

STATEMENT OF COMMUNITY INVOLVEMENT – CONSULTATION DRAFT

Plymouth, South Hams and West Devon

I. INTRODUCTION

- I.1. Everyone needs to be involved in making places great to live, work and play in. By living in an area, you know what is happening in your community and how it could be improved. If you are a local group or business in the area, you will have information and ideas that can help shape the future. By taking part you can make sure that decisions being made are the best for you and the area.

What is the Statement of Community Involvement?

This document sets out what the Councils have committed to do so that the community are involved in planning.

- I.2. This is a joint Statement of Community Involvement, or 'SCI', between Plymouth City Council, South Hams District Council and West Devon Borough Council. It builds on the work of the Plymouth and South West Devon Joint Local Plan, providing a consistent baseline to support the continued cooperation in planning across the three Local Planning Authorities (LPA).
- I.3. The SCI sets out the minimum requirements for consultation and involvement that must be followed by the LPAs of the Councils when preparing planning documents or consulting on planning applications. The document also sets out how the LPAs will support groups undertaking neighbourhood planning.
- Technical Point – The preparation of a Statement of Community Involvement is a requirement of s18 of the Planning and Compulsory Purchase Act 2004 (as amended). Under s180 of the Planning Act 2008, Statements of Community Involvement are considered to be Local Development Documents. S6 of the Neighbourhood Planning Act 2017 requires SCIs to set out how a council as LPA will support groups undertaking neighbourhood planning.

Aims of the Statement of Community Involvement

The Councils want consultation and engagement to work for everyone and lead to better decisions.

- I.4. This document is intended to provide certainty for communities about the basis upon which the LPA will engage with them in the future and to guide LPAs to provide an excellent and professional process as they undertake their responsibilities. The primary aim is to ensure that consultation and engagement is meaningful and effective, resulting in better outcomes for everyone.
- I.5. The Councils believe that local knowledge and opinion can help to achieve the best outcomes in planning. By being clear about what the Councils will do, we hope to ensure that involvement happens at the most appropriate stage to influence the decisions that are made.
- I.6. Communities, developers and third parties are also encouraged to use the SCI to inform how they conduct their own consultation and engagement. Developers submitting planning applications should also be aware of any requirements set out in the Local Validation List.

How to Use the Statement of Community Involvement

The SCI can be used in a number of different ways depending on your role.

- 1.7. For people who are designing consultation processes (including, but not limited to, the Councils) the SCI sets out the principles that should be followed (chapter 2), gives advice on creating a consultation process (chapter 3) and sets out the specific actions that the Councils must take for certain types of consultation (chapters 4-8).
- 1.8. For those wanting to know how to influence or engage with the planning system the SCI gives an insight into how the Councils intend to consult with stakeholders and provides clarity about what the Councils will do as a minimum when consulting on planning related matters. The SCI also gives some key advice in grey boxes about how to effectively engage in consultations.
- 1.9. The principles section sets out the approaches that the Councils will take towards their consultations. The 'Consultation On' sections explain the specific commitments that the Councils are making to do for every consultation of that type and is what the Councils are legally required to carry out once the SCI is adopted.

Top tip – words that begin with capital letters normally have a definition in the Glossary

What is Not Included?

- 1.10. This document does not contain consultation policies for planning applications that are dealt with by Devon County Council (for example their minerals and waste applications), nor for planning policy documents and planning applications relating to Dartmoor National Park, which has its own LPA.
- 1.11. Each of the Councils can also introduce consultation and processes that are in addition to what is set out in the SCI. For example one Council may choose to routinely consult more widely on their planning applications. Where this is the case, the authority will have additional documents on the Statement of Community Involvement page of their website.
- 1.12. In addition to the consultation requirements set out in the SCI, LPAs must also ensure that they meet the requirements of the 'duty to cooperate' with neighbouring councils and statutory bodies (such as the Environment Agency and Highways England) constructively, actively and on an ongoing basis.
 - Technical point – the duty to cooperate is required by s33A of the Planning and Compulsory Purchase Act 2004 and amended by s110 of the Localism Act 2011 and relates to when preparing planning documents which relate to strategic matters or which could have a strategic impact. The duty to cooperate is not a 'duty to agree'. However, LPAs are required to demonstrate how they have complied with the duty to cooperate at the independent examination of their local plan. If a LPA cannot show that it has complied with the duty to cooperate then the proposed local development plan will be found unsound by a Planning Inspector.

