

INSPECTOR'S REPORT
SOUTH NORFOLK COUNCIL
STATEMENT OF COMMUNITY INVOLVEMENT

Inspector: John Mattocks DipTP BSc(Hons) MRTPI

Date: 29 November 2006

South Norfolk District Council Statement of Community Involvement (March 2006)

INSPECTOR'S REPORT

Introduction

- 1.1 An independent examination of the South Norfolk District Council Statement of Community Involvement (SCI) has been carried out in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004 (the Act).
- 1.2 Section 20(5) indicates the two purposes of the independent examination in parts (a) and (b). With regard to part (a) I am satisfied that the SCI meets the requirements of the relevant sections of the Act and Regulations except in so far as the timetable for the SCI contained in the Local Development Scheme (LDS) indicates that the document should have been submitted in September 2005 and adopted by April 2006. I must, therefore, conclude that the SCI fails to comply with s19(1) of the Act. Consequently, the Council will need to revise the LDS before adoption of the SCI.
- 1.3 Part (b) is whether the SCI is sound. Following paragraph 3.10 of Planning Policy Statement 12: Local Development Frameworks, the examination has been based on the 9 tests set out (see Appendix A). The starting point for the assessment is that the SCI is sound. Accordingly changes are made in this binding report only where there is clear need in the light of tests in PPS12.
- 1.4 A total of 15 representations were received all of which have been considered. The Council proposed a number of amendments to the SCI in response to representations received, and these have been taken into account in the preparation of this report. Further information was requested from the Council in relation to Test 5 and 9 and this information is contained in Appendix B to this Report.

Test 1

- 2.1 The Council has undertaken the consultation required under Regulations 25, 26 and 28 of the Town and Country Planning (Local Development) (England) Regulations 2004.
- 2.2 This test is met.

Test 2

- 3.1 Part 3 and Appendix 2 acknowledge that the LDF is a way of delivering the aims of the Community Strategy ("Up 2 U 2"), produced by the "South Norfolk Alliance Partnership". Part 3 also states that the Council has a commitment to maintain the links between the LDF consultation processes and the forthcoming Sustainable Community Strategy which will be reviewed every 3 years.
- 3.2 This test is met.

Test 3

- 4.1 The Council has set out in Section 4.1 and Appendix 3 of the SCI those groups which will be consulted. This list includes the statutory bodies from PPS12 Annex E. Section 4.1 also states that consultees will be added or removed from the process over time and that the Council will consult with additional bodies if it considers that the DPD contains proposals that would affect a particular consultee.
- 4.3 The re-organisation of certain consultation bodies, such as the English Nature, should be acknowledged in the SCI and I recommend an additional sentence to be added to this effect.
- 4.4 Subject to the recommendation below, this test is met.

Recommendation

(R1) Insert the following at the end of the text in the heading of Appendix 3:

"(and also relates to successor bodies where re-organisations occur)."

Test 4

- 5.1 Part 5 shows that the Council will involve and inform people from the early stages of DPD preparation and sets out the range of methods the Council will employ to do this (these are summarised in Table 5.1). The Council clarify in the fifth Paragraph of Part 5 and Table 5.1 on page 10 the stages at which consultation will take place and who will be consulted at those stages. It shows that consultation will take place with the key stakeholders during the issues and options stage of DPD production in accordance with Regulation 25. I am satisfied that providing these stages are followed the consultation proposed will be undertaken in a timely and accessible manner.

- 5.2 For the sake of completeness, the SCI should make reference to the procedures under Regulations 32 and 33 relating to the treatment of site allocation representations. This may be addressed by the recommendation below.
- 5.3 Section 5.3 deals with Sustainability Appraisal and Section 5.4 deals with the production of Supplementary Planning Documents (SPDs).
- 5.4 Subject to the following recommendation, this test is met.

Recommendation

(R2) In Part 5, delete the words after the hyphen in the second line of the final bullet point at the top of page 10 and insert the following:

“An additional period of 6 weeks consultation is allowed after submission but before the examination in the event of site allocation representations being duly made.”

