                                                                                                                                          | ✓                                                                                                                                      | ✓                                                                                                                                                                                                          |
| Media                                                          | ✓                                                                                                                                          |                                                                                                                                        |                                                                                                                                                                                                            |
| Website                                                        | ✓                                                                                                                                          | ✓                                                                                                                                      | ✓                                                                                                                                                                                                          |
| Planning Aid                                                   | ✓                                                                                                                                          | ✓                                                                                                                                      | ✓                                                                                                                                                                                                          |
| Local Architectural or design panel                            | ✓                                                                                                                                          | ✓                                                                                                                                      |                                                                                                                                                                                                            |
| Letter/Leaflet                                                 | ✓                                                                                                                                          | ✓                                                                                                                                      | ✓                                                                                                                                                                                                          |

This figure is adapted from *Creating Local Development Frameworks: The Companion Guide to PPS12* (ODPM, 2004:84).



### **Figure 8: Definitions of different levels of Major Planning Application**

**Level 1:** This could include major infrastructure projects and developments which depart from the development plan that are referred to the Secretary of State.

**Level 2:** This could include:

- Schedule 2 developments as defined by Environmental Impact Assessment Regulations as requiring an EIA.
- Development proposals which fall within the Town & Country Planning (Residential Development on Greenfield Land) (England) Direction 2000 i.e. applications that relate to 5 hectares or more of Greenfield land, or comprise of 150 dwellings or more regardless of the size of the site, and which the council resolve to approve.
- Development proposed on playing fields as set out in the Town & Country Planning (Playing Fields) (England) Direction 1998. This applies to any playing fields owned by the Council or used by an educational institution.
- Applications which require a Full Transport Assessment (to reflect the scale of development and the extent of the transport implications of the proposal).

**Level 3:** Applications of local significance that the Council considers to require wider community involvement will be determined on a site by site basis and include those which:

- Fall marginally below the thresholds for Tier 2 and 3;
- Involve the provision of affordable housing; and
- Involve the requirement to contribute towards school places.

Applications that are 'sensitive' to development pressures may include:

- Development adjoining a listed building;
- Substantial demolition of a Conservation Area;
- Loss of allotment land;
- Loss of employment land for housing.

This figure is adapted from the guidelines in *Statements of Community Involvement in Planning Applications* (DCLG, 2004: 33-37)

## **Submission of application**

4.16 After a planning application has been submitted and validated, details of the application are publicly available and details of the application are publicised. Planning applications are available to view on the Council's website 2-3 days after validation. Hard copies can be viewed on request from the Planning reception.

4.17 Where there are significant changes to any planning application, which are material (relevant) in planning terms, we will always re-notify relevant neighbours, Parish and Town Councils, consultees and those who have commented on the application, allowing a further 14 days for comments.

4.18 The methods used to publicise planning applications are outlined in **Figure 9**.

**Figure 9: Methods used to publicise planning applications**

\* Beyond Statutory minimum requirement

| Method                                      | Description of how this will be used                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Weekly list of applications                 | <p>A weekly list of planning applications received by the Council is produced. This list is available for inspection on the Council website and in hard copy format at the Planning Reception.</p> <p>We send all Councillors, Parish and Town Councils a copy of the weekly list and inform them of all items to be considered by committee.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Council website *                           | <p>Planning applications of special public interest are highlighted each week and there is a searchable map feature.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Neighbour notification letter               | <p>Adjoining owners or occupiers will continue to be notified by letter for all planning applications.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Display a site notice                       | <p>A site notice on a laminated A4 sheet, which briefly outlines the planning application, is displayed in a prominent place on or near the site. Site notices are used when a planning application:</p> <ul style="list-style-type: none"> <li>• relates to Listed Building consent;</li> <li>• affects the setting of a Listed Building;</li> <li>• affects a Conservation Area;</li> <li>• relates to a Conservation Area consent;</li> <li>• where the proposed development is a departure from the Development Plan (i.e. it is not in agreement with Local Development Framework);</li> <li>• is subject to an Environmental Impact Assessment;</li> <li>• affects a public right of way;</li> <li>• where the development constitutes a major development as defined by the GPDO.</li> </ul> <p>The use of site notices is in accordance with the <i>Town and Country Planning Act (General Permitted Development) Order (as amended)</i>.</p> |
| Consult statutory organisations             | <p>In accordance with the nature of the proposed development the Council must consult statutory consultees. Statutory consultees are listed in <b>Appendix B</b>.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Consult Town or Parish Councils             | <p>Town and Parish Councils that will be consulted are listed in <b>Appendix B</b>. Members of the community may be able to view planning applications at Parish and Town Council offices by prior appointment. Consultation with adjoining Parish and Town Councils is also encouraged where the proposal is considered to be significant.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Consult non-statutory organisations*        | <p>Special interest groups or community groups will be encouraged to be consulted where there are planning applications of particular interest, at the discretion of the Case Officer.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Local Advertisement in the Bath Chronicle * | <p>All planning applications are advertised in the Bath Chronicle, each Friday.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Contact Council Connect *                   | <p>Members of the public can contact Council Connect with general enquiries about current planning applications. Contact details can be found at the front of the SCI.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

## Considering an application

4.19 Planning applications are considered and determined either by a Development Control Committee (made up of elected Councillors) or under delegated powers by nominated officers. The Council's delegation scheme explains how it is decided whether a planning application will be determined at Committee or under delegated powers. The Council's delegation scheme is included as **Appendix D**.

4.20 Approximately 10% of all planning applications are determined by Committee. There are currently three Development Control Committees:

- **Area A Committee** covers the Bath area and meets every 4 weeks;
- **Area B Committee** covers the surrounding rural area and meets every 4 weeks;
- **The General Development Control Committee** deals with applications that have district wide implications or which straddle the boundaries of the other committees and meets quarterly.

4.21 Development Control committee meetings are open to the public. All committee papers and minutes of committee meetings are available on the Council website 3 days before the meeting or on request 5 days before the meeting, from the following Public Access Points: the Guildhall, Bath; The Hollies, Midsomer Norton; Riverside, Keynsham; Bath Central Library; Keynsham Library; Midsomer Norton Library. See the Council website or contact Council Connect for details.

4.22 Members of the community can comment on a planning application either by:

- submitting a written statement (known as a representation); and/or
- speaking at a planning committee meeting.

### ***Submitting a representation***

4.23 Comments on planning applications should be made in writing and sent by post or emailed to the Development Control team. Please remember to quote either the planning application number or location details for the site in any correspondence.

#### **Submit representations to:**

✉ [development\\_control@bathnes.gov.uk](mailto:development_control@bathnes.gov.uk)

✉ Development Control, Trimbridge House, Trim Street, Bath, BA1 2DP

4.24 Comments on planning applications must be made within a minimum of 21 days (for first consultation) and 14 days for re-consultation. Due to the high volume of comments received, letters will not be acknowledged. Comments received after the deadlines are not required to be considered by the Council when determining the application.

4.25 The comments made on planning applications are placed on the planning application file and the Council's website. They are public information and copies can be made up until the point that a decision is made on the application. Any comments made will be summarised in the planning officer's report to the relevant committee and will be considered when applications are decided. Current and archived planning application files are available to view on request from the Planning reception.

