

# Statement of Community Involvement



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# 1 . Introduction

## Why get involved in planning decisions?

- 1.1** Planning affects us all. The homes we live in, the places we work, the open spaces where we relax and the roads we travel on are all a result of planning decisions.
- 1.2** The way that Chichester District, excluding the area within the South Downs National Park, develops in the future will be affected by planning, and it is important that local people and organisations are able to put across their views by participating in planning decisions.
- 1.3** This Statement of Community Involvement sets out how Planning Services will involve people in planning decisions. It provides brief guidance to explain how the planning system works and advises on how you can participate in planning decisions, and what you can expect if you choose to get involved.

## How does the planning system work?

- 1.4** There are two key parts to the local planning system - Planning Policy and Development Management.
- 1.5** **Planning Policy** is concerned with producing the local planning documents and policies that are used to guide development in Chichester District<sup>(1)</sup>. These documents must conform to relevant Government guidance, and there are specific regulatory procedures which must be followed during their preparation.
- 1.6** **Development Management** is responsible for processing and determining planning applications, along with other applications including works to trees, advertisements and listed buildings. The Development Management team provides pre-application planning advice and investigates and takes appropriate action in respect of breaches of planning control.

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1 excluding the area within the South Downs National Park

### Local Planning Documents

**2.1** The Council has a strategic vision for Chichester District<sup>(1)</sup>, and the Planning Policy team produces documents containing the planning policies to achieve it.

**2.2** They consider a range of different issues such as the provision of new housing, and the delivery of employment, retail and open space, seeking to ensure that these are delivered in the right place at the right time.

**2.3** There are two main types of planning document; **Development Plan Documents** (the Local Plan) and **Supplementary Planning Documents**.

**2.4** **Development Plan Documents** are formal plans that set out policies for a particular geographical area. They are subject to public consultation and a Sustainability Appraisal (an assessment of the economic, social and environmental impacts of a plan). They must also be considered at independent examination and obtain Council approval before they can be adopted.

**2.5** **Supplementary Planning Documents** can expand upon a particular theme covered in a Development Plan Document to provide additional detail and guidance. These are also subject to consultation and may sometimes require a Sustainability Appraisal. Although Supplementary Planning Documents are not subject to independent examination, they need to obtain approval at Council.

**2.6** The South Downs National Park Authority became a Local Planning Authority from 1 April 2011. As a result the Chichester District Local Plan, together with the housing and employment requirements identified in the Local Plan, relate only to that part of the District that does not fall within the Park Authority boundary.

**2.7** The South Downs National Park Authority will be producing its own Local Plan.

### Producing a planning document

**2.8** From time to time, the Council will need to produce new planning documents, or update existing documents. The timetable for drafting and consulting on the plans will be kept up to date and published on the Council's website. Full details are found in the Local Development Scheme, available on our website at: <http://www.chichester.gov.uk/article/24662/Timetable---Local-Development-Scheme>

**2.9** Depending on whether we are working to produce a Development Plan Document or a Supplementary Planning Document, there will be different preparation and consultation stages to undertake. We will involve people as early as possible and invite feedback on the draft documents. We will also ensure that people are kept informed throughout the document drafting process. The steps involved in Development Plan document production, and opportunities to participate, are summarised on the next page.

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1 excluding the area within the South Downs National Park

## 2 . Planning Policy

**2.10** The process for preparing a Supplementary Planning Document is similar to a Development Plan Document however they are not subject to independent examination by the Planning Inspectorate.

### Stage 1 – Preparation – Issues and Options (early engagement)

- Collecting evidence through various sources
- Notify and work with groups, organisations and residents
- Consider issues and alternatives
- Prepare content of draft document and provide feedback where possible

### Stage 2 – Publication – Preferred approach

- Statutory stage – 6 weeks (minimum) to comment on plan, sustainability appraisal and supporting evidence
- Documents made available for inspection on the Council's website
- Representations received at Stage 2 summarised and made publicly available through appropriate channels (please note that the Council is required to provide a summary of the issues made)
- Consideration of representations made

### Stage 3 – Pre-submission document

- Publication of Pre-submission document and request for submission of representations
- Statutory stage – 6 weeks (minimum) to comment on document, sustainability appraisal and supporting evidence
- Documents made available for inspection on the Council's website

### Stage 4 – Submission for Independent Examination

- Development Plan Documents and representations received submitted to Secretary of State for independent examination
- 'Statement of Consultation' produced to demonstrate the Statement of Community Involvement has been followed.
- Independent examination (all parties can engage at an examination)