Test 5

- 6.1 Section 4.2 sets out the methods that the Council propose to use to involve the community and stakeholders. These cover a range of recognised consultation techniques that will present information via a range of different media. Table 5.1 on page 10 indicates at what stages of LDD preparation the various methods might be employed.
- 6.2 The SCI acknowledges that the Council may have to provide extra support to facilitate consultation with certain groups or individuals, and proposes how they might do this.
In the interest of clarity, hard to reach groups should be more clearly identified within the SCI with reference to my query to the Council (see Appendix B). I recommend accordingly.
- 6.3 The 4th Paragraph of Part 1 explains how the Council will make their Information accessible to all members of society, and sets out how they will meet requirements of the Race Relations Act 2000 and the Disability Discrimination Act 1995.
- 6.4 I am satisfied that the methods of consultation proposed in the SCI are suitable for the intended audiences and for the different stages in LDD preparation.
- 6.5 For completeness, additional contact details should be added to the notice concerning alternative formats on the cover of the SCI and I recommend accordingly.
- 6.6 Subject to the following recommendations, this test is met.

Recommendation

(R3) Add to the first paragraph of Section 4.2

"A number of groups are traditionally more difficult to engage, in South Norfolk. These include, Black and Minority Ethnic groups (the most significant being the Chinese and Gypsy and Traveller communities); people with sight, hearing, speech and mobility impairments; people with literacy difficulties and younger people. The techniques identified below involve a number of methods of contact and response that are appropriate to these groups. In particular techniques that involve face-to-face contact and offer the opportunity for one-to-one responses e.g. exhibitions, Planning for Real ® and workshops are likely to be most effective. In addition, if it is appropriate to target specific groups it may be necessary to use peer-to-peer methods to increase the likelihood of engagement ".

(R4) Amend the statement on the SCI front cover to read:

"If you need this document in large print, audio tape, Braille or another language, contact:

The Planning Administrative Support Manager
South Norfolk Council
Swan Lane
Long Stratton
Norwich
NR15 2XE
Tel. 01508 533846
Fax 01508 533625
Minicom 01508 533622
E-mail: ldf@s-norfolk.gov.uk"

Test 6

7.1 Section 4.5 of the SCI explains how the Council will seek to ensure that sufficient resources are put in place to achieve the scale of consultation envisaged. I am satisfied that the Council is alert to the resource implications of the SCI.

7.2 This test is met.

Test 7

8.1 Paragraph 4.3 covers the way responses to consultation will be dealt with and reported back to the community.

8.2 This test is met.

Test 8

9.1 Section 4.4 of the SCI provides information on monitoring and review and confirms the Council's intent to review the SCI on an

annual basis. It would be helpful if this section made reference to the role of the Annual Monitoring Report and I recommend accordingly.

9.2 I am satisfied that the Council has mechanisms for reviewing the SCI and have identified potential triggers for the review of the SCI.

9.3 Subject to the recommendation below this test is met.

Recommendation

(R5) Insert the following text at the end of the first Paragraph of Section 4.4

"The success and effectiveness of the SCI will be reviewed through the Annual Monitoring Report (AMR)."

Test 9

10.1 The SCI at Part 6 clearly describes the Council's policy for consultation on planning applications. Section 6.1 meets the minimum requirements and provides additional methods of consultation.

10.2 The SCI does not adequately deal with the question of how the results of consultation will be reported and how the results will be used to inform the decision making process with reference to the Council's response to my query (see Appendix B). I recommend a change to rectify this.

10.3 Subject to the following recommendation this test is met.

Recommendation

(R6) Replace the last paragraph of section 6.1 with the following:

"The results of any consultations will be reported to the relevant Committee as part of the officer's report. As part of the Committee process for those supporting or objecting to an application there is an opportunity to bring particular issues to the Committee's attention – this could include the results of consultation. In the event that an application is not determined by committee, the results of any consultation will form part of the case officer's assessment of the proposals and summary information will be included in a delegated report. All aspects of planning applications including supporting information are available via the Council's website, therefore increasing the availability of information and allowing a further opportunity to scrutinise consultation results."

Conclusions

11.1 The Council have set out in their Representation Statement (Regulation 31 Statement), (27th September 2006) a number of proposed changes to the SCI in response to representations received on the submission document. These suggested amendments do not affect the substance of the SCI but they do improve the clarity and transparency of the submission SCI. They are provided in Appendix C to this Report and I therefore agree that they be included.

Recommendation

(R7) Implement the Council proposed changes as provided in the Appendix C of this Report that have not been previously mentioned in this report.

11.2 Whilst I have attempted to identify as many consequential amendments as possible that may follow from my recommendations, it seems inevitable that issues of consistency may arise. In the event of any doubt, please note that I am content for such matters, plus any minor spelling, grammatical or factual matters to be amended by the Council, so long as this does not affect the substance of the SCI.