4.26 Only comments relating to **material considerations** (i.e. are relevant in planning terms) will be considered in the determination of a planning application. You should focus your comment on relevant planning issues. These include:

- suitability of the site for development (including conflicts with policies in Local Development Framework);
- design, appearance and layout issues;
- possible loss of light or overshadowing;
- highway safety and traffic issues;
- impact on residential amenity/trees/conservation area/listed buildings;
- possible noise, disturbance, pollution and smell nuisance;
- planning policies, government and planning case law including previous decisions of the Council.

4.26 There are a number of issues that are *not* generally material in planning terms, which will *not* be considered in the determination of a planning application. These include:

- Private property rights (boundary/access disputes, restrictive covenants etc.);
- effect on the value of property;
- matters covered by other laws;
- private disputes;
- competition with other businesses.

4.27 Applicants and registered objectors will be informed in writing if their application has been referred to Committee, this will include details of the venue and time of the meeting.

### ***Speaking at a Development Control Committee Meeting***

4.28 Under the Council's public participation scheme verbal statements can be made by members of the public in respect of planning applications at committee meetings. For each planning application there is a maximum of nine minutes for comments for and against the application:

- 3 minutes are available for the relevant Town or Parish Council representatives to speak;
- 3 minutes for objectors to speak against the proposal;
- 3 minutes for an applicant, agent or supporters of the proposal to speak in favour of the proposal.

4.29 Any person may indicate their wish to make a verbal statement to the Committee by contacting Democratic Services at least two days before the Committee meeting. If a member of the public has any particular needs or has concerns about speaking at the meeting, please discuss them with the relevant Committee Administrator, who can be contacted via Democratic Services.

#### **Contact Democratic Services**

☎ (01225) 394452

✉ [democratic\\_services@bathnes.gov.uk](mailto:democratic_services@bathnes.gov.uk)

4.30 Any verbal comments made at Committee will not be recorded in the Committee minutes, although any related comments made by Councillors in attendance will be recorded.

### **Determination of planning application**

4.31 Representations made and verbal comments made at Committee meetings (where relevant) will be carefully considered when deciding whether planning permission should be granted. A list of all those consulted and those who made representations is included in the planning application file, which is available to view on request.

4.32 Decision notices state the decision that has been taken in relation to a planning application and justify why this decision has been made. Decision notices are available within 5 working days of a decision being made. The Council will notify those who have made representations on applications of when a

decision has been made. Decision notices can be viewed on the Council's website or at the Planning reception and enquiries into decisions can be made via Council Connect.

## **Post determination**

4.33 Once a planning application has been determined there are a number of actions that can be taken for aggrieved parties.

### ***Appeal to the Secretary of State***

4.34 There is no right of appeal for third parties. However, if an applicant is aggrieved by the decision of the Council to refuse an application or to grant it subject to conditions, they can appeal to the First Secretary of State under the provisions of the *Town & Country Planning Act 1990* or the *Planning (Listed Buildings & Conservation Areas) Act 1990*. Appeals must generally be made within 6 months of the date of the determination of the planning application, using a form which can be requested from the Planning Inspectorate. Details about how to appeal are sent to the applicant alongside the decision notice.

4.35 Appeals are intended as a last resort and they can take several months to decide. It is often quicker to discuss with the Council whether changes to your proposal would make it more acceptable.

### **Contact the Planning Inspectorate**

✉ Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN  
📞 Look at the Appeals web page [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs)

### ***Make a complaint about the process of considering the Planning Applications***

4.36 Any complaints about community involvement activities in relation to planning applications can be reported to the Planning Services Complaints Officer in the first instance. The Council's corporate complaints procedure is outlined in **Appendix E**. Please note the complaints procedure is not intended to deal with the merits of planning decisions.

## **Enforcement Action**

4.37 Contact the enforcement team if you have a query about whether work carried out required or obtained planning permission.

### **Contact the Enforcement Team**

☎ (01225) 477512  
📧 [development\\_control@bathnes.gov.uk](mailto:development_control@bathnes.gov.uk)

## **5 Reviewing the Statement of Community Involvement**

5.1 Community Involvement methods will be reviewed on an ongoing basis in response to problems or successes experienced while consulting on either the LDF or planning applications. There will also be formal reviews of the SCI. These formal reviews will be triggered by emerging best practice, legislative changes and through the assessment of the success of policies by Planning Services as part of the Annual Monitoring Report. Formal reviews of practice will be carried out in line with government legislation and will require community involvement and feedback from the community will be sought.

5.2 Any complaints about community involvement activities in planning can be reported to the Planning Services Complaints Officer in the first instance. The Council's corporate complaints procedure is outlined in **Appendix E**.

### **Review of community involvement in the preparation of the Local Development Framework**

5.3 The Planning Policy Manager will be responsible for overseeing the review of methods used to involve the community in the preparation of the Local Development Framework (LDF). As outlined in this SCI following each consultation on a Local Development Document (LDD) a summary report of the comments from the consultation will be prepared. A statement of compliance to the SCI will also be produced. This documentation will be presented to the Council Executive, Council or Executive Member as appropriate.

5.4 The Planning Policy team produces an Annual Monitoring Report (AMR), which is published each December. The AMR is available on the Council's website, at the Planning reception and can be purchased at a small cost from Council Connect. The consultation summary reports, statements of compliance to the SCI and feedback on practice received from the community will feed into the annual review of community involvement activities, which will be published as part of the AMR.

5.5 The Planning policy team invites suggestions about how community involvement in the preparation of the LDF can be improved. Any feedback will be

fed into the annual review of the SCI, and may trigger a formal review of practice.

**Contact Planning Policy:**

✉ [planning\\_policy@bathnes.gov.uk](mailto:planning_policy@bathnes.gov.uk)

✉ Planning Policy Team, Trimbridge House, Trim Street, Bath, BA1 2DP

**Review of community involvement in the consideration of planning applications**

5.6 The Development Control Manager will be responsible for overseeing the review of methods used to involve the community in the consideration of planning applications. The Development Control teams will be responsible for providing a range of details which will inform the AMR's review of community involvement policy. For example details of the frequency and nature of developer-led consultation, details of any reviews of practice or changes to practice in relation to community involvement in considering planning applications, as well as details of feedback from the community will need to feed back to the Planning Policy team, so that this can be reported as part of the AMR.

5.7 The Development Control teams invite suggestions about how community involvement in the consideration of Planning Applications can be improved. Any feedback will be fed into the annual review of the SCI, and may trigger a formal review of practice.

**Contact Development Control:**

✉ [development\\_control@bathnes.gov.uk](mailto:development_control@bathnes.gov.uk)

✉ Development Control Manager, Trimbridge House, Trim Street, Bath, BA1 2DP

**6 Resourcing community involvement in Planning**

6.1 It is vital that sufficient and suitable resources are made available to ensure the community engagement methods identified in the SCI can be carried out effectively.

**Resourcing community involvement in the preparation of the Local Development Framework**

6.2 The Planning Policy Manager will be responsible for managing the overall consultation process for the LDF. Funding for the range of community involvement methods outlined in this SCI has been incorporated into the Planning Services Service Plan and Planning Policy budget. For each LDD funding has been



allocated for community involvement and consultation activities, in accordance with the scale and nature of the community involvement anticipated.