2. PRINCIPLES

These are overarching principles for how the Councils will aim to conduct their community engagement and consultation processes for planning matters.

2.1. The Councils will develop its planning consultations having regard to the following general principles. The Councils will also expect consultations done by others (for example developers and neighbourhood planning groups) to use these principles too.

1. **Appropriate, Meaningful and Relevant**

- We will deliver meaningful consultations, proportionate to their complexity, using Plain English and explaining technical terms.

2. **Integrity and Honesty**

- We will be clear about the scope of our consultations, so that those responding are aware of what they are able to influence.

3. **Equality and Diversity**

- We will ensure that all our consultations are fair and open, taking into account the needs of all sectors of the community relevant to the consultation.

4. **Open and Fair**

- We will give sufficient information and reasoning to allow for an informed response and we will give sufficient time for responses to be made, taking into account any statutory time requirements.

5. **New Technology and e-consultation**

- We will look to make best use of technology in the way we advertise consultations, provide information and collect comments from participants,

6. **Climate Emergency**

- We will design our consultation programmes with a view to an awareness of the climate emergency and the sustainability agenda.

7. **Responsibility and Accountability**

- We will ensure that all comments made in relation to our consultations are considered conscientiously when decisions are made, where appropriate publishing reports that explain key issues raised and how the consultation influenced the decision.

Appropriate, Meaningful and Relevant

2.2. In order to make consultation as meaningful as possible, the use of jargon should be restricted to only where it is strictly necessary and Plain English standards should be aimed for when producing documents. However, some technical evidence documents and planning documents do require a professional use of terminology. This will be kept to a minimum and where appropriate explained in Plain English summaries.

2.3. To ensure that discussions remain relevant it is important to recognise that the planning process has limitations in what it can achieve as well as much potential. There is a need to ensure that

realism is part of all dialogue between council staff, planning professionals, members, stakeholders and the public.

Integrity and Honesty

- 2.4. The Councils will ensure that consultations have honest intent, for example avoiding a formal consultation if the decision has already been taken. Care will be taken to scope consultations properly and provide the clearest possible indication of those matters where the Councils have discretion and is open to be influenced by the submissions and contributions made by those who respond. Integrity and honesty can also be demonstrated through clarity of how public and stakeholder views have been considered or taken into account.

Equality and Diversity

- 2.5. The Councils are committed to ensuring that consultation is as effective as possible and does not discriminate any particular group. People carrying out consultation must be aware of the greater propensity of some groups to respond to particular methods, and the barriers facing others. Engaging with disabled, racial, ethnic, linguistic or religious minorities can require special facilities, and enabling equal access to the process for such groups is essential.

Open and Fair

- 2.6. The Councils commit to being transparent in the way we conduct consultations, subject to thinking about confidentiality appropriately. There are occasions where stakeholder views are properly subject to confidentiality, but in the public sector, the Freedom of Information Act makes those circumstances few and far between. Commercial undertakings and private individuals may be able to agree with planning authorities that aspects of their discussions may be confidential, but all parties need to be increasingly aware of the need to satisfy a public interest test and that certain recommendations and decisions can only take into account publically available information.
- 2.7. PDFs can be hard to read¹ but web pages come with various features such as the ability to change font size and contrast or to use screen readers. Some groups may not have access to a computer, however libraries provide the resource, are free for all, and staff can help people access online material.

New Technology and e-consultation

- 2.8. Technology makes it easier for more people to find out about and engage with consultations that the Councils conduct. There is less reliance on printed media, particularly newspapers, which are becoming out-dated way for people as a primary means for people to find out about events in their area. With the right tools, documents become more accessible and conversations become easier. Therefore the Councils are supporting the use of these tools as the foundation for modern consultations.