11.3 Subject to the recommendations set out in this Report, the South Norfolk Statement of Community Involvement (March 2006) is sound.

John R Mattocks

Inspector

APPENDIX A
TESTS OF SOUNDNESS

Examination of the soundness of the statement of community involvement

3.10 The purpose of the examination is to consider the soundness of the statement of community involvement. The presumption will be that the statement of community involvement is sound unless it is shown to be otherwise as a result of evidence considered at the examination. A hearing will only be necessary where one or more of those making representations wish to be heard (see Annex D). In assessing whether the statement of community involvement is sound, the inspector will determine whether the:

- i. local planning authority has complied with the minimum requirements for consultation as set out in Regulations;¹
- ii. local planning authority's strategy for community involvement links with other community involvement initiatives e.g. the community strategy;
- iii. statement identifies in general terms which local community groups and other bodies will be consulted;
- iv. statement identifies how the community and other bodies can be involved in a timely and accessible manner;
- v. methods of consultation to be employed are suitable for the intended audience and for the different stages in the preparation of local development documents;
- vi. resources are available to manage community involvement effectively;
- vii. statement shows how the results of community involvement will be fed into the preparation of development plan documents and supplementary planning documents;
- viii. authority has mechanisms for reviewing the statement of community involvement; and
- ix. statement clearly describes the planning authority's policy for consultation on planning applications.

From: Planning Policy Statement 12: Local Development Frameworks

¹ The Town and Country Planning (Local Development) (England) Regulations, 2004.

APPENDIX B
CORRESPONDANCE



The Planning Inspectorate

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Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Direct Line 0117-372 8732
Switchboard 0117-372 8000
Fax No 0117-372
GTN 1371-8732
bartosz.bartkowiak@pins.gsi.gov.uk
<http://www.planning-inspectorate.gov.uk>

Simon Marjoram
South Norfolk Council
Long Stratton
Norwich
NR15 2XE

Your Ref:

Our Ref: LDF425

Date: 17 October 2006

SOUTH NORFOLK DISTRICT COUNCIL STATEMENT OF COMMUNITY INVOLVEMENT

Dear Simon

As the appointed Inspector for your Authority's Statement of Community Involvement I am requesting comments from the Council on the following point in order to assist in assessing the soundness of South Norfolk District Council Statement of Community Involvement.

Test V

In the interest of clarity:

1. What has Council done to identify "hard to reach groups" and what particular measures have the Council taken to make information more accessible to those groups?
2. The council provides information about the alternative formats of LDD documents; could you please provide additional contact details including a named person (or department if this is likely to change) and postal address for obtaining these documents.

Test IX

The Council mentions the role of the Area Committee and Main Planning Committee in the decision making process.

3. Could the Council provide further detail on how the results of consultation will inform decisions?

These answers are to assist in the production of a binding report. Once you have submitted your response to these questions, the report will be produced as quickly as possible. Please reply to Bartosz Bartkowiak whose details are given above. Thank you for your assistance in this matter.

Yours sincerely,

Keith Holland

Keith Holland BA(Hons) Dip TP MRTPI ARICS

Our Ref: SDM/SCI/Examination
Your Ref: LDF425

Please Contact: Simon Marjoram
Please Dial Direct on: 01508 533810
Please e-mail: smarjoram@s-norfolk.gov.uk

1 November 2006

Dear Bartosz

**South Norfolk Council Local Development Framework
Statement of Community Involvement (SCI)**

I am writing in response to your letter of 17th October requesting further clarification on a number of points relating to the South Norfolk SCI. I have addressed the points in the same order as in your letter:

1. In terms of identifying and engaging with 'hard to reach groups', the Council has used a number of techniques. As part of the citizens panel (referred to in the SCI), contractors have been used to identify groups that are under-represented on the panel (in comparison with the population as a whole) and facilitate peer-to-peer contact in order to engage people from these groups; this included arranging interviews at a venue of the interviewees choice and allowing them bring 2-3 friends or family members if they wished. The groups identified are those referred to in suggested changes in Appendix 2 of the Council's Regulation 31 Statement. A lot of specific work has also been undertaken with young people, using e-consultation, and panel members who had identified themselves as suffering with a disability or limiting long-term illness; the latter as part of wider ranging engagement in preparation for the Council's Disability Equality Scheme.

For information, specifically in relation to the development of the LDF methods we have used include:

- specific, facilitated workshops for the representative groups that the Council had already identified;
- staffed exhibitions at a wider variety of locations (such as at supermarkets and on market stalls) and times (from 8am to 8pm)

Cont/d...