6.3 The Planning Policy team also prepare a Project Plan for the Local Development Framework - the **Local Development Scheme** (LDS). The LDS sets out the work programme for the Planning Policy team and outlines which LDDs will be produced and when, over a three year period. Key stages in the preparation of the document and the corresponding opportunities for community involvement are outlined within this project plan. The LDS is subject to approval by elected members at Full Council, on the basis that there are sufficient resources and funding allocated to deliver the work plan outlined.

6.4 The current LDS is available on the Council's website, at the Planning reception and can be purchased at a small cost from Council Connect.

6.5 In the preparation of the LDF it is crucial to work closely with others who are carrying out community involvement activities. This includes collaborative consultation and information sharing within the Council and with other public service providers, close working with established community involvement initiatives and establishing links with the community and voluntary sector. This closer working will also help to make best use of existing information and community involvement networks and can contribute to capacity building in the community and voluntary sector.

### **Resourcing community involvement in the consideration of planning applications**

6.6 The Development Control Manager will have the responsibility for overseeing consultation in relation to planning applications. Funding for community involvement in the consideration of planning applications has been incorporated into the Planning Services Service Plan and Development Control budget. The resourcing of community involvement within Development Control will be reviewed as part of the Service Plan process review carried out by budget holders within Planning Services.

6.7 It is anticipated that developers submitting major applications will contribute significantly to the costs of community consultation on planning applications by undertaking public consultation both at the pre-application stage and during the process of submitting and developing their application.

## **Details of compliance with the statutory requirements for consultation in the preparation of the SCI**

### **Issues and options consultation**

Under regulation 25 (1) of the *Town and Country Planning (Local Development) (England) Regulation 2004*, Bath and North East Somerset Council was required to consult with communities, stakeholders and statutory consultees to inform the preparation of a draft Statement of Community Involvement.

In May-June 2006, the Council consulted 606 organisations, community groups and stakeholders to gather views about consultation in our area, a consultation database was put together - incorporating the recommendations of PPS12 relating to which types of community and voluntary groups should be consulted at this stage. There was an 18% response rate to a postal questionnaire. This consultation did reach a number of new people, with 7% of respondents not having any previously involvement in planning issues.

A number of recommendations were made which have informed the preparation of the draft pre-submission SCI. Some of the key recommendations were:

- Use a diagrammatic format to explain the new planning system and the Local Development Framework;
- Add some explanation about the benefits of early consultation;
- Explain the opportunities for formal consultation, direct officer contact and direct email and mail shot on planning issues;
- Provide details about the format of feedback and how comments will be taken into account in planning decisions;
- Outline methods which will be used to involve children and young people and how planning consultation will be made more engaging;

A summary report on this consultation is publicly available on our website and on request from the Planning reception. Details of this report can also be given by contacting Council Connect.

### **Preferred Option SCI consultation**

In accordance with regulation 26, Bath & North East Somerset Council was required to consult with communities, stakeholders and statutory consultees to inform the preparation of the pre-submission draft Statement of Community Involvement.

In November 2006-January 2007, the council undertook a document based consultation on the pre-submission draft SCI. In line with the emerging SCI a range of methods were used to publicise the consultation and engage harder to reach groups. Many stakeholders were contacted directly with details about how the SCI might affect them. Furthermore, a separate questionnaire designed for young people were administered by Youth Workers and 35 responses were received. 95 responses were received to the main questionnaire. There was a wide range of respondents including Town and Parish Councils, Residents Associations, interest groups, statutory consultees and individuals.

A number of recommendations were made which have informed the preparation of the submission SCI. Some of the key recommendations were:

- Widen the scope of linking with existing community involvement initiatives;
- Include more detail about the appeals process for planning applications;

- Include details of the Council's delegation scheme and the complaints procedure;
- Mention that planning files are available on request;
- Give more detail about the Local Strategic Partnership;
- Prepare a summary leaflet about the SCI (on adoption).

A summary report on this consultation is publicly available on our website and on request from the Planning reception. Details of this report can also be given by Contacting Council Connect.

### **Submission SCI consultation**

This is the submission SCI. Details of the current consultation are outlined in the Preface for Submission Consultation at the front of this SCI.

## Appendix B

### Toolbox of methods the Council will use when involving the community in the preparation of the LDF

\* Indicates minimum requirement

|                    | Method of Involvement                                                                                                                                                       | Usefulness/Considerations                                                                                                                                                                                                                                                                                                                             | Target groups                                                                                      | Which type of LDD is this appropriate for?             | What stage in the preparation of the LDD is this appropriate for?                               |
|--------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|--------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| <b>Information</b> | <b>Provide information about opportunities for consultation in a good time</b> (e.g. online consultation calendar, email bulletins, SMS Text messages and reminder letters) | It is crucial that opportunities for public involvement are flagged up in a good time and that they are held at times and locations which are as convenient as possible. This should increase the response rate and give the best chance to those who would like to participate to be involved.                                                       | Wide audience, no target group.                                                                    | Core Strategy<br>Allocations DPD<br>Other DPDs<br>SPDs | Publicising consultation at any stage.                                                          |
|                    | <b>Media</b><br>(Local Press*, Council publications – e.g. Council News*, radio, regional TV, voluntary group newsletters, etc.)                                            | Local media can be provided with press releases and statements about proposals to report and discuss. With wide distribution, local media can help reach a large audience and publicise how and when communities can become involved.<br><br>However, there may be little control as to which issues the media focuses on or how these are presented. | Wide audience, no target group.                                                                    | Core Strategy<br>Allocations DPD<br>Other DPDs<br>SPDs | Publicising consultation at any stage.                                                          |
|                    | <b>Notification by letter/email*</b>                                                                                                                                        | Direct mailing is an effective way of contacting both statutory consultees and non-statutory consultees. The LDF consultation database will be used to generate mailing lists. See Appendix B for details of how to join this mailing list.                                                                                                           | Statutory Consultees<br>Non-statutory consultees<br>Local residents & local/national organisations | Core Strategy<br>Allocations DPD<br>Other DPDs<br>SPDs | Publicising periods of statutory consultation and providing updates about upcoming consultation |
|                    | <b>Notification of consultation periods in local newspapers*</b>                                                                                                            | Statutory Requirement. Likely to make use of <i>The Bath Chronicle</i> , <i>The Somerset Guardian</i> , the <i>Western Daily Press</i> , <i>Norton Radstock Journal</i> , <i>Bristol Evening Post</i> as well as free newspapers.<br><br>This is a statutory requirement. Notifications are usually published on Thursdays.                           | Local people – including residents, employees & businesses.                                        | Core Strategy<br>Allocations DPD<br>Other DPDs<br>SPDs | Publicising periods of statutory consultation                                                   |

