

Scrutiny Committee



Report of Head of Planning

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Statement of Community Involvement

Recommendation(s)

1. The committee is invited to:
 - comment upon the draft Statement of Community Involvement (SCI)
 - make recommendations to the cabinet member for planning policy for any alterations to the draft SCI document prior to approval of publication by Cabinet on 2 December 2016.

Purpose of Report

1. To report to Scrutiny Committee the key issues raised following the eight week public consultation and the changes proposed to the Statement of Community Involvement (SCI) document.

Strategic Objectives

2. The publication of the SCI supports the delivery of the Council's strategic objectives by supporting the delivery of sustainable communities and wellbeing.

Background

3. The Council is required to produce a SCI in accordance with section 18 of the Planning and Compulsory Purchase Act 2004. The purpose of the SCI is to set out how the council will engage with communities who have an interest in matters relating to development in their areas.
4. The original SCI was adopted in December 2009, is now out of date and for this reason has been reviewed to reflect changes to legislation, national policy e.g.

National Planning Policy Framework and the National Planning Practice Guidance and the council's working practices.

5. Scrutiny Committee will recall that a draft SCI was published, alongside the Local Plan 2031 Part 1 Main Modifications, for public consultation for a period of eight weeks.
6. The new SCI document comprises of three parts that will assist interested parties who wish to be involved in the planning process:

Part 1 – Getting Involved in Shaping our Future.

Part 2 – Getting Involved in the Local Plan and Planning Policy.

Part 3 – Getting Involved in Planning Applications.

7. Once adopted, the council will use the document when preparing and consulting on new planning documents, and to assist in deciding on planning applications for development.

Key discussion points raised following public consultation

8. Public consultation on the draft SCI was undertaken for a period of eight weeks from 20 July to 14 September 2016.
9. The consultation received a total of 5 representations from 5 individual consultees.
10. During this period, the draft SCI consultation document was taken to Scrutiny Committee on 28 July 2016. The SCI was well received by the committee, with particular support for the content, structure, format and presentation of the document. It was agreed that the use of flow charts and diagrams will provide useful clarity for the wider audience in understanding the planning process.
11. Scrutiny Committee made a number of comments to help refine the SCI document. These included:
 - the use of a Development Forum in the pre – application process should be revisited in the SCI to provide further clarity
 - a glossary of terms should be added to each part of the SCI document
 - all footnotes should be on the relevant page rather than at the end of the document, and
 - a separate section should be included in Part 2 of the SCI that contains information on neighbourhood plans
12. Other comments were received at Scrutiny and where appropriate, they have helped to refine the final version. It was considered that the changes were necessary to provide further clarity and consistency for the wider audience.
13. Other issues were raised during the consultation from consultees. The main issues included:
 - the use of Development Forums in the context of planning applications for major proposals
 - the need to publicise comments following the consultation on a planning policy document, and

- the need to clarify the roles and responsibilities of Oxfordshire County Council (OCC) in the planning process.
14. Statutory organisations, including OCC and Natural England, were supportive of Part 1 of the SCI in setting out the principles for meaningful and early engagement on local planning matters to shape policy and in the process of determining planning applications.
 15. OCC commented that further improvements should be made to the wording in Part 2 to clarify their role and responsibility for preparing up to date minerals and waste planning policies and proposals. OCC also requested further reference made to their Neighbourhood Planning Toolkit.
 16. A few comments were made on Part 3 of the document. For example, Bellway Homes Ltd objected to the use of Development Forums for all major planning applications as they consider it affects the delivery of their projects.
 17. OCC commented that a reference should be made in Part 3 to the other types of planning applications that are not dealt with by the Council.
 18. A full summary of the comments received during the consultation, along with the officer response, is available at **Appendix 1**.

Refinements to the Statement of Community Involvement

19. The draft SCI has been refined, taking into account the comments made during the consultation. The finalised version is presented as a track – change document **Appendix 2**. This should be read alongside **Appendix 1**, which provides the justification for making any necessary changes to the document.
20. The format and presentation of this document will remain consistent with the draft document published for consultation in July 2016.
21. The main changes to the whole SCI document Parts 1 – 3 include the addition of a glossary at the end of each part explaining any key planning terms used.

