

Date: 29 January 2008

Report: STATEMENT OF COMMUNITY INVOLVEMENT (in Planning)
Report of Consultation January 2008

Purpose of the report

1. To report on consultation during autumn 2007 and to make recommendations for preparing a second draft Statement of Community Involvement (SCI).

Strategic Planning Framework

- **Best Value Performance Plan objectives**
'Provide an up-to-date development framework'
- **MISSION**
'We will work with partners and stakeholders to engage a wide audience in support for and delivery of National Park objectives.'
- **CORE VALUES (Participation)**
'We encourage wide participation in all our activities, seeking to make our role inclusive of a wide range of interests'

Background

2. A SCI (in planning policy and applications) is a legal requirement of the Authority's Local Development Framework. A draft was sent out to all of the Authority's planning consultees last October. The deadline for representations was Friday 7th December 2007. Twenty six responses have been received mainly from Parish Councils and Parish Meetings. The attached report provides a summary of the response.

Report

3. It will be seen that most consultees are reasonably satisfied with the draft SCI. With regard to planning policy the preferred means of consultation is still direct mail, representation through the Parish Council and public notices in local newspapers. The addition of public notices in the local newsletters such as the Sedbergh and District Outlook, should help reach even more residents and businesses.

4. Since the last time the public were asked about methods of consultation (2004) there seems to be a greater willingness to receive Email consultations and this is now the third most requested method. Last Autumn's consultation confirms that the existing systems are otherwise effective.
5. Three additional groups have been requested to be added to the consultee list at the back of the SCI. They are Disability Action Richmondshire, the Parochial Church Councils and Cumbria Vision. It should be possible to add these to the Authority's database.
6. Virtually all the other comments received about the SCI relate to consultation on planning applications. The main issue raised is the length of time provided to Parish Councils for consulting on applications. Some Parishes consider it to be too short and would prefer longer.
7. Unfortunately there is not a lot more flexibility that the Authority can provide for this. A 21 day period is set by statute and extending it would cause delays to decision making and interrupt the Authority's development control performance. In reality planning officers do consider Parish Council comments after the 21 day period has expired, as long as there is time remaining before planning committee or before a delegated decision has to be made.

Government Office Yorkshire and The Humber

8. Government Office has also made a number of detailed procedural comments about the content of the draft SCI. These are not included as representations in the attached report but are nevertheless important because they relate to the legal tests of 'soundness' that a planning inspector will ultimately evaluate the SCI upon. Failure to meet the formal 'tests of soundness', will cause the Authority's SCI to be rejected.
9. This is a summary of Government Offices' main comments;
 - Ensure that the list of consultees is made more explicit eg. list each voluntary, community and amenity group rather than simply using a generic heading
 - The SCI should explain more about the District Council Local Community Strategies
 - The SCI should include a key diagram to clarify the nature of local communities
 - Further efforts should be made to include and identify 'hard to reach' groups.
 - There should be a table showing the different stages of production and consultation for each policy document or planning application. This should show who will be involved and the method of consultation.
 - The time period for consultation should be identified together with an indication of the resources available.
 - The SCI should indicate a process for feeding back to consultees the changes that will or will not be made as a consequence of their representations
 - The SCI should indicate what assistance might be available from other national park departments.
 - The SCI should include a paragraph explaining how it will monitor its consultation procedures and what will trigger a review eg. changing legislation or learning from mistakes.

- The SCI should set out the minimum publicity requirements for planning applications. It should set out which applications are likely to require more publicity.
- The SCI should state that the failure of applicants to undertake pre-application consultation (on large applications), may be material to the decision.
- The SCI must be detailed enough for groups to see whether or not they are included in the various stages of planning.

10. It will be seen that the Government Office comments are rather detailed and will require additional material adding.

Next Stages

11. The next stage is to prepare a second draft for further public consultation. This could happen within two months. Following consultation a submission version will be prepared for examination by a planning Inspector.

RECOMMENDATION

12. That:

(a) A second draft SCI is prepared for public consultation during March that includes the following amendments:

1. the significance of Email consultation in the SCI is improved
2. the following specific groups are added to the list of 'other' consultees in the appendix;
 - Disability Action Richmondshire,
 - Parochial Church Councils
 - Cumbria Vision
3. the suggestions made by Government Office are incorporated in order to make the SCI more 'sound'.

(b) The second draft version is scrutinised by the Planning Champion (Policy) before being issued for public consultation.

Peter Stockton
Strategic Planning Officer

10 January 2008

Background documents:

Statement of Community Involvement – draft September 2007
 Report of Consultation January 2008

Yorkshire Dales Development Framework

Statement of Community Involvement



Public meeting, Housing policy options, Yoredale, Bainbridge, 2007

Report of Consultation *January 2008*

Introduction

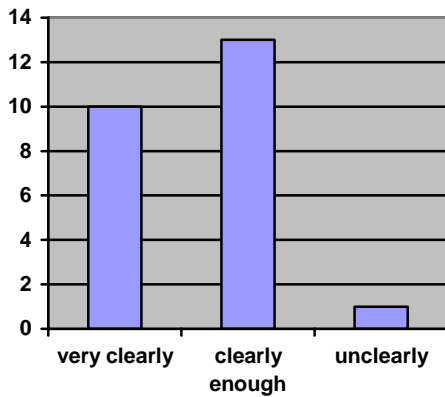
This is a summary of the public's response to the draft Statement of Community Involvement (SCI). The SCI is the Authority's policy for consulting the public on the review of planning policy and decision making on planning applications. The draft document is available at www.yorkshiredales.org.uk

It was sent out to consultees in October 2007 with a deadline for comments by 7th December 2007. Twenty six responses were received mainly from Parish Councils and Parish Meetings. Most representations were returned on the questionnaire supplied, or digitally by E Mail.