|                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                               |                                                                                                                                                                 |                                                                                                                   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
| <p><b>Internet*</b></p> <p>(Council website*, email bulletins -e.g. Bath &amp; North East Somerset's weekly e-bulletin <i>Inform*</i>, e-consultation)</p>                                                                                                   | <p>Can be used to provide detailed information, progress updates and feedback. The internet allows people to look at proposals in their own time, and is useful for those who would not be able to visit council offices to view documents.</p> <p>Posting information on the website and sending e-bulletins is low cost. Maintaining e-mail contact lists can be labour-intensive, but is very useful. External providers may be sought to provide a Council wide e-consultation package.</p> <p>However, not everyone has access to the internet or is a confident computer user. All documents must still be available in other formats.</p>                       | <p>Wide audience no target group. 75% residents in Bath &amp; North East Somerset have access to the internet (Voicebox survey, 2004-5).</p>                                  | <p>Core Strategy<br/>Allocations DPD<br/>Other DPDs<br/>SPDs</p>                                                                                                | <p>Publicising consultation and providing up to date information at any stage.</p>                                |
| <p><b>Local Publicity*</b></p> <p>Posters/leaflets for display on notice boards, in council offices, community centres, sports centres, shopping centres, libraries, schools and colleges etc. Disseminate leaflets at consultation events/from displays</p> | <p>Summary posters, leaflets and flyers can be used to publicise consultations, outline proposals and inform the community about where further information can be found or how and when they can get involved. This can be a useful way of reaching people who would not normally seek to get involved and for targeting groups.</p> <p>Material should be tailored towards specific groups in terms of the language used, presentation style and issues raised.</p> <p>Design, production and distribution of materials will incur some costs. A distribution network will need to be organised so that the publicity material is displayed and used effectively.</p> | <p>Local people – including residents, employees &amp; businesses.</p> <p>Can be tailored to reach the 'target groups we need to engage' that are identified in this SCI.</p> | <p>Core Strategy<br/>Site Allocations<br/>DPD<br/>Other DPDs<br/>SPDs</p> <p>Will be targeted where there are issues specific to certain geographical areas</p> | <p>Publicising consultation and informing the public of policies which might affect their area at any stages.</p> |
| <p><b>Area notification where site allocations proposed</b></p>                                                                                                                                                                                              | <p>Notification by letter of development proposals under consultation in local area. Letters sent to addresses in the vicinity of a proposed site allocation. The size and parameters of the area are</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <p>Local people – including residents, employees &amp; businesses.</p>                                                                                                        | <p>Site Allocations<br/>DPD<br/>SPDs</p>                                                                                                                        | <p>Preferred options stage where site based allocations have been proposed</p>                                    |

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|  |                                                                                                                                                                                                                                                | to be determined by the size and nature of the site allocation proposed.                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                   |                                                                |                                                                                                                                             |
|  | <b>Hotline</b>                                                                                                                                                                                                                                 | Provision of direct contact telephone number to ask direct questions. Council Connect are the first point of contact for Planning queries (see front of this SCI for contact details).                                                                                                                                                        | Wide audience. A good way of getting information to those who do not have access to the internet.                                                                                                 | Core Strategy<br>Allocations DPD<br>Other DPDs<br>SPDs         | Providing up to date information at any stage.                                                                                              |
|  | <b>Seminars and lectures</b>                                                                                                                                                                                                                   | Provide information and the opportunity to learn more about planning. Guest speakers will be sought where possible to boost interest.                                                                                                                                                                                                         | Can be used to build the capacity and awareness of local residents or local organisations.<br><br>Can be tailored to reach the 'target groups we need to engage' that are identified in this SCI. | Core Strategy<br>Site Allocations<br>DPD<br>Other DPDs<br>SPDs | Pre-submission stages e.g. evidence gathering, issues and options, preferred options.                                                       |
|  | <b>Local Development Documents available for Public Inspection*</b><br>(Council website, Council offices and all public libraries in the district).<br>The LDF Deposit Stations are listed in the Key Contacts section at the end of this SCI. | Statutory requirement. It should be clear how and when people should respond. All council offices are accessible to people with disabilities and there are members of staff available to assist members of the public and answer queries during office hours. The statutory consultation period should be advertised widely and in good time. | Local people – including residents, employees & businesses.                                                                                                                                       | Core Strategy<br>Allocations DPD<br>Other DPDs<br>SPDs         | All stages, particularly periods of statutory consultation.                                                                                 |
|  | <b>Formal and informal dialogue with statutory consultees*</b><br><br>(see Appendix B for a list of Statutory Consultees)                                                                                                                      | Statutory requirement to formally inform statutory consultees of document publication and formal consultation periods.                                                                                                                                                                                                                        | Statutory consultees                                                                                                                                                                              | Core Strategy<br>Allocations DPD<br>Other DPDs<br>SPDs         | Pre-submission stages e.g. evidence gathering, issues and options, preferred options, submission, and all periods of statutory consultation |
|  | <b>Town &amp; Village meetings and forums</b>                                                                                                                                                                                                  | Meetings must be well-organised and need to be chaired effectively. Useful to gain a better understanding of the issues as they are seen from a local perspective and directly engage with local people.                                                                                                                                      | Parish Councils<br>People living in rural area & rural businesses and other organisations.                                                                                                        | Core Strategy<br>Allocations DPD<br>Other DPDs                 | Pre-submission stages e.g. evidence gathering, issues and options, preferred options.                                                       |

|                     |                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                          |                                                                       |                                                                                                  |
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| <b>Consultation</b> | <b>Public exhibitions and road shows</b>                                          | <p>Prior publicity is required to make this method worthwhile. Exhibitions should be held in accessible locations and may need to be held over a number of days and at different times to ensure that all members of the community can attend.</p> <p>Exhibitions should be part of a wider exhibition or in an area which is frequently used for such purposes.</p> <p>High quality promotional material and display stands are required to make the exhibition eye catching.</p> | <p>Can be used to build the capacity and awareness of local residents or local organisations.</p> <p>Can be tailored to reach the 'target groups we need to engage' that are identified in this SCI.</p> | <p>Core Strategy<br/>Allocations DPD<br/>Other DPDs</p>               | <p>Pre-submission stages<br/>e.g. evidence gathering, issues and options, preferred options.</p> |
|                     | <b>Meetings &amp; Workshops organised to involve the community*</b>               | <p>Can be used to identify and gain a fuller understanding of key issues.</p> <p>Efforts must be made to ensure these are well attended, purposeful and organised in good time.</p>                                                                                                                                                                                                                                                                                                | <p>Statutory consultees &amp; non-statutory consultees as appropriate.</p> <p>Can be tailored to reach the 'target groups we need to engage' that are identified in this SCI.</p>                        | <p>Core Strategy<br/>Allocations DPD<br/>Other DPDs<br/>SPDs</p>      | <p>Pre-submission stages<br/>e.g. evidence gathering, issues and options, preferred options.</p> |
|                     | <b>Qualitative Research</b><br>(such as focus groups, citizen panels, interviews) | <p>Good method of identifying key issues and concerns and generating ideas. Useful for considering the presentation of options. Issues can be explored in more depth than in surveys.</p> <p>The consultation arrangements for the Local Strategic Partnership &amp; Community Strategy consultation databases can be utilised to avoid duplication.</p>                                                                                                                           | <p>Wide audience.</p> <p>Can be tailored to reach the 'target groups we need to engage' that are identified in this SCI.</p>                                                                             | <p>Core Strategy<br/>Allocations DPD<br/>Other DPDs</p>               | <p>Pre-submission stages<br/>e.g. evidence gathering, issues and options, preferred options.</p> |
|                     | <b>Surveys</b><br>(e.g. e-consultation and questionnaires)                        | <p>Good method for involving and seeking views of a large number of people. Initial start up costs relatively high. Utilise Council News and Voicebox (a postal survey sent to a random sample of households in the district).</p>                                                                                                                                                                                                                                                 | <p>Wide audience.</p> <p>Can be tailored to reach the 'target groups we need to engage' identified.</p>                                                                                                  | <p>Core Strategy<br/>Allocations DPD<br/>Other DPDs<br/>Some SPDs</p> | <p>Pre-submission stages<br/>e.g. evidence gathering, issues and options, preferred options.</p> |