### Stage 5 – Inspector's report and adoption

- Planning Inspector issues report
- Document is adopted by Council if found 'sound' by Inspector and agreed by Council

### Stage 6 – Monitor

- Final plan is regularly monitored, where possible, to make sure plan is achieving its aims
- Plan may be reviewed, where necessary

## 3 . Consulting on Planning Documents

**3.1** When the Council consults people and organisations on a planning document, we will be guided by the following five engagement commitments:

1. **Be clear about what we're doing** - From the outset we will ensure that people understand why we are consulting and engaging them, and how their comments will help to inform or influence decisions. Clear timescales will help people understand when and how their input will be used.
2. **Be inclusive** - We will provide opportunities for people to engage with us to ensure that our plans and processes reflect the diverse and varied communities that make up our District. We will actively work to remove barriers to participation.
3. **Be accessible** - We will ensure that people have opportunities to take part, and are made aware of consultation exercises as early as possible, so they are able to participate at the right time in the process to influence decision-making.
4. **Be transparent** - We will make clear how the decision-making process will work and how consultation feedback will be used, thereby giving people the confidence that their input and involvement is actively being used to help shape decisions that affect them. This will mean being clear in stating who makes the decisions and when the decision will be made. At the end of each consultation period, we will undertake an analysis of all the responses received. This will be included in a summary report published on the Council's website, outlining the actions that we propose to take.
5. **Be accountable** - We will let people know how we have reached decisions. This will involve making clear the different types and sources of information that have been considered in reaching a final decision.

**3.2** By using a range of methods to inform, consult and involve people at the right time, we will enable them to influence the future planning of Chichester Local Plan Area. The methods are flexible in order to tailor the consultation methods to the individual circumstances and different audiences we are targeting.

**3.3** We also have to meet the statutory consultation requirements of the Planning Regulations. To meet these requirements we will:

- Make all consultation documents available to view at Council offices during normal office hours. For a Development Plan Document the statutory consultation stage is a minimum six-week period. For Supplementary Planning Documents, consultation lasts a minimum of four weeks.
- Publish documents and supporting information, including details of where and when copies of the documents can be viewed, and how people can comment, on the Council's website: <http://www.chichester.gov.uk/>

## 3 . Consulting on Planning Documents

### Who do we involve?

**3.4** The Council is required to send details of planning document consultations to 'specific consultation bodies'. These are organisations that the Council must consult, as specified in planning regulations<sup>(1)</sup>:

- Environment Agency
- Natural England
- English Heritage
- Coal Authority
- Network Rail
- Highways Agency
- Adjoining local authorities (Havant, East Hampshire, Horsham, Waverley, Arun, South Downs National Park)
- Parish Councils (including those which adjoin the District in neighbouring local authority areas)
- Relevant county authorities (West Sussex County Council, Hampshire County Council, Surrey County Council)
- NHS Sussex
- Sussex Police
- The Homes and Communities Agency
- The Marine Management Organisation
- Relevant electronic communication companies, such as BT and Virgin Media
- Relevant electricity and gas companies, such as EDF and Scotia Gas
- Relevant sewerage and water undertakers, such as Thames Water, Southern Water and Portsmouth Water

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1 The Town and Country Planning (Local Planning) (England) Regulations 2012



## 3 . Consulting on Planning Documents

**3.5** There are many other people, groups and organisations that will have an interest and will want to get involved. These could include individual residents, residents' associations, Conservation Area Advisory Committees, Chichester Harbour Conservancy, employees and employers, members of the Local Strategic Partnership, housing associations, local businesses, the development industry, disability groups, youth groups, faith groups and other stakeholders.

**3.6** These people may have a variety of different priorities and interests, and will be able to contribute expertise and knowledge across a range of subject areas.

**3.7** If you are interested in finding out more about consultation on planning policy documents, you can email your contact details to us at [planningpolicy@chichester.gov.uk](mailto:planningpolicy@chichester.gov.uk), or call us on 01243 785166 and we will add you to our database, to be automatically notified of any new consultations.

**3.8** Before a Development Plan Document can be adopted it must be submitted to the Secretary of State for independent examination by the Planning Inspectorate. The examination considers whether the document is sound and legally compliant. The procedure used (written form or to be heard by the Inspector) will depend on the issue and evidence that the Inspector is dealing with and the nature of the representations.

**3.9** All written comments made in the six week consultation period at the pre-submission, undertaken within Stage 3, will be considered fully by the Inspector in deciding on the main matters and issues for all types of examination. You will only be able to appear in front of the Inspector if you are seeking a change to the document being examined.

### Adopting a planning document

**3.10** The last stage in producing a planning document is to present it to the relevant decision makers, who will consider its adoption as Council policy. The decision to adopt will be taken by Council.