Bartosz Bartkowiak
The Planning Inspectorate
Room 3/25 Hawk Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

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- and at weekends) to allow easier access in less formal settings, as well as using opportunities to tie-in with other local community events;
- use of peer group representatives to access the Gypsy & Traveller community;
 - going into schools with appropriate workshops/activities targeted at different age groups from primary to sixth form;
 - advertising and publicising the process across a range of media to encourage engagement from a wider variety of people; and
 - providing information (posters and summary leaflets) via libraries, local shops and post offices, doctors surgeries, schools etc.
2. The contact details on the front cover of the submitted SCI are for the Planning Administrative Support Manager, alternative formats can also be obtained by contacting the Council's Equalities Team on 01508 533887 or e-mail equalities@s-norfolk.gov.uk. Further information on accessing alternative formats can found at <http://www.south-norfolk.gov.uk/democracy/1885.asp>
3. The results of any consultations will be reported to the relevant Committee as part of the officer's report – this would be in both the details on consultations and the overall assessment of the application, which all committee reports contain. As outlined in the SCI, opportunities exist as part of the Committee process for those supporting or objecting to an application to bring particular issues to the Committee's attention – this could include the results of consultation. In the event that an application is not determined by committee, the results of any consultation will form part of the case officer's assessment of the proposals and summary information will be included in a delegated report. All aspects of planning applications submitted since late 2005, including supporting information, are available via the Council's website, therefore increasing the availability of information and allowing a further opportunity to scrutinise consultation results.

I hope this clarifies the issues for you. If you have any further questions, please let me know.

Yours sincerely

Simon Marjoram
Senior Planning Officer

APPENDIX C
SUGGESTED CHANGES

Main Issues Raised & Suggested Changes

| Organisation/ Individual | Test of Soundness that the SCI fails | Section of the SCI | Summary of representation | Suggested Action |
|--------------------------------|---|-----------------------|---|---|
| Mr S. Maswood Jalil | 7 | 4.3 | The decision making process should also include Stakeholders and Landowners | <p>Stakeholders and Landowners are included as part of community involvement and their inputs will be fed into the decision making process; however, ultimately decisions will need to be taken by the Council.</p> <p>Should stakeholders disagree with the Council's decisions, mechanisms exist to make representations direct to the Secretary of State through the submission and examination processes.</p> <p>No change to the SCI.</p> |
| Home Builders Federation | 1 & 5 | 4.2 & Table 5.1 | The SCI refers to printed material being available through council offices and local libraries, however the Town & Country Planning (Local Development) (England) Regulations 2004 refer to material being sent directly to specific consultation bodies, where the local authority considers this appropriate. | <p>Amend section 4.2 and table 5.1 to clarify that material will be sent directly where the local authority considers this appropriate.</p> |

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|---------|-------|-----------|---|---|
| GO-East | 4 & 5 | 5 | Section 4.4 of the SCI sets out how and when the SCI itself will be monitored and reviewed. However Section 5 could be amended to show the stages of SCI production and the relevant consultation methods/ target groups. | Add and extra paragraph, 5.5 , stating: <i>“Section 4.4 notes that the SCI will itself be subject to monitoring and review. To ensure that the methods and techniques used are appropriate to the whole of the community, as defined in Section 2, review of the SCI will be subject to the minimum standards set out in table 5.1. As section 4.4 notes, additional techniques will be used to target people who have not previously engaged with the LDF process.”</i> |
| GO-East | 4 & 5 | 5 | The consultation programme for Supplementary Planning Documents (SPDs) is not adequately set out. | Replace existing paragraph 5.4 with <i>“SPDs will be used to expand upon policies in the Local Development Documents. The Council will engage with relevant sectors of the community in gathering evidence to prepare draft SPDs. However, for each SPD the main stage of consultation will be on the draft SPD itself. Methods and techniques will vary depending on the content of the SPD being produced i.e. tailoring the methods used and the groups targeted to the specific localities or subject areas under consideration. However, in all cases community involvement on the draft SPD will reach the minimum standard set out for Regulation 25 consultations in Table 5.1, with the exception that letter/e-mail alerts will target appropriate organisations and individuals. The Council will also investigate the possibilities of adopting Parish Plans as SPD or developing aspects of Parish Plans as part of SPD.”</i> |
| GO-East | 5 | 4.1 & 4.2 | The SCI does not identify the ‘hard to reach groups’ or distinguish which consultation techniques will be used to target them. | Identification of appropriate techniques is already included within Section 4.2. Add to the first paragraph of Section 4.2 <i>“A number of groups are traditionally more difficult to engage, in South Norfolk these include: Black and Minority Ethnic groups, the most significant being the Chinese and Gypsy and Traveller communities; people with sight, hearing,</i> |