|                      |                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                            |                                                                             |                                                                                          |
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| <b>Participation</b> | <b>Interactive Workshops</b>                                                                                                                                                           | <p>Engages local communities in an interactive and proactive way to identify priorities and help create action plans. This approach can help generate ideas and secure greater ownership of proposals. It is also useful for identifying and discussing controversial issues.</p> <p>Feedback and continuing dialogue necessary. Must be managed and delivered well. Need to built trust and communication to make this successful.</p> <p>Involves officer involvement and/or external facilitators required. Workshops must have target audience.</p> | Can be used to build the capacity and awareness of local residents or local organisations. | Core Strategy<br>Allocations DPD<br>Other DPDs<br>Area Action Plans<br>SPDs | Pre-submission stages<br>e.g. evidence gathering, issues and options, preferred options. |
|                      | <b>Steering/ Advisory/ Working groups</b>                                                                                                                                              | Key stakeholders, statutory consultees and elected representatives can be involved in discussing key planning issues. Useful for facilitating discussions on controversial topics or discussing themes. Role of the group should be clear. There should be a transparent approach to member selection.                                                                                                                                                                                                                                                  | Statutory consultees<br>Non-statutory consultees<br>Elected representatives                | Core Strategy<br>Allocations DPD<br>Other DPDs<br>SPDs                      | All stages                                                                               |
|                      | <b>Linking with existing community involvement initiatives*</b>                                                                                                                        | <p>Linking with the Local Strategic Partnership and Community Strategy consultation would be highly useful. Linking into meetings and events organised by existing community groups would also be beneficial. This approach can help avoid consultation fatigue.</p> <p>Low cost as avoids duplication of consultation.</p>                                                                                                                                                                                                                             | Wide audience.                                                                             | Core Strategy<br>Allocations DPD<br>Other DPDs<br>SPDs                      | Pre-submission stages<br>e.g. evidence gathering, issues and options, preferred options. |
|                      | <b>Discussions with individuals and groups not involved with existing community initiatives</b><br><br>(through outreach & pre-arranged meetings with specific groups e.g. gypsies and | <p>Use of personal interaction to overcome barriers to participation can be effective. Although it is difficult to reach large number of people using this method. This method relies on building relationships over the longer-term.</p> <p>Members of the local community should be trained and supported to facilitate dialogue with their own</p>                                                                                                                                                                                                   | Local residents and businesses not represented by any other organisation.                  | Core Strategy<br>Allocations DPD<br>Other DPDs<br>SPDs                      | Pre-submission stages<br>e.g. evidence gathering, issues and options, preferred options. |



|  |                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                         |                                                        |                                                                                                                                             |
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|  | travellers, young people in schools and colleges)                  | <p>communities. This is useful for building skills and capacity building within communities.</p> <p>The reliance on individuals to carry this method forward can be problematic if they move on.</p> <p>Facilitating members of local communities to play an active role in this can lead to capacity building.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                         |                                                        |                                                                                                                                             |
|  | <b>Internal Corporate Discussion with elected representatives*</b> | <p>Ensures effective participation of elected representative and cross-council officer involvement. Encourages integrated working and provides a system to feedback to constituents and council employees.</p> <p>The role of councillors within these discussions is crucial. They are often the first to hear of local concerns, and they need to be aware of key policies and initiatives.</p> <p>The Planning Policy team will contact Ward Councillors directly when developing Local Development Documents to keep them informed of progress. We will also signpost aspects of the policies which will directly impact on their Ward (e.g. area specific allocations).</p> <p>Councillors on Development Control Committees and the Executive have a significant policy-making role. A list of councillors is available on the Council's website.</p> | Elected representatives | Core Strategy<br>Allocations DPD<br>Other DPDs<br>SPDs | Pre-submission stages e.g. evidence gathering, issues and options, preferred options, submission, and all periods of statutory consultation |

## List of Consultation Bodies

**The list presented here is not exhaustive and also related to successor bodies where reorganisations occur. The consultation database is available for public scrutiny on request.**

If you would like to be added to our consultation database contact us:

☎ 01225 477548

✉ [planning\\_policy@bathnes.gov.uk](mailto:planning_policy@bathnes.gov.uk)

✉ Planning Policy Team, Trimbridge House, Trim Street, Bath, BA1 2DP

We will use our consultation database to you when opportunities for consultation arise in the preparation of the LDF. We will target consultation according to area of interest wherever possible.

### Statutory Consultees

**The Town & Country Planning (Local Development) (England) Regulations 2004 specify that the following bodies must be consulted if the council considers that body will be affected by what is proposed to be covered in a Local Development Document.**

- South West Regional Assembly
- South West Regional Development Agency
- Local Authorities adjoining Bath & North East Somerset:
  - Bristol City Council
  - Mendip District Council
  - North Somerset District Council
  - North Wiltshire District Council
  - Somerset County Council
  - South Gloucestershire District Council
  - West Wiltshire District Council
  - Wiltshire County Council
- Natural England (formerly Countryside Agency & English Nature)
- Environment Agency
- English Heritage
- Historic Buildings and Monuments Commission for England
- Highways Agency
- Strategic Rail Authority
- Strategic Health Authority
- Relevant sewerage and water undertakers
- Relevant telecommunications companies
- Relevant gas and electricity companies

Parish & Town Councils within Bath & North East Somerset Council:

|               |                        |                             |
|---------------|------------------------|-----------------------------|
| Bathampton PC | Englishcombe PC        | Peasedown St John PC        |
| Batheaston PC | Farmborough PC         | Priston PC                  |
| Bathford PC   | Farrington Gurney PC   | Publow and Pensford PC      |
| Cameley PC    | Freshford PC           | St Catherine Parish Meeting |
| Camerton PC   | High Littleton PC      | Saltford PC                 |
| Charlcombe PC | Hinton Blewett PC      | Shoscombe PC                |
| Chelwood PC   | Hinton Charterhouse PC | South Stoke PC              |
| Chew Magna PC | Kelston Parish Meeting | Stanton Drew PC             |
| Chew Stoke PC | Keynsham TC            | Stowey Sutton PC            |
| Claverton PC  | Marksbury PC           | Swainswick PC               |
| Clutton PC    | Monkton Combe PC       | Timsbury PC                 |

|                   |                            |                  |
|-------------------|----------------------------|------------------|
| Combe Hay PC      | Nempnett Thrubwell PC      | Ubley PC         |
| Compton Dando PC  | Newton St Loe PC           | Wellow PC        |
| Compton Martin PC | North Stoke Parish Meeting | West Harptree PC |
| Corston PC        | Norton Marleward PC        | Whitchurch PC    |
| Dunkerton PC      | Norton Radstock TC         |                  |
| East Harptree PC  | Paulton PC                 |                  |