This is a summary of the representations received in response to the questions about consultation asked by the Authority. The full paper copies of each representation are available from Peter Stockton at Yoredale, Bainbridge.

In addition to these representations, detailed comments about the process were also received from Government Office. These are important because they comment on the potential 'soundness' of the document in relation to the Planning regulations and good practice guidance. Failure to present a sound SCI in front of a Planning Inspector may result in its dismissal and subsequent resubmission.

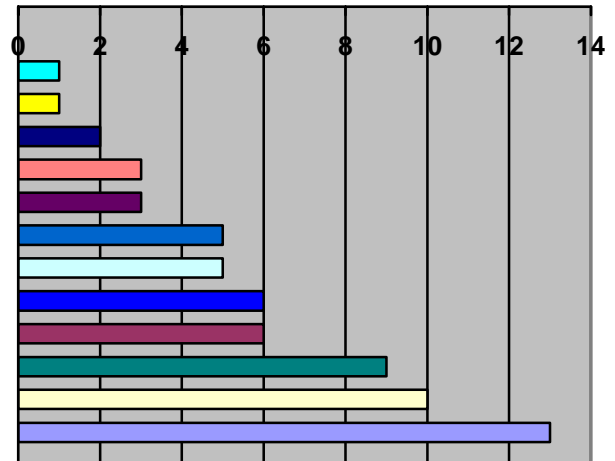
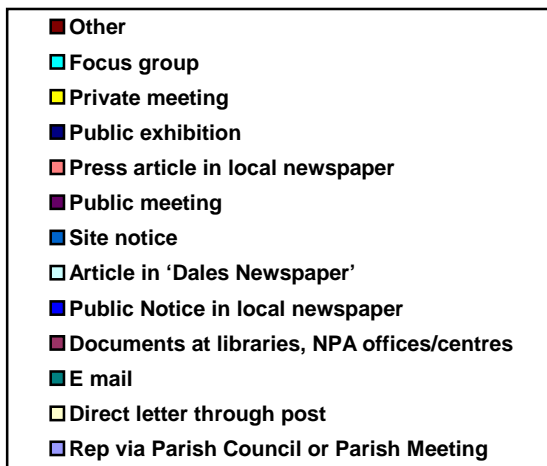
1. How clearly does the Statement of Community Involvement explain how we intend to consult the public on planning matters?



Comments

- The SCI does not set out the rules under which an applicant or objector can address the Planning Committee.

2. What is your preferred method of consultation on planning policy?



Preferred methods of consultation 2007

Comments

- It is important that the local community and in particular Parish Councils are involved in decisions on planning policy. Any method that achieves that is valid.

- Direct letter and Email are most useful. The other options should be used to keep people informed. We would also like a covering letter to inform us about each new consultation document. This would ensure that we do not miss any consultations.

3. Are there any specific groups with an interest in planning policy that should be added to the list of consultees in Appendix 1?

Comments

The following groups were suggested:

- Disability Advice Richmond – (can give advice on the disability discrimination Act in relation to design.)
- Parochial Church Councils
- Cumbria Vision
- Next door neighbours
- landowners
- local schools

4. Are there any changes you would like to make to our procedures for consulting on planning applications?

Comments

- Too short a notice period for amended plans.
- 21 days is too short a period if a meeting is not scheduled. Could 30 days be considered instead? As much notice as possible is desirable, otherwise we have to hold special meetings which can be irksome.
- Would like a full 21 days for consultation. Delays due to signing, 2nd class postage etc remove 4/5 days from this. Not enough time in the summer when Councillors are away on holidays.
- Neighbour notification by letter in good time.
- Planning officer surgeries are very useful.
- A verbal 'planning approval' by an officer should be followed through. It is not acceptable for different officers to be inconsistent towards, say design. It necessitates additional costs to applicants.
- Parish Councils should be consulted on amended plans after the original permission has been granted.
- Please circulate advance details by E Mail.
- A representative at a planning committee meeting should be afforded the same presentation rights as the Planning officer ie, slides/photographs/display board. If after a decision is made the applicant is entitled to make further representation, then other interested parties should also have a right to respond.

5. Are there any other changes that you would like to make to the Statement of Community Involvement?

Comments

- The Parish Council would like an update about compliance with enforcement notices.
- Planning Committees need more time to look at applications. The last site visit to the village was a shambles. Members had not studied the brief, they arrived late and did not understand the topography of the conservation area.
- The planning appeal system works well and the Planning Department should be congratulated on their excellent paperwork.
- Involving hard to reach groups is critical. Using voluntary groups and organisations is not adequate as many do not belong ie. they are hard to reach. Working parents are some of the most difficult to reach and are not mentioned.
- Involvement of residents and businesses at meetings requires much forward notice.
- With regard to measurable objectives of DPDs who agrees these? at what stage?, who undertakes it? and are they independent?

Housing Issues and Options

List of Respondents

Organisations

Arncliffe PM
Austwick PC
Aysgarth PC
Bainbridge PC
Burton Cum Walden PC
Buckden PC
Carperby PC
Conistone and Kilnsey PC
Cumbria Vision
Giggleswick PC
Government Office Yorkshire and the Humber
Grassington PC
Hartlington PM
Hellifield PC
Killington PM
Linton PC
Long Preston Residents Association
Low Abbotside PM
Middleton PC
Natural England
North Yorkshire Bat Group
Preston under Scar PC
Ramblers Association
Settle and Carlisle Railway Trust
West Witton PC
Wales, Wales and Rawson (Architects)

Individuals

None