¹ <https://gds.blog.gov.uk/2018/07/16/why-gov-uk-content-should-be-published-in-html-and-not-pdf/>

Climate Change Emergency

- 2.9. The Councils are working on measures relating to a climate change emergency and the SCI has considered how it can contribute to this agenda by maximising sustainability through the use of technology and reducing resource use. The Councils will be mindful of the declared climate change emergency when conducting their consultations.

Responsibility and Accountability

- 2.10. It is vital to be clear where responsibility for decision making lies, whether that be inside or outside the council and to ensure that there is sufficient information to track decisions and maintain accountability. This approach also ensures that participants have realistic expectations about how their involvement could be valuable.

For your comments to have the most impact you need to say how you would change what is being consulted on to meet your concerns.

3. DESIGNING A CONSULTATION PROGRAMME

Consultations should be designed with careful consideration to the principles of the SCI and be clear about when, who and how stakeholders will be engaged.

- 3.1. There is lots of guidance available online from various sources about conducting consultation and engagement. This chapter provides some simple advice but there are some further links in Chapter 9.

Consultation Statement

- 3.2. Many types of consultation will require a consultation statement. The consultation statement helps to ensure that the process is as clear as possible and that those who engage with the consultation can know how their comments will influence future decisions following the consultation. A consultation statement – where it is required – will include the following:
- A short statement about the aims of the consultation and who the decision-makers are.
 - Whether there are any specific ways in which the outcome could be influenced by the consultation, including listing any specific options that the Councils would like to get a view on from consultees.
 - State how the principles have been taken into account,
 - Explain the specific events and techniques that are to be used in the consultation and explaining the when, who and how of the consultation.
 - Where appropriate, explain how the consultation process has been specifically tailored to meet the needs of minority groups.
 - Must be clear about how representation are to be made, where they must be sent, and when they should be received by.

When, Who and How

- 3.3. When the Councils consult, who the Councils consult and how the Councils consult will vary depending on what the purpose of the consultation is and should consider the following information. Those undertaking consultation should be clear about the when's, who's and how's of their consultation process.
- 3.4. When - each type of document has different requirements for when the Councils will hold a consultation period and how long that period must be for as a minimum. The requirements are set out later in the document.

Top tip – the earlier you get involved in a planning process the more influence you are able to have.

- 3.5. Who - for each consultation the Councils will be considering which of the following stakeholders need to be engaged specifically:
- Statutory organisations including LPAs, Councils, Parish and Town Councils, infrastructure providers and government bodies as legally required or as otherwise appropriate and Members of the Councils;
 - Organisations representing local geographic, economic, social or other communities or other relevant interests;
 - Local businesses, voluntary or other organisations;
 - Planning and development industry and consultants;
 - Others who have expressed an interest in the preparation of Local Development Documents; Neighbourhood Forums;
 - The general public.
- 3.6. Some groups have traditionally been underrepresented in consultation. Many have limited capacity for involvement and are facing engagement initiatives from several quarters. Specific engagement with groups can also be necessary as informed by the consultation's Equality Impact Assessment.
- 3.7. How – this relates to how the Councils will publicise consultations and also what methods they will use to engage with stakeholders and collect representations and feedback.
- 3.8. Publicising consultations is informed by the other requirements of the SCI using a combination of the following methods:
- On the Councils' websites
 - E mail mailing lists
 - Councils' press releases
 - Facebook
 - Twitter
- 3.9. There are different consultation methods for engagement that the Councils will want to consider when designing their consultations. Choosing any additional methods will be done taking into account the benefit of the technology available. Consultation methods can include:
- Displays
 - Drop-in sessions
 - Workshops
 - Focus groups

- Enquiry by design

3.10. The Community Planning website² has a comprehensive list of different methods for consultation.

3.11. NB There are specific types of publicity that are used for planning applications.

Top tip – make sure you are signed up to any newsletters and mailing lists³ that the LPA’s have so that you don’t miss out on any consultations that take place.