Relevant Parish Councils adjoining Bath & North East Somerset Council:

|                                 |                                        |
|---------------------------------|----------------------------------------|
| Mendip Parish Councils:         | Butcombe                               |
| Chewton Mendip                  | Dundry                                 |
| Chilcompton                     | Winford                                |
| Hemington                       | Colerne                                |
| Kilmersdon                      | South Gloucestershire Parish Councils: |
| Litton                          | Bitton                                 |
| Norton St Philip                | Cold Ashton                            |
| Priddy                          | Hanham Abbots                          |
| Ston Easton                     | Marshfield                             |
| Stratton on the Fosse           | West Wilts Parish Councils:            |
| North Wilts Parish Councils:    | Limpley Stoke                          |
| Box                             | Monkton Farleigh                       |
| Colerne                         | Westwood                               |
| North Somerset Parish Councils: | Winsley                                |
| Blagdon                         |                                        |

## Relevant Government Departments

**The Government Office for the South West (GOSW) will be the first point of contact for consultation with central government departments.**

**We will consult any government departments or agencies where they have large landholdings in the area covered by a LDD. This will ensure that we are fully aware of the possible need for expansion of existing facilities or the likelihood of large scale land disposals taking place within the period of time covered by the LDD.**

Home Office  
 Department for Education and Skills (through GOSW)  
 Department for Environment, Food and Rural Affairs  
 Department for Transport (through GOSW)  
 Department of Health (through relevant Regional Public Health Group)  
 Department of Trade and Industry (through GOSW)  
 Ministry of Defence  
 Department of Work and Pensions  
 Department of Constitutional Affairs  
 Department for Culture Media and Sport  
 Office of Government Commerce (Property advisors to the Civil Estate)

## General consultation bodies:

**Various types will be consulted depending on the nature and relevance of the Local Development Document. For example:**

- Voluntary bodies
- Bodies which represent the interests of different racial, ethnic or national groups
- Bodies which represent the interests of different religious groups
- Bodies which represent the interests of disabled persons
- Bodies representing the business community

## Examples of non-statutory consultees

**This list is not exhaustive and gives example of non-statutory consultees that will be consulted. Although those listed here are organisations, individual residents are also encouraged to join the consultation database.**

- Airport operators
- British Chemical Distributors and Traders Association
- British Geological Survey
- British Waterways, canal owners and navigation authorities
- Campaign to Protect Rural England (CPRE)
- Centre for Ecology and Hydrology
- Chambers of Commerce, local CBI and local branches of the Institute of Directors
- Church Commissioners
- Civil Aviation Authority
- Coal Authority
- Commission for Architecture and the Built Environment
- Commission for New Towns and English Partnerships
- Commission for Racial Equality
- Community Associations
- Crown Estate Office
- Diocesan Board of Finance
- Disability Rights Commission
- Disabled Persons Transport Advisory Committee
- Development Industry.
- Electricity, Gas, and Telecommunications Undertakers and the National Grid Company
- Environmental Groups at national, regional and local level including: National Forest Company; Council for the Protection of Rural England; Cotswolds Conservation Board; Friends of the Earth; Royal Society for the Protection of Birds; Wildlife Trusts & Woodland Trusts.
- Equal Opportunities Commission
- Fire and Rescue Services
- Forestry Commission
- Freight Transport Association
- Gypsy Council
- Health and Safety Executive
- Help the Aged
- Home Builders Federation
- Housing Corporation
- Learning and Skills Council
- Local Agenda 21 Groups including: Civic Societies; Community Groups; Local Transport operators; Local Race Equality Council and other local equality groups.
- National Playing Fields Association
- Network Rail
- Passenger Transport Authorities
- Passenger Transport Executives
- Police Architectural Liaison Officers/Crime Prevention Design Advisors
- Post Office Property Holdings
- Residents Groups and Associations
- Rail Companies and the Rail Freight Group
- Regional Development Agencies
- Regional Housing Boards
- Regional Sports Boards
- Road Haulage Association
- Sport England
- Theatres Trust
- Traveller Law Reform Coalition
- Water Companies
- Women's National Commission

## Bath & North East Somerset Council's Planning Delegation Scheme

The Council's Approved Scheme authorises nominated officers to determine all applications for planning and other permissions **except** where:

1. A Member has, before a delegated decision is made, requested in writing (to include digital electronic and computerised forms), and including Planning reasons for the request, that the application be referred to committee, having first consulted the local Ward Member(s). **Where a request is made without supporting Planning reasons, or is made later than four weeks after the publication of the Weekly List, there shall be prior consultation with the Chair of the relevant committee before a decision is made whether or not to refer the application to committee.**
2. The Head of Planning Services considers that the application should be considered by committee.
3. The application would represent a departure from the policies of the statutory Development Plan and is being recommended for approval.
4. The proposal involves the Council as an applicant.
5. The applicant is a Councillor for Bath and North East Somerset or their relative. Any individual who has served as a Councillor within the two years preceding the date of the application shall be regarded as coming within the terms of this Section.
6. The applicant is a Council employee who works within Planning Services, is a senior manager of the Council, or is a member of staff who could be seen by members of the public as having a direct input to, and therefore influence upon, the decision on the application.
7. The applicant is a Council employee not included under Section (6), when there shall be prior consultation with the Chair of the relevant committee before a decision is made whether or not to refer the application to committee.
8. The application is one in connection with which either a Councillor for Bath and North East Somerset or a Council employee is privately employed in any capacity (e.g. as agent or consultant). Any individual who has served as a Councillor within the two years preceding the date of the application shall be regarded as coming within the terms of this Section.
9. An application has been the subject of three or more letters of objection or support which are contrary to officer recommendation, when there shall be prior consultation with the Chair of the relevant committee before a decision is made whether or not to refer the application to committee. For the purposes of this Section, letters of objection or support that do not give Planning-based reasons will be disregarded, and multiple letters from within the same household will be treated as 1 letter of objection or support, although all representations will be taken into account in the subsequent determination of the application.

10. An application has been the subject of a letter of objection, comment or support from the Parish Council for the area including the application site (or for an adjoining area) which is contrary to officer recommendation, when there shall be prior consultation with the Chair of the relevant committee before a decision is made whether or not to refer the application to committee. For the purposes of this Section, letters of objection or support that do not give Planning-based reasons will be disregarded, although all representations will be taken into account in determining the application.

11. A repeat application is received following a refusal under delegated authority, and the proposal is essentially the same, and the officer recommendation is to refuse, when it shall be referred in the first instance for comments to the Ward Councillor(s) before a decision is made whether or not to refer the application to committee.

12. An application is wholly or partly retrospective and it is the subject of one or more letters of objection, when there shall be prior consultation with the Chair of the relevant committee before a decision is made whether or not to refer the application to committee.

13. An application is partly retrospective and relates to development that has not been carried out in accordance with a previous planning permission in respect of which third party objections had been raised at the time of the previous application.

14. An application is made for Prior Approval under Regulations that impose a strict deadline for the issuing of a decision, and the representations received fall within the provisions of Sections 9 or 10 above, and the application can be reported to the appropriate Committee in time for a decision notice to be supplied to the Applicant prior to the expiry of the statutory period.