Part 1 – Getting Involved in Shaping our Future

22. There is a change made to Part 1 of the SCI to take into account the recommendation following the recent Audit on the Botley Centre Supplementary Planning Document. This change is deemed necessary in identifying the responsible officer and/or team for a consultation on planning policy or a planning application.

Part 2 – Getting Involved in the Local Plan and Planning Policy

23. Changes are made to Parts 2 and 3 of the SCI to take into account further recommendations from the Audit Report. For example, the SCI now includes how the council will acknowledge responses made towards planning policy consultations and for consultations on planning applications.
24. The document also includes information on how and where parties can view other comments made during the consultation. This reflects comments made by OCC.

25. Regarding neighbourhood planning, a change was made to include information on neighbourhood plans in a separate section of Part 2. This sections also takes into account the emerging Neighbourhood Planning Bill by setting out the council's role in neighbourhood planning, including a 'duty to support' qualifying bodies at the key stages of preparation.
26. A change has been made in this section to reflect a comment made from OCC to consider how they can offer further support to communities preparing a neighbourhood plan. This section now includes a reference to their Neighbourhood Planning Toolkit.

Part 3 – Getting Involved in Planning Applications

27. The main change to Part 3 of the SCI is a modification to the supporting text for Development Forums. This change is necessary to provide further clarity and consistency of their role during the pre – application process. The SCI now explains the purpose and benefit of a Development Forum, while stating that it is an optional part of the pre – application process. This reflects the comments made by Bellway Homes Ltd.

Financial Implications

28. There will be costs associated with the printing and distribution of the SCI document.

Legal Implications

29. The council is legally required, under section 18 of the Planning and Compulsory Purchase Act 2004, to produce an SCI to set out how we will engage with our communities who have an interest in matters relating to development in their area.

Risks

30. Not applicable

Conclusion

31. The SCI will be a vital tool to assist the Council in the preparation of planning policy documents and when deciding on planning applications for development. The changes made following public consultation, will provide further clarity to the community, developers, development management team, town and parishes and councillors who may wish to be involved in the planning process.

Background Papers

- Appendix 1: Summary of consultation responses – September 2016.
- Appendix 2: Track – change version of Statement of Community Involvement – September 2016.

APPENDIX 1: SUMMARY OF RESPONSES TO STATEMENT OF COMMUNITY INVOLVEMENT (SCI)

GENERAL COMMENTS ON STATEMENT OF COMMUNITY INVOLVEMENT

Name	Organisation	Comment	Council response
	Vale of White Horse District Council – Audit	Implementation of acknowledging all comments received. We will acknowledge all representations providing we have been provided with an email address.	Noted. Parts 2 and 3 of the SCI will include a commitment from the council to acknowledge all representations by email and by post, provided an email address is included.
	Vale of White Horse District Council – Scrutiny Committee	The consultation document should be reviewed before the final version is published to ensure that language is as user-friendly as possible.	The document has been reviewed to ensure it is more concise and user – friendly for the wider audience.
	Vale of White Horse District Council – Scrutiny Committee	A glossary of terms should be added to each part of the SCI.	Noted. Parts 1, 2 and 3 of the SCI will include a glossary at the back of the document explaining any key planning terms used.
	Vale of White Horse District Council – Scrutiny Committee	Any footnotes should be on the relevant page rather than at the end of the document.	Noted. All footnotes will be located at the end of each relevant page.
	Vale of White Horse District Council – Scrutiny Committee	A separate user guide on planning applications should be produced.	Noted. This is outside the remit of the purpose of the Statement of Community Involvement. However we will seek to explore the production of a user guide with our