Consultation Documents (consulted upon)

3.12. For information, the following table sets out documents that will be produced in some circumstances and would be part of the consultation or consulted on separately at the same time.

| Document | Description | Potential Circumstance |
|--------------------------|--|------------------------------|
| Main Document(s) | The document being consulted upon – provided as a web page and pdf. Depending on the stage this might be a topic paper, issues and options assessment or a draft document for example. | All Consultations |
| Sustainability Appraisal | Assessing the extent to which the emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives | Determined through screening |
| Evidence Documents | Documents, reports and statistics that have informed the production of the Consultation Document or that will help consultees make informed representations. | Where relevant |

Process Documents (not part of consultation)

3.13. For information, the following table sets out what documents can be created to help the process of consultations undertaken by the Councils.

| Document | Description | Potential Circumstance |
|------------------------|--|---|
| Consultation Statement | A short statement about the aims of the consultation and who the decision-makers are. Setting out the when, who and how of the consultation – ensuring that it meets the minimum requirements of the SCI. | Most consultations (excludes planning applications and the Council’s consultation on neighbourhood plans for example) |

² <http://www.communityplanning.net/>

³ Links to mailing lists sign-up

| Document | Description | Potential Circumstance |
|-----------------------------------|---|---|
| | Provides clarity about how responses to the consultation will be published | |
| Consultation Summary | Please see the Responsibility and Accountability section for more details. | Produced after the consultation |
| Equality Impact Assessment (EqIA) | Assessing the potential impact of the proposals to discriminate against any equality group (based on age, disability, gender, race, faith or sexual orientation) and any specific consultation that is appropriate. Informs the Consultation Statement. | Documents with significant potential impact |

Consultation On – Development Plan Documents (DPDs)

3.14. These are formal plans for a geographic area or on a subject (for example Waste), and also include the ‘main’ Local Plan. They are subject to rigorous procedures including at least two consultation stages and an independent examination. They also require a Sustainability Appraisal (SA) – an assessment of the economic, social and environmental impacts of a plan. When adopted a DPD is part of the development plan for the area.

Top tip – as well as commenting on the document, don’t forget that you can also comment on the Sustainability Appraisal and Evidence Documents if they are part of the consultation.

DPD Consultation Requirements

3.15. All consultations on DPDs will comply with the following as a minimum.

- There will be at least two formal consultation periods, known as the ‘regulation 18’ and ‘regulation 19’ stages.
- Each consultation will have a Consultation Statement, that covers the issues in para 3.2 of the SCI, published on the Council’s website. The Consultation Statement is for information and is not being consulted upon.
- All consultation periods will be open to comments for a minimum of six weeks.
- Consultation documents will be made available at relevant Council offices and public libraries through free access to a computer and the internet. The main consultation documents will be available as plain text on our websites, alongside formatted pdfs. The Councils will also ensure that all the relevant evidence base documents are easily accessible online, and that relevant statistics are made available where possible.
- At relevant consultations stages the Councils will consult on a Sustainability Appraisal.

Regulation 18 Stage – Issues and Options

3.16. This stage is primarily intended to be about open discussion of the issues and options that relate to the topic of the DPD. It can be useful to provide additional information at this stage, for example topic papers, options analysis and background evidence, draft policies or site allocations, or a draft DPD document for stakeholders to comment on. This stage provides an

opportunity to influence the direction of the DPD at an early point in the plan making process. The discussions should reflect that freedom.

- 3.17. A range of approaches can be appropriate at this stage, including focus groups and workshops, in order to be able to explore the issues in detail. There can be more than one phase of consultation at this stage.
- 3.18. There is a large scope for comments to be received in many different ways at this stage.
- 3.19. Responses received on social media (twitter and facebook for example) will not be considered as formal representations in relation to consultations, however, the Councils will report the amount of involvement that there has been and the issues that have been raised in these online discussions where it is appropriate.
- 3.20. Following each consultation the comments that have been received will be summarised and published online by the Councils. In some circumstances it will be appropriate to make the consultation responses available in full and this will be made clear in the relevant consultation statement.

Generally consultation responses that we receive are not confidential and everybody will be able to see what you have submitted to us in your representation.

- 3.21. Response summaries will be published with commentary or feedback about what has been taken into account or why a different decision was reached.

Top tip - There are lots of factors that affect the decisions that are taken and the final outcome, including consultation responses, other material considerations, national policy and the evidence base information.