## **Bath & North East Somerset Council's Complaints Procedure**

The Council aims to involve people in an effective way during the preparation of the Local Development Framework and when considering planning applications. Any complaints about community involvement activities in relation to either the Local Development Framework or when considering planning applications should be sent in the first instance to:

The Planning Services Complaints Officer  
Trimbridge House  
Trim Street  
Bath  
BA1 2DP

### **When to make a complaint:**

- If we fail to respond to a routine service request or don't act in time;
- If you receive seriously inadequate or unsatisfactory service;
- If we fail to follow policies, rules or procedures;
- If you experience any discrimination, harassment or unhelpful behaviour from staff;
- If we give you any inaccurate or misleading information.

### **What we need to know:**

- Your name;
- The details of your complaint;
- Where and how we can contact you;
- If you need any specific help e.g. an interpreter, someone to act on your behalf.

### **What we will do:**

- Treat you with courtesy and take the complaint seriously;
- Acknowledge all written complaints within 5 working days and provide a full response within 15 working days. If we need longer, we will let you know why and when you can expect a full reply;
- Investigate the situation fully and promptly and put matters right as quickly as possible.

The complaints procedure is not intended to deal with the merits of planning decisions. However, if any party is dissatisfied with the manner in which a planning application has been handled in terms of its administration, then they can complain to the Council in the first instance (details above), or if this does not lead to the resolution of the complaint, then to the Local Government Ombudsman.

***Bath & North East Somerset's Corporate Complaints procedure is available on the website or by request from a member of staff or contacting Council Connect on 01225 394041.***

# Glossary

**Adoption:** Final confirmation of a development plan and other local development documents as having statutory status by a local planning authority.

**Area Action Plans:** These should set out more detailed plans for key areas of opportunity, change and/or conservation. These would set out the appropriate scale, mix and quality of development. These documents are optional, and there is no duty for the Local Authority to produce these documents.

**Annual Monitoring Report (AMR):** It is a legal requirement for local planning authorities to monitor and review progress towards the delivery of the local development documents. Progress is set down in an Annual Monitoring Report which has to be prepared by the December following the end of the previous financial year.

**Appeals:** Process where an applicant can challenge a decision. For example, a refusal of planning permission by a local planning authority can be appealed to the Secretary of State (DCLG), who in turn delegates most decisions to the Planning Inspectorate.

**Bath & North East Somerset Compact:** The Compact is an agreement that sets out how the voluntary and community sector and the statutory sector will work together for the benefit of the people of Bath & North East Somerset.

**Citizen Panels:** The purpose of Citizen Panels is to enhance accountability by giving citizens the potential to influence decision making within their communities. The Panels are randomly selected and are used to find out the views of residents on specific issues and how these could improve.

**Community Strategy:** The Council is required to prepare a Community Strategy under the Local Government Act 2000. The Council's current Community Strategy is called *Better for Everyone: The Community Strategy for Bath and North East Somerset, 2004 and beyond*. This is intended to promote and improve the economic, social and environmental wellbeing of the area and to contribute to achieving sustainable development. The actions carried out through the planning system will help to deliver parts of the Sustainable Community Strategy (those that relate to development and use of land).

**Consultation Panel:** Consultation Panels can be set up in a local area, they can comment on applications on behalf of their local community. These should be led by the community in collaboration with the Council.

**Conservation Areas:** Areas of special architectural or historic interest, the character, appearance or setting of which it is desirable to preserve or enhance; permitted development rights may be restricted in these areas.

**Core Strategy:** A Development Plan document. It sets out the long-term (10+ years) spatial vision and strategy for the district, including the key strategic policies and proposals to deliver that vision. It will also include the broad locations for housing, business, retail, leisure, transport and other development needs.

**Decision Notice:** A formal, written, legal document which states the decision made by a planning authority in relation to an application, including any conditions attached to permission.



**Development Control:** The processing by a local planning authority of planning applications, enforcement actions, appeals and related work; usually the name of the section of a planning department dealing with this work.

**Development Plan Document (DPD):** A spatial planning document prepared by the planning authority that is subject to an independent public examination. They can cover a range of issues, and will set out the main spatial strategy, policies and proposals of the Council. DPDs include the Core Strategy, Adopted Proposals Map, Site Specific Allocations, Area Action Plans. Together with the Regional Spatial Strategy these documents form the development plan for your area.

**Enforcement:** The Planning Acts empower the local planning authority to take action against development which has not been properly authorised, including development which is not in accordance with a permission given; usually each local planning authority has an 'enforcement team' who carry out this work.

**Environmental Impact Assessment:** Applicants for certain types of development are required to submit an "environmental statement" accompanying a planning application. This evaluates the likely environmental impacts of the development, together with an assessment of how the severity of the impacts could be reduced.

**General Conformity:** A process by which regional planning bodies consider whether a development plan document is in 'general conformity' with the Regional Spatial Strategy. This checks that local policies do not contradict regional policies. Also other development plan documents must conform to the Core Strategy.

**General Permitted Development Order (GPDO):** This is a piece of subsidiary legislation which defines those forms of development which are exempted from planning control because they are considered so small-scale that they will not have a significant impact on the environment; examples include small-scale house extensions, and changes of use within a Use Class.

**Householder Applications:** Generally taken as meaning planning applications from occupiers of a single dwelling relating to that property.

**Independent Examination:** The process by which an independent Planning Inspector may publicly examine a Development Plan Document or a Statement of Community Involvement, and any representations, before issuing a binding report.

**Listed Buildings Consent:** Consent required for the demolition, in whole or in part of a listed building, and for any works of alteration or extension that would affect the character of the building.

**Local Architectural or design panel:** A design team may be set up with the aim of helping to secure high quality development. Existing groups such as the South West Design Review Panel can also be utilised.

**Local Area Agreement (LAA):** This is a 3-year plan agreed by partners, the Council and Government which sets out agreed targets for the area. The agreement also identifies the funding which will be used to meet these targets.

**Local Development Documents (LDDs):** Generic term for documents that can be included in the Local Development Framework.

**Local Development Framework (LDF):** The name for the portfolio of Local Development Documents that provides the framework for delivering the spatial strategy of the area. It consists of the Development Plan documents, a statement of community involvement, the Local development scheme, and Annual Monitoring Reports.

**Local Development Scheme (LDS):** *This a key document.* It is a project plan for the planning department, providing the programme for updating policy documents, creating new policy documents, and outlining the main stages in production, including the opportunities for your involvement. It should identify all existing planning policies used for deciding applications. Progress against targets set within the Local Development Scheme will be outlined in the Annual Monitoring Report.

**Local Strategic Partnership (LSP):** LSPs are not statutory bodies, but they bring together the public, voluntary, community and private sectors to coordinate the contribution that each can make to improving localities. Underpinning and supporting the LSP are various thematic partnerships such as the Crime and Disorder Reduction Partnership and children's trust, which are responsible for tackling specific agendas and delivering service improvements. The White Paper "Strong and Prosperous Communities" identifies LSPs as being "the main vehicle for developing a vision for transforming a place and for tackling hard cross-cutting social problems."