**3.11** Full Council is made up of all 48 Councillors in the District (36 with effect from May 2019). It is responsible for making all of the major policy decisions including approval of all statutory documents produced for the Local Plan. Members of the public are able to attend meetings of the Council and can ask questions at the start of the meeting.

**3.12** If you would like to know more about asking questions at Council, you can view our [Council and Democracy](#) web pages.

### Neighbourhood Planning

**3.13** Neighbourhood Plans are community-produced statutory planning documents that enable people to take a more direct role in shaping the places where they live.

## 3 . Consulting on Planning Documents

**3.14** A Neighbourhood Plan can build upon the broader policies set out in the Council's local planning documents and represents a chance for people to influence the location, appearance and type of development that comes forward in a neighbourhood/parish.

**3.15** The Government encourages communities to get involved in plan production and consultation, either by responding to local plan consultations or by producing a Neighbourhood Plan. This is recognised as requiring a significant commitment from those involved in drafting and producing a neighbourhood plan in terms of time and resources.

**3.16** In a parished area like Chichester District it is usually the Parish or Town Council who prepares a Neighbourhood Plan. It can cover all or part of the parish and in some cases may involve a number of parishes. In some areas residents associations or other bodies may be interested in drawing up a Neighbourhood Plan and act as a forum; however this will need to be carried out with the Parish/Town/City Council who initiate and support the project.

**3.17** The Council will seek to provide support and advice on a range of issues, including consultation and the process of document production. Further information on this can be found on the Council's website at <http://www.chichester.gov.uk/neighbourhoodplan>

### What is Development Management?

**4.1** Development Management is the stage at which decisions are made on proposals for the use and development of land and buildings. It is an enabling process involving a positive, problem solving approach taken by the Council to shape and decide proposals for new development. The Development Management Service is responsible for determining the planning applications we receive. The Service also operates an agency arrangement with the South Downs National Park Authority. This means that the majority of applications within that part of the South Downs National Park which fall within Chichester District are dealt with by the Development Management Service.

**4.2** Decisions on planning applications must be made in accordance with the development plan, including made Neighbourhood Plans (where these exist), unless other material considerations indicate otherwise.

### Consulting on planning applications

**4.3** The Council undertakes consultation with statutory and other consultees on the majority of planning applications that are received, for example with West Sussex County Council, English Heritage, Natural England and Highways England (see para 3.4 for further details). Pre-application consultation may also be undertaken by developers.

### Pre-application consultation

**4.4** This is consultation undertaken by a developer before a planning application is submitted, usually on larger schemes. It can be a helpful stage as discussion between a developer and local residents can help to identify potential problems or improvements that could be made to proposals at an early stage. This can benefit local people by enabling their input into the design of proposals to help ensure development is acceptable, and can also assist developers by reducing the scope for objections at a later stage.

**4.5** The Development Management Service strongly recommends that developers undertake pre-application consultation with local residents and organisations, in addition to that undertaken with the Council, prior to submitting any planning application for significant development. Developers undertaking pre-application consultation are asked to address the commitments identified in this document on page 5. In particular we would ask developers undertaking pre-application consultation to:

- Set clear objectives and agree the consultation approach, including who will be consulted, with Development Management
- Let people know what the application is proposing, and be clear about what they can influence by making comments

## 4 . Development Management

- Use different engagement approaches (as identified in this Statement of Community Involvement) to maximise opportunities for people to influence the proposals. Particular steps should be taken to involve any seldom-heard groups that could be affected by a proposal
- Submit a statement alongside the final planning application outlining the community involvement work that has been undertaken. This should include a summary of any responses received at consultation, and should explain how feedback has influenced the proposals.

### Application publicity

**4.6** When a planning application is registered there is a statutory period of 21 days during which anyone can comment on the proposal. It is the Council's responsibility to publicise planning applications in a number of ways. Our approach to notification of planning applications will be to:

- Publish details of planning applications online. You can view details of planning applications at the Council's website via <http://www.chichester.gov.uk/viewplanningapplications>. This can be used to see which planning applications have been registered and to access plans and supporting information relating to both current applications and historic planning decisions. Applications can be searched by address or by an individual planning reference.
- Undertake appropriate notification. This will vary according to the type of application and so we will undertake notification as appropriate. This will be by writing to individual neighbours, displaying a site notice, or by a press advertisement.
- Parish and Town Councils and the City Council are consulted on all planning applications as statutory consultees.