Name	Organisation	Comment	Council response
			Customer Service Team to assist our customers on the planning application process.
	Vale of White Horse District Council – Scrutiny Committee	A monitoring (measurement) system should be established to ensure that public engagement is effective.	Noted. This is outside the remit of the SCI. The council will continue to monitor the effectiveness of our planning consultations. We will continue to explore ways to reach the community to ensure that their views are heard when making decisions for development.
Lynette Hughes	Oxfordshire County Council	The Statement of Community Involvement (SCI) is set out in three parts available as separate pdfs online. It would be easier and clearer if the SCI was simply one document.	<p>It is considered that the SCI is set out in separate parts to allow for any legislative or procedural changes to be updated in the relevant document. In the event of such changes, the council will refresh the relevant parts of the SCI.</p> <p>Parts 1, 2 and 3 are adequately cross – referenced in the SCI document.</p>
Jack Moran	Health and Safety Executive	No comments.	Noted.
Victoria Kirkham	Natural England	We are supportive of the principle of meaningful and early engagement of the general community, community organisations and statutory bodies in local planning matters, both in terms of shaping policy and participating in the process of determining planning applications. We regret we are unable to comment, in detail, on individual Statements of Community Involvement but information on the planning service we offer, including advice on how to consult us, can be found at: https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals	Noted. The Council will continue to consult and engage with Natural England on planning applications and in the preparation of planning policy documents.

COMMENTS ON PART 1: GETTING INVOLVED IN SHAPING OUR FUTURE

Name	Organisation	Comment	Council response
	Vale of White Horse District Council – Scrutiny Committee	Page 2, using ‘upon’ instead of ‘on’ is a style choice. The former sets a more bookish and less conversational tone. In my mind, I comment on a planning application. (It could be because my native language is American, but I found style guides recommending against ‘upon’ when ‘on’ will	Noted.
	Vale of White Horse District Council – Scrutiny Committee	Page 4, para 1. Consider providing links to these two documents in bold.	Agreed.
	Vale of White Horse District Council – Scrutiny Committee	Page 4, Ease of access to information, bullet point 2: the feasibility of a dedicated planning service facebook/twitter account for consultations on planning policy documents and major planning applications should be explored.	It is considered that this is adequately covered in the council’s corporate channels of communication through social media e.g. Twitter. The ‘Twitter’ feed displays information on planning policy consultations and major planning applications.
	Vale of White Horse District Council – Scrutiny Committee	Page 4, ease of access to information, bullet point 5: delete "and how your comments have been taken into account" and insert "and will provide feedback on your comments"	Noted. The council agree this will provide further clarity.
	Vale of White Horse District Council – Scrutiny Committee	Page 5. Example of the active vs passive voice that isn’t consistent, throughout the document. Active: The methods we will use Passive: Documents are made available. Strongly suggest you adopt one voice and be consistent. Active: We will make documents available electronically. There are lots of places throughout where this inconsistency jumps out. Comms team can help with this.	Noted. The SCI document has been reviewed to ensure it is more concise and user-friendly for the wider audience. It was also assessed as part of the Customer Service Excellence programme.
	Vale of White Horse District Council –	Page 5, Where can I view planning documents? Bullet point 8: delete "Westgate Library, Oxford" and insert "Oxford Central Library, Castle Quarter"	Agreed. Amend bullet point 8 to recognise change of location of Westgate Library to Oxford Central

Name	Organisation	Comment	Council response
	Scrutiny Committee		Library, Castle Quarter.
	Vale of White Horse District Council – Scrutiny Committee	Page 6, 'comprising of' is incorrect usage of 'comprise'. Comprise means 'consist of'. Check throughout doc for this error. You've used it correctly in some places, but not in all.	Noted.
Lynette Hughes	Oxfordshire County Council	OCC is supportive of the general approach and commitments in Part 1 of the SCI. We note that the principles are: communicate clearly; early involvement; recognising the needs of different groups in the community; providing clear opportunities for involvement; ease of access to information; providing feedback and sharing information.	Noted and support welcomed.

COMMENTS ON PART 2: GETTING INVOLVED IN THE LOCAL PLAN AND PLANNING POLICY

Name	Organisation	Comment	Council response
	Vale of White Horse District Council – Scrutiny Committee	Page 4, 4th para. 'to shape the area in which they live and work in: delete 'in'. Most of these sorts of errors would be found if someone took time at the end to read the text slowly and aloud. Slowly and aloud will reveal a lot, like wrong words as here, or sentences too long. Notice how many times you use 'always'. I would only use this in the rare circumstance, or maybe never. It caught my eye on pg 4. Also more examples of active vs passive voice on this page. The use of asterisk seems unnecessary in the table here (put statutory requirement in brackets in situ, and omit the other comment).	Noted.
	Vale of White Horse District Council – Scrutiny Committee	Page 5 Upon vs on. Always. Active passive. I won't mention these again. You get the drift I'm sure.	Noted.
	Vale of White Horse District Council –	Page 5, Who do we consult?: the list of statutory consultees to be publicly available	Agreed. The list of statutory consultees will be available in an Appendix.