Regulation 19 Stage – Pre-Submission Document

- 3.22. This stage is important to ensure that everyone has the opportunity to express their formal view on a 'pre-submission' draft of a DPD and then potentially to be heard at a Local Plan examination which will be presided over by an independent planning inspector. Any additional consultation measures should be focused on displaying and explaining the content of the document.
- 3.23. Comments at this stage can only be considered if they are 'duly made'. Responses received on social media (twitter and facebook for example) will not be considered as formal representations and will not influence decisions made at this stage.
- 3.24. The decision of the Council at this stage is to either progress to examination or to re-run a regulation 19 consultation stage with an amended document.
- 3.25. Consultation responses will be made publically available in full.
- 3.26. The Councils will prepare a detailed schedule of all the comments received with a response and make this available to the Inspector.

Examination Stage

- 3.27. When we submit the plan to the Secretary of State for examination the Councils will submit a 'statement of consultation' in accordance with legislation, guidance and policy.
- 3.28. There may need to be further formal consultation carried out during the examination stage on potential modifications to the plan and this is at the discretion of the Inspector.

Consultation On – Supplementary Planning Documents (SPDs)

3.29. These build upon and provide further detailed advice or guidance on policies in adopted Development Plan Documents where required. These need to be consulted on and are agreed by the Councils. They are a material consideration in planning decisions but are not part of the development plan.

SPD Consultation Requirements

3.30. All consultations on SPDs will comply with the following as a minimum.

- There will be at least one formal consultation periods, known as the ‘regulation 12’ stage.
- Each consultation will have a Consultation Statement, that covers the issues in para 3.2 of the SCI, published on the Council’s website. The Consultation Statement is for information and is not being consulted upon.
- All consultation periods will be open to comments for a minimum of six weeks.
- Consultation documents will be made available at relevant Councils’ offices and public libraries through free access to a computer and the internet. The main consultation documents will be available as plain text on our websites, alongside formatted pdfs. The Councils will also ensure that all the relevant evidence base documents are easily accessible online, and that relevant statistics are made available where possible.
- If there is a Sustainability Appraisal for the SPD it is also a requirement to consult on the Sustainability Appraisal at the same time as the SPD consultation.

Regulation 12 Stage – Draft SPD

3.31. This stage is the only consultation stage for SPDs although there can be more than one phase at the discretion of the Councils. This stage provides an opportunity to change the direction of the SPD and promote changes to it before it is adopted. The discussions should reflect that freedom and how complex the SPD is.

3.32. Comments at this stage can only be considered if they are ‘duly made’. Responses received on social media (twitter and facebook for example) will not be considered as formal representations in relation to consultations, however, the Councils will report the amount of involvement that there has been and the issues that have been raised in these online discussions where it is appropriate.

3.33. Consultation responses will be made available in full. Also response summaries will be published with commentary or feedback about what has been taken into account or why a different decision was reached.

4. CONSULTATION ON - NEIGHBOURHOOD PLANS

4.1. Neighbourhood Plans are Development Plan Documents written and produced by the community themselves who must set up a ‘Qualifying Body’. The community has to follow various requirements in order to progress a Neighbourhood Plan and must carry out their own consultation before they submit it to the LPA. The LPA must then publicise the document and invite representations before sending it to independent examination.

Neighbourhood Plan Consultation Requirements

- 4.2. After the neighbourhood plan has been submitted to the LPA consultations conducted by the Councils on Neighbourhood Plans will comply with the following as a minimum.
- There will be one formal consultation period, known as 'regulation 16'.
 - The consultation period will be open to comments for a minimum of six weeks.
 - Consultation documents will be made available at relevant Councils' offices and public libraries through free access to a computer and the internet.

5. CONSULTATION ON – OTHER PLANNING DOCUMENTS

- 5.1. This section relates to consultations for the any other types of documents or processes that the Councils are seeking views from stakeholders on. It includes things like a Community Infrastructure Levy Charging Schedule or informal planning initiatives such as Article 4 Directions or conservation area plans.

Other Planning Documents Requirements

- 5.2. The Councils will need to carry out other planning document consultations from time to time, and they will be carried out in alignment with the general principles set out in the SCI and any legal requirements related to that document.
- 5.3. Each consultation will have a Consultation Statement, that covers the issues in para 3.2 of the SCI, published on the Council's website. The Consultation Statement is for information and is not being consulted upon.