### Commenting on a planning application

**4.7** If you would like to comment on a planning application, your comments must be submitted to the Council in writing, and should be within the 21 day consultation period, although representations received after this will be taken into account up until the point that a decision is made. You will need to provide details of your name and address, which will appear with your comments on the Council's website. Provided your comments relate to planning matters, they will be taken into account by the Council in determining the application. Comments received after the 21 day period will also be taken into account whenever possible, until the application is determined.

**4.8** The easiest way to comment on a planning application is to search for it at the Council's website via <http://www.chichester.gov.uk/viewplanningapplications>. You can search for an application by address or by its planning reference number and submit your comments online. You can also view any comments that other people have submitted in this way. You can also write to the Head of Planning Services, or email us at [dcplanning@chichester.gov.uk](mailto:dcplanning@chichester.gov.uk).

**4.9** The comments we receive in response to planning applications are a matter of public record. This means that we cannot treat comments as confidential, and they will be made available to view on the Council's website alongside the name and address of the person making the comment. We will not publish telephone numbers, private email addresses or signatures. We reserve the right not to publish any comments or parts of comments that are not considered suitable for public view, including comments that are offensive, personal or defamatory.

### What can I comment on?

**4.10** If you comment on a planning application it is important that your comments relate to planning matters, as it is only these matters that can be taken into account by the Council when making a decision. Some of the issues that are considered to be planning matters include:

- External appearance and design
- Impact on the street scene or character of the local area
- Issues of noise, privacy, disturbance and amenity
- Loss of trees or impact on conservation issues
- Drainage
- Highway safety, traffic and parking issues
- Loss of light or overshadowing.

**4.11** **This list is not exhaustive. There may be other relevant issues that you wish to comment on.**

**4.12** Some issues are not normally regarded as planning matters, and are not usually taken account of when reaching a planning decision. These include:

- Loss of private view
- Property value

## 4 . Development Management

- Other private property matters such as boundary and ownership disputes, or private rights of way
- Moral issues or applicant's motives
- Possible future uses outside the scope of the application
- Matters covered by other legislation, such as building regulations, licensing or restrictive covenants
- Personal matters relating to the identity of the applicant

### Making a decision

**4.13** There are two main ways in which the Council will reach a decision on a planning application. These are by designated senior officers of the Council (a delegated decision), by the Planning Committee or exceptionally by the Council.

### Delegated decisions

**4.14** Once the consultation period has been completed, the planning case officer will take into account all material considerations, including relevant local planning policies and national planning guidance. The reasoning behind the case officer's recommendation will be set out in a short report. A decision will then be made in accordance with the Council's Scheme of Delegation by authorised senior officers on behalf of the Head of Planning Services.

### Planning Committee (Development Management)

**4.15** In some cases, a decision cannot be made under delegated powers and must instead be decided by Councillors at a Planning Committee. The main reasons for referral of a planning application to a Planning Committee are where:

- The officer recommendation is contrary to an objection made by a statutory consultee or the relevant Parish Council (other than for certain minor types of application)
- A District Councillor requests that the application be determined by the Committee
- The decision would significantly conflict with the Council's planning policy
- The applicant is a Councillor or Council employee.

## 4 . Development Management

**4.16** Please note this is a simplified list – the full text is available in the Council's Constitution on our website at <http://www.chichester.gov.uk/CHttpHandler.ashx?id=26167&p=0>.

**4.17** Anyone can speak at Planning Committee meetings provided that they have registered that they or a person acting on their behalf want to do so by no later than 5 pm on the day before the meeting.

**4.18** You can register by contacting the Member Services Team at East Pallant House, Chichester on 01243 534684 or 01243 534674.

**4.19** Further information on public speaking at Planning Committee meetings can be found on our website at <http://chichester.moderngov.co.uk/ecCatDisplay.aspx?sch=doc&cat=13214>.

**4.20** The Council publishes a list of Committee dates and those applications to be considered by the next relevant Committee on the Council's website.

### Appeals

**4.21** In circumstances where a planning application is refused, or a decision is not made within specified time limits, the applicant may choose to appeal. Where this happens, an independent planning inspector or the Secretary of State will make a final decision on the application, and there may be a further opportunity for public involvement in the process.

### How can I find out about planning decisions?

**4.22** Once a decision has been made, a decision notice is sent to the applicant and/or agent to inform them of the decision. All planning decisions are published on a public register, which is available to view online at <http://www.chichester.gov.uk/viewplanningapplications>.

### Contact us

**4.23** If there is a planning application-related issue that you would like to discuss, you can contact the Development Management Service on 01243 785166 or by email at [dcplanning@chichester.gov.uk](mailto:dcplanning@chichester.gov.uk).

**Produced by**

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