Name	Organisation	Comment	Council response
	Scrutiny Committee		
	Vale of White Horse District Council – Scrutiny Committee	Page 7, odd hyphenation in ‘non-strategic’ – third bullet on right hand side. Page 7, ‘Saved’; anything you feel the need to put in quotation marks – ‘inverted commas’ should probably be defined in situ.	Noted.
	Vale of White Horse District Council – Scrutiny Committee	Page 10: Section 106 looks like a spacing problem. Also, has Section 106 been explained previously?	Noted. Include a definition of Section 106 on page 10 and add definition in the Glossary.
	Vale of White Horse District Council – Scrutiny Committee	I haven’t walked through the flowcharts. I strongly recommend a walkthrough, not necessarily by an expert or someone already familiar with the process – because they might see what they expect to see, if you see what I mean. The flowcharts are a BIG help to understanding all this and they need to be correct. Recall the problem in the previous version on SPDs, where it’s clear in the flowchart that Evidence Base is required before consultation, but the policy makers didn’t agree.	Noted. The document has been reviewed to ensure all flowcharts are accurate.
	Vale of White Horse District Council – Scrutiny Committee	Page 15. AMR – I think it’s the Annual Monitoring Report, not the Authority Monitoring Report? The consultation reports and iterations of the AMR should be online and easy to find or search for.	Noted. The term Authority Monitoring Report (AMR) is consistent with national policy – National Planning Practice Guidance; para 027 Reference ID: 12-027-20150326. http://planningguidance.communities.gov.uk/blog/guidance/local-plans/adoption-monitoring-and-supplementary-planning-documents/
	Vale of White Horse District Council – Scrutiny Committee	Page 15, All consultation reports and statements should be accessible at a specific location on the Council website	Noted. The Council will continue to work with the Communications Team to explore ways to improve the accessibility of our Planning Policy webpages.

Name	Organisation	Comment	Council response
	Vale of White Horse District Council – Scrutiny Committee	There should be a separate section on neighbourhood plans	Agreed. Information on Neighbourhood Planning will be collated into a separate section of this document.
Lynette Hughes	Oxfordshire County Council	We welcome reference on page 5 to ‘consultation bodies’, of which the County Council is one. We also welcome discussion of the ‘duty to co-operate’ and specific reference to OCC therein.	Noted. The Council will continue to work collaboratively with OCC on strategic priorities and areas of common interest through the Duty to Co-operate.
Lynette Hughes	Oxfordshire County Council	Page 7 importantly refers to the Minerals and Waste Local Plan as being part of the Development Plan. This is currently being prepared by OCC and a SCI has been prepared specifically in relation to it. Rather than the wording as it appears, the following would be more accurate: Minerals and Waste Local Plan <input type="checkbox"/> OCC is responsible for preparing this to provide up to date minerals and waste planning policies and proposals for the period up to 2031.	Noted. The Council agree this will provide further clarity.
Lynette Hughes	Oxfordshire County Council	Page 15 correctly advises that OCC is able to provide help on Neighbourhood Plans. Rather than the wording as it appears, the following would be preferable to direct readers to the appropriate page: Oxfordshire County Council is also able to provide help on Neighbourhood Plans and has prepared its own Neighbourhood Planning Toolkit which is available online: https://www.oxfordshire.gov.uk/cms/public-site/planning	The Council agree that this will provide further clarity to assist qualifying bodies on where they can receive support from OCC in preparing neighbourhood plans.
Lynette Hughes	Oxfordshire County Council	We would like to see the District commit to uploading individual comments received on planning policy documents onto its consultation database at the earliest possible opportunity. This is the practice for planning applications, noted on page 10 of part 3 of the SCI. Comments could be viewed prior to the process of publishing a summary of the responses received set out on page 15. Page 15 could usefully include an additional heading and text as follows: How Can I See Comments made on Policy Documents by Others? Comments received on our policy documents will be made publicly available online at the earliest opportunity having regard to the need for staff to check	Noted. The Council will ensure that comments are made available for the public to view on our consultation database at the earliest opportunity, once the consultation has closed. A link is provided to the online consultation database.