6. CONSULTATION ON - PLANNING APPLICATIONS AND RELATED APPLICATIONS

Pre-application Consultation

- 6.1. There are no requirements on the Councils to consult during the pre-application stage. However, applicants for planning permission should consider consulting widely with stakeholders and the community.
- 6.2. Applicants for larger developments are encouraged to consult with the local community prior to making a planning application. They should consider how and when consultation has been carried out and how the needs of equality groups have been considered when running the consultation. They should set out the issues raised and whether any changes have been made to the scheme as a result and if not, why not.
- 6.3. Particularly sensitive types of development include:
- Major applications that are a departure from the development plan
 - EIA applications
 - Large scale retail (20,000sqm+ or 2,500sqm if combined with existing would be 20,000 sq m+)
 - 150 dwellings or site is 5ha+ on Greenfield land
 - Development is proposed on playing fields

- Onshore wind developments involving more than 2 turbines or where the hub height of any turbine exceeds 15 metres.

Application Consultation

6.4. The Councils have a duty to consult on applications that they receive. How they will go about notifying people about the applications is set out in the table below.

- ‘Technical Point - The SCI applies the statutory requirements for publicity as set out in Article 15 of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended) for all planning applications.’⁴

6.5. Definition of ‘days’ – with the exception of the first row which is development where the application is accompanied by an environmental statement, where the table refers to ‘days’ it means any day of the week that is not a bank holiday or public holiday.

| Application type | Publicity | | | | Minimum Length of publicity |
|---|----------------------------|---------------------------------|---------------------------|-------|--|
| | Advertisement in newspaper | Identified on Councils’ website | At least two site notices | Other | |
| Development where application: <ul style="list-style-type: none"> ▪ Is accompanied by an environmental statement | x | x | x | | 30 days , including bank holidays ⁵ , from date of publication or placing of notice (whichever is later) |
| Development where application: <ul style="list-style-type: none"> ▪ Is a departure from the Development Plan ▪ Affects a public right of way | x | x | x | | 21 days from date of publication or placing of notice (whichever is later) |
| Major development: <ul style="list-style-type: none"> ▪ 10 or more dwellings ▪ Creation of 1,000 square metres or more floorspace or the site exceeds 1 hectare ▪ Mineral working or use of land for mineral working deposits ▪ All waste related developments, including waste treatment, storage and transfer as well as tipping. | x | x | x | | 21 days from date of publication or placing of notice (whichever is later) |

⁴ <https://www.gov.uk/guidance/consultation-and-pre-decision-matters#Public-consultation>

⁵ The consultation period for applications with Environmental Statements do not need to be extended even if they include bank holidays and public holidays. <http://www.legislation.gov.uk/ukxi/2017/571/contents/made>

| Application type | Publicity | | | | Minimum Length of publicity |
|---|----------------------------|---------------------------------|---------------------------|-------------------|---|
| | Advertisement in newspaper | Identified on Councils' website | At least two site notices | Other | |
| All other planning applications for "Minor" and "Other" developments | | x | x | | 21 days from date of publication or placing of notice (whichever is later) |
| Development affecting the setting of a listed building | x | x | x | | 21 days from date of publication or placing of notice (whichever is later) |
| Development affecting the character or appearance of a conservation area | x | x | x | | 21 days from date of publication or placing of notice (whichever is later) |
| Application for listed building or consideration area consent | x | x | x | | 21 days from date of publication or placing of notice (whichever is later) |
| Application related to a Tree Preservation Order | | x | | See section below | 21 days from date of publication or placing of notice (whichever is later) |
| Permitted development requiring prior approval or notification to the LPA | | | | See section below | 14 days or 21 days (depending on the type of prior notification) from placing of site notice |
| Lawful Development Certificate | | x | | | None |
| Advertisement consent | | x | | | None |
| Re-notification – relating to amendments to planning applications currently under consideration, amendments to approved schemes | | | | See section below | None |
| Submission of details and schemes to comply with and / or discharge conditions | | | | See section below | None |
| Permission in principle | | x | x | | 14 days from placing of site notice |
| Application for technical details consent which is not: <ul style="list-style-type: none"> ▪ A departure from the Development Plan ▪ Affecting a public right of way ▪ Major development | | x | x | | 21 days from date of publication or placing of notice (whichever is later) |

Neighbour notification

6.6. The minimum requirements set out in this SCI do not require neighbours to be notified by letter, however in exceptional circumstances it might be appropriate. The exception where a letter would be sent are as follows at the discretion of the LPA:

- There is no location where the site notice can be located.