**Local Plan:** The document which set out the local planning policy under the old planning system. Following adoption, it is anticipated that the Local Plan will be saved for a three year period (until 2011).

**Material Considerations:** factors which are 'material' (relevant) to planning, such as sustainability, amenity, design, traffic and pollution impacts.

**Ombudsman:** Local Government Ombudsmen can investigate 'maladministration causing injustice' – resulting from failure to follow established procedure in local government.

**Parish Charter:** The document which sets out the details of the working relations between Bath & North East Somerset Council and Local Councils in the district (revised 2006).

**Parish Council:** Where an area is designated as a civil parish, the community it contains may be represented by a Parish Council which is an elected local government body. This provides a limited range of local public services and makes representations on behalf of the community to other organisations; particularly significant to planning in that it can make submissions on behalf of its community when development plan documents are being prepared and on planning applications submitted within the parish. An increasingly important role is in being proactive in the preparation of Parish Plans (see below).

**Parish Plans:** A community planning tool which assists communities to articulate issues of concern to them. This results in an action plan which can be used to inform and endorse the Parish Council's role in acting on behalf of and representing the community. Parish Plans are the most sophisticated and wide ranging in a number of such tools e.g. village appraisals and village design

statements, which have been developed over the years as part of the Government's countryside initiatives.

**Planning Committee:** A term referring to the planning decision-making body of a local authority. The planning committee is made up of elected members/councillors. One of the roles of planning committee is to make decisions on planning applications.

**Planning Inspectorate:** Planning Inspectors act on behalf of the Secretary of State (DCLG) and make decisions on appeals and hold examinations on Development Plan Documents.

**Planning Obligations (Gain):** The planning authority can negotiate with a developer for additional benefits or safeguards, normally for the benefit of the community.

**Proposals Map:** This will map all the policies and proposals contained in DPDs. This must be revised every time a DPD is approved for adoption, so that this map is effectively updated as the policies are.

**Regional Spatial Strategy (RSS):** This sets out the South West region's policies in relation to the development and use of land. The Council's policies within Local Development Documents must conform to these policies.

**Site Specific Allocations:** The allocation of sites for specific or mixed uses. Policies will identify any specific requirements for the site.

**Statement of Community Involvement (SCI):** Sets out the approach of the authority to involving the community in the preparation, alteration and review of Local Development Documents and in the consideration of planning applications.

**Statement of Compliance:** A report or statement prepared by the local authority which explained how it has complied with the SCI during consultation on planning policy (i.e. the Local Development Framework).

**Supplementary Planning Document (SPD):** SPDs provide additional detail to show how policies in Development Plan documents should be implemented. This may include Design Guides, Development Briefs and topic based papers. SPDs are not subject to independent examination; however, community involvement in their preparation will be important. These documents will also be taken into account in planning decisions.

**Sustainability Appraisal (SA):** A social, economic and environmental appraisal of strategy, policies and proposals – required for the Regional Spatial Strategy, all Development Plan Documents and Supplementary Planning Documents.

**Statutory Consultees:** Regulations set out in national planning policy outlines the need for local planning authorities to consult with these bodies. A list of statutory consultees is included in Appendix B.

## Key Contacts for advice on planning issues

The following section outlines the key contacts for information on planning issues.

### **Bath & North East Somerset Council**

This SCI will give you information about community involvement in planning. Contact details for specific departments. The glossary of terms at the back of this document is also a useful tool.

#### **www.bathnes.gov.uk**

There is a designated 'environment & planning' section of the Council's website which gives details of planning applications, planning policy, heritage and environment & major developments and special projects. This can be accessed using the Council website A-Z facility.

#### **Subscribe to the Council's e-newsletter**

For regular updates about planning and other issues you can subscribe to the Council's free e-newsletter 'Inform' from the Council website home page.

#### **Contact Council Connect**

Call, email and text Council Connect regarding general planning queries.

Telephone: 01225 39 40 41

Text: 07797 806544

Email: councilconnect@bathnes.gov.uk

#### **Visit the Planning reception**

To look at hard copies of planning policy documents, planning application files or request to look at archived files visit the Planning reception. Members of staff are available to answer your questions and give you assistance. Leaflets and other advisory publications are also available. Opening times: Mon-Thurs 8.30am-5.00pm (until 4.30pm on Friday).

Planning reception: Trimbridge House (ground floor), Trim Street, Bath, BA1 2DP

#### **Visit the LDF Document Deposit Stations**

During periods of statutory consultation on the LDF, draft documents, committee reports and associated background papers etc will be available at the following deposit stations in the district:

##### **All Public Libraries:**

Bath Library, 19 The Podium, Northgate Street, Bath, BA1 5AN

Keynsham Library, The Centre, Keynsham, BS31 1ED

Midsomer Norton Library, 119 High Street, Midsomer Norton, BA3 2DA

##### **Mobile Libraries**

Moorland Road Library, Moorland Road, Bath, BA2 3PL

Paulton Library, Central Methodist Church, Paulton, BS39 7QQ

Radstock Library, The Street, Radstock, BA3 3PR

Saltford Library, 478a Bath Road, Saltford, BS31 3DJ

Weston Library, Church Street, Weston, Bath, BA1 4BU

##### **The following Council Offices:**

Planning reception, Trimbridge House, Trim Street, Bath, BA1 2DP

Riverside, Temple Street, Keynsham, Bristol, BS31 1LA

The Hollies, High Street, Midsomer Norton, BA3 2DP

*Details of opening times etc are available on the Council website or via contacting Council Connect. We are open to suggestions of additional deposit stations in the area.*

## **Advisory Publications**

There are a number of advisory publications about the planning system, recent examples include:

- *Planning Simplified for Parish Councils* (to be published 2007) Local Government Information Unit Booklet
- *The Handy Guide to Planning* (2006) Urban Forum, Planning Aid & RTPi Booklet
- *The Planning Pack* (2006) Information sheets on different aspects of planning [www.planningaid.rtpi.org.uk](http://www.planningaid.rtpi.org.uk)

## **Planning Portal      [www.planningportal.gov.uk](http://www.planningportal.gov.uk)**

The Planning Portal is the Government's online service for planning. The website can be used to learn about the planning system, apply for planning permission, find out about development near you, appeal against a planning decision and research the latest government policy.

## **South West Planning Aid      [www.planningaid.rtpi.org.uk](http://www.planningaid.rtpi.org.uk)**

South West Planning Aid provides free, independent and impartial advice on town planning matters to community groups and individuals who cannot afford professional fees. It is part of the Royal Town Planning Institute, a charity and the professional body for planning. It has paid staff as well as a strong professional volunteer network.

South West Planning Aid can prepare individuals and communities for their involvement with local authorities and the development plan process (e.g. through advice/training). It also provides help and support on planning applications.

For further details contact their Helpline on 0870 850 9807 if the inquiry relates to a planning application, or 0117 929 7292 if it's about a development plan document. Alternatively email [swco@planningaid.rtpi.org.uk](mailto:swco@planningaid.rtpi.org.uk)

This document about community involvement in planning can be made available in a range of community languages, large print, Braille, on tape, electronic and accessible formats from the Planning Policy Team Tel (01225 477548) Fax (01225 477617), Minicom (01225 477535).