Name	Organisation	Comment	Council response
		<p>them through first: https://consult.southandvale.gov.uk/portal/</p>	
	<p>Vale of White Horse District Council – Neighbourhood Planning</p>	<p>Part 1 sections 5 and 6 of the Neighbourhood Planning Bill makes additions to the Statement of Community Involvement. It was published yesterday and is going through parliament.</p> <p>Section 5 means we must set out our policies for giving advice to support making a neighbourhood plan or order, and additionally how we would do the same for revising neighbourhood plans.</p> <p>Section 6 allows the Secretary of State to get the local planning authority to review their SCI, and if subsequently it should be amended.</p>	<p>Noted. The SCI has been updated to reflect any changes to national policy and legislation.</p> <p>Noted. This is adequately covered in Part 2 of the SCI. The Council will review the SCI at least every 3 years unless changes to legislation, Government guidance or local circumstances indicate it would be appropriate to review it earlier.</p>

COMMENTS ON PART 3: GETTING INVOLVED IN PLANNING APPLICATIONS

Name	Organisation	Comment	Council response
	Vale of White Horse District Council – Scrutiny Committee	Page 6. ...We will often hold a 'forum'. I'm not sure this is true. I think we should be very careful what we promise here, and be very specific the circumstances under which we will hold a 'forum'. See my recommendation re: 'inverted commas' earlier. Once a planning application is registered, there is very little time to arrange for and hold a Development Forum. I think this section needs some work.	Agreed. Development Forums will primarily be held as an optional part of the pre –application process, rather than once an application is submitted.
	Vale of White Horse District Council – Scrutiny Committee	Page 6, What is a pre-application? Second paragraph: delete "any pre-application advice" and insert "any pre-application advice letter"	Noted.
	Vale of White Horse District Council – Scrutiny Committee	Page 6, amending head to read "Who might be involved in the Development Forum" rather than "Who will be..."	Noted. The Council agree this will provide further clarity on who might be involved in a Development Forum.
	Vale of White Horse District Council – Scrutiny Committee	Consideration to be given to how the Development Forum fits into the planning application process, see flowchart on page 5, and narrative on page 6. The flowchart mentions a 'developer forum', and it is not clear whether this is the same as a Development Forum mentioned on the next page	Noted. Change wording in Figure 1 on page 5 from 'Developer Forum' to 'Development Forum' to ensure consistency with the terms used.
	Vale of White Horse District Council – Scrutiny Committee	Page 7, Neighbourhood notification letter: criteria used to determine who may be directly affected by a proposal to be set out as examples	The Council consider that the wording as currently written allows for flexibility for the case officer during the neighbourhood notification and consultation process.
	Vale of White Horse District Council – Scrutiny Committee	Page 7, Site Notice: delete last sentence of paragraph 4	Agreed. The Council will remove the last sentence of this paragraph.

Vale of White Horse District Council – Scrutiny Committee	Page 7, Email alerts. Use a full link rather than a 'click here', which doesn't work from a printed copy of the SCI	Agreed. The Council agree this will provide useful clarity.
Vale of White Horse District Council – Scrutiny Committee	Page 8, Neighbourhood notification consultation: bullet point list to be included to show when wider consultation may be carried out	The Council consider that the wording as currently written allows for flexibility for the case officer during the neighbourhood notification and consultation process.
Vale of White Horse District Council – Scrutiny Committee	Page 11, right hand side, para 3. Missing words in last sentence – Read aloud. Page 11, right side, para 6. Suggest you list the three statutory tests here; they're short and will fit.	Noted. This is a minor typographical error.
Vale of White Horse District Council – Scrutiny Committee	Page 11, Does it matter what I think?: title to be deleted and paragraph to be moved to precede "What types of comments are taken into account" on page 10	Agreed.
Vale of White Horse District Council – Scrutiny Committee	Page 12, left side, last para. 'the breach is harmful to planning'. Is this correct? It doesn't make sense to me. Page 12, right side, top. Provide contact details for customer services.	Agreed. Providing contact information for the Customer Services Team will help to assist customers who are seeking advice on planning enforcement
Vale of White Horse District Council – Scrutiny Committee	Page 12, the paragraph setting out the Council's policy on enforcement to be added together with information on how to report a breach of planning condition and contact details for the customer services team	Agreed. Reference will be made to the Council's Planning Enforcement Policy.
Vale of White Horse District Council – Scrutiny Committee	Page 13 - 16, Consideration to be given to adding social media as another column for publicity in Appendix 1 of Part 3.	The SCI document should be read as a whole. It is considered that the role of social media is adequately addressed in Part 1 of the SCI. However, a change has been made