Application related to a Tree Preservation Order

6.7. It is not necessary to provide site notices for every application, but where officers of the LPA consider that there is a significant public interest then two or more site notices can be erected.

Permitted Development Requiring Prior Approval or Notification to the LPA

6.8. There are many types of permitted development that are potentially subject to 'prior notification' or 'prior approval'. The publicity for these applications is specified in the corresponding section of the legislation⁶. If the legislation requires the LPA to give notice either by site display/notice or by serving notice to adjoining owner or occupier, the Council will display a site notice. In some circumstances the legislation requires the applicant to display a site notice themselves.

Planning Conditions and Re-notification

6.9. This section applies to amendments to planning applications currently under consideration, amendments to approved schemes, and the submission of details and schemes to comply with or discharge planning conditions. There are no statutory requirements for publicity in these circumstances, however, the Councils can decide to publicise the application taking into account if:

- Objections or reservations were raised at an early stage, whether they were substantial and, in the Councils' view, relevant to the amendments being sought.
- The proposed changes would, in the Council's opinion, have a significant impact when compared to the original proposals.
- The Council considers that parties not previously notified might be affected.

Notification of decisions

6.10. All decisions are published on the Councils' website. The Councils will normally only inform the applicant, or their agent where there is one, of the decision. If you would like to be specifically informed about a particular application when a decision is made then contact the relevant LPA to see if this can be arranged.

⁶ Eg The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Un-amended legislation: <http://www.legislation.gov.uk/ukxi/2015/596/contents/made>

7. ADDITIONAL TOOLS

7.1. There are many tools available to Councils, communities and developers about how to conduct effective community consultation. Some good places to start exploring further good practice can be found here:

- <http://www.communityplanning.net/>
- <https://www.communityplanningtoolkit.org/>
- <https://www.local.gov.uk/new-conversations-20-lga-guide-engagement>

7.2. Planning Aid⁷ provides planning advice and support to help individuals and communities engage with the planning system and get involved in planning in their local area. It can be a valuable resource for people who would like support engaging in consultations.

8. GLOSSARY

- 8.1. Consultation – ‘The dynamic process of dialogue between individuals or groups, based upon genuine exchange of views, and normally with the objective of influencing decisions, policies or programmes of action’⁸.
- 8.2. Consultation Statement – A document that includes specific information about a particular consultation. see paragraph 3.2 for details.
- 8.3. Duty to Cooperate – A legal duty where strategic policy-making authorities (including LPAs) are required to cooperate with each other, and other bodies, when preparing, or supporting the preparation of policies which address strategic matters.
- 8.4. (public or community) Engagement – ‘Actions and processes taken or undertaken to establish effective relationships with individuals or groups so that more specific interactions can then take place’⁹.
- 8.5. (public or community) Involvement – ‘Effective interactions between planners, decision-makers, individual and representative stakeholders to identify issues and exchange views on a continuous basis’¹⁰.
- 8.6. Local Planning Authority (LPA) – Is the formal designation for the officers and processes that deal with the planning related functions of a council. They are given certain powers by legislation to prepare plans and determine planning applications among others.
- 8.7. Participation – ‘The extent and nature of activities undertaken by those who take part in public or community involvement’¹¹.
- 8.8. The Councils – Plymouth City Council, South Hams District Council and West Devon Borough Council

⁷ <https://www.rtpi.org.uk/planning-aid/>

⁸ RTPI Good Practice Note 1 – Guidelines on Effective Community Involvement and Consultation p4.

⁹ RTPI Good Practice Note 1 – Guidelines on Effective Community Involvement and Consultation p4.

¹⁰ RTPI Good Practice Note 1 – Guidelines on Effective Community Involvement and Consultation p4.

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