			<p>to include 'Social Media' as a method for notifying customers of a new application, only for major proposals on Page 7 under 'How do I find out about a new planning application?'</p> <p>The Council will continue to work with the Communications Team to explore the role of Social Media in our planning consultations (planning policy and planning applications).</p>
	Vale of White Horse District Council – Scrutiny Committee	Page 13, a new box for social media to be added for consultations on major planning applications	Noted. A new column has been added to show Social Media as a method of publicity for only major planning applications.
Rob O'Carroll	Bellway Homes Ltd	<p>With regards to Part 3 Bellway Homes Ltd have significant concern regarding the introduction of Development Forums. Currently it is proving very difficult to obtain pre planning advice from a single Officer, with the process causing severe delays in getting projects delivered and subsequent financial implications. If Development Forums are to be introduced due to the amount of stakeholders involved, such delays are only likely to increase which is unacceptable.</p> <p>Such forums should only be used on developments which have a wider than District implications and impacts as if this the forum is to be involved in every major application that is made this will result in big delays in the actual delivery of development within the District. This will have a harmful impact upon the supply of housing and employment and would be an unacceptable position to all commercial developers.</p> <p>If such a measure is to be introduced then a strict timeframe for the forum to sit/respond needs to be stipulated. If this such a deadline is not met then it should be considered that there is a presumption in favour of the development.</p>	<p>Noted. This was an error in the draft SCI – Development Forums will be an optional part of the pre – application process for those major schemes likely to generate significant levels of public interest.</p> <p>The Council will recommend a Forum to an applicant when it feels they will be beneficial.</p> <p>Forums would be a collaborative process between the applicant and the council, and the intention is that they will speed up the overall application process through establishing the key issues locally at the earliest possible stage.</p>

		To conclude the simple introduction of a Development Forum to all major applications is unacceptable and its use should be reserved only for projects with a wider than District impact and if introduced safeguards to prevent unacceptable delays need to be considered.	The intention is that an applicant will gain valuable feedback from all stakeholders in good time to adapt their proposals and ensure a greater chance of receiving officer and local support once an application is formally submitted.
Martin Small	Historic England	No comments	Noted.
Lynette Hughes	Oxfordshire County Council	<p>A brief reference to other planning applications, which are made to OCC, not the district council, should be added to avoid confusion. This might usefully be the first paragraph under the heading of 'What types of planning applications are available to me?' on page 4 as follows:</p> <p>This SCI relates to planning applications made to Vale of White Horse District Council. For planning applications made to OCC, for example on minerals and waste matters, or the County Council's own development, see: https://www.oxfordshire.gov.uk/cms/content/find-planning-application</p> <p>OCC can be contacted in respect of any matter which is its responsibility: https://www.oxfordshire.gov.uk/cms/public-site/contact-oxfordshire-county-council</p>	Noted. A reference is made in Part 3 of the SCI for those applications dealt with by OCC.
Lynette Hughes	Oxfordshire County Council	The pre-application stage, noted on page 6, is an important stage for large proposals. The text as currently written is not clear as there is reference to confidentiality prior to a formal planning application being submitted, but also reference to engagement with the local community. The text should be revised, and mention should be made of how the District involves the county council in responding to pre-application enquiries	
Lynette Hughes	Oxfordshire County Council	Page 6 details the Development Forum, which is a process not required by statute, but is likely to be helpful to both developers and the Council. We welcome the specific reference to OCC representatives attending these, along with councillors, District officers and others. In most cases we expect that OCC will be represented by both councillors and officers.	Noted. OCC input into the Development Forum is a vital part of their success to date.

**APPENDIX 2: 'TRACK CHANGE' VERSION OF STATEMENT
COMMUNITY INVOLVEMENT (SCI)**