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| | | | | <p><i>speech and mobility impairments; people with literacy difficulties; and younger people. The techniques identified below involve a number of methods of contact and response that are appropriate to these groups. In particular techniques that involve face-to-face contact and offer the opportunity for one-to-one responses e.g. exhibitions, Planning for Real® and workshops are likely to be most effective. In addition, if it is appropriate to target specific groups it may be necessary to use peer-to-peer methods to increase the likelihood of engagement ”.</i></p> |
| GO-East | 9 | 6 | <p>SCI needs to give a clearer indication of the techniques that will be used for different types of planning application.</p> | <p>Agreed that a table of techniques for different types of applications would be appropriate, see Appendix A.</p> |

| Type of Application | At what stage? | Suggested action for the applicant | Action by the Council |
|--|-----------------------|--|---|
| <p>Major Applications and Departures from the Development Plan:</p> <ul style="list-style-type: none"> • Residential development over 50 units; • Other applications with a floorspace above 2,000sq.m; • Applications that do not conform with adopted development plan policies; and • Applications requiring an Environmental Assessment. | Pre-application | <p>Pre-application discussions with Council officers – including advice on whether a masterplan or development brief is required.</p> <p>Pre-application discussions with infrastructure and service providers and environmental/conservation bodies to identify constraints and contributions towards infrastructure.</p> <p>Publicity and engagement with the community – including holding public exhibition(s), meeting(s) and issuing a press release/advert.</p> | General advice, by phone and in person at the Council's main office. |
| | Application | <p>In addition to any statutory requirements (design & access statements, serving notice on site owners etc.) applicants to submit a statement outlining the methods and results of pre-application consultation.</p> <p>Press release & public exhibition, if not undertaken at the pre-application stage.</p> | <p>Site notice(s) in a prominent location(s).</p> <p>Consultation letters to neighbours considered to be materially affected by the proposals.</p> <p>Consultation letters to statutory consultees and other individuals/organisations considered to be materially affected by the proposals.</p> <p>Inclusion in the Public Notices of the local paper.</p> <p>Inclusion in the weekly list of planning applications (available by subscription and at www.south-norfolk.gov.uk)</p> |

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|---|------------------------|---|---|
| <p>Major Applications and Departures from the Development Plan cont/d.</p> | | | <p>Application available for inspection at www.south-norfolk.gov.uk and at the Council's main office – including facility to submit comments via the website.</p> <p>Attendance at public meetings where requested.</p> <p>Press release, where this is considered to be in the community interest & has not been undertaken by the applicant.</p> <p>Public exhibition, where this is considered to be in the community interest & has not been undertaken by the applicant.</p> |
| <p>Minor Applications.</p> <p>Applications not classified as Major, including: Householder applications; Changes of Use; Telecommunications Applications; Advertisement Applications and Works to TPO Trees Applications.</p> | <p>Pre Application</p> | <p>Pre-application discussions with Council officers.</p> <p>Good practice would be to consult with neighbours and others who may be affected by the proposals prior to submitting an application.</p> <p>Measures to meet PPG 8 (para 10 & 11) requirements concerning pre-application discussions on telecommunications applications.</p> | <p>General advice, by phone and in person at the Council's main office.</p> |
| | <p>Application</p> | <p>In addition to any statutory requirements (design & access statements, serving notice on site owners etc.) applicants to submit a statement outlining the methods and results of pre-application consultation.</p> | <p>Site notice(s) in a prominent location(s)¹</p> <p>Consultation letters to neighbours considered to be materially affected by the proposals.</p> <p>Consultation letters to statutory consultees and other individuals/ organisations considered to be materially affected by the proposals.</p> |

¹ Excludes Works to TPO Trees Applications.

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| Minor Applications cont/d. | | | <p>Inclusion in the Public Notices of the local paper if the application is considered to be of particular public interest.</p> <p>Inclusion in the weekly list of planning applications (available by subscription and at www.south-norfolk.gov.uk)¹</p> <p>Application available for inspection at www.south-norfolk.gov.uk and at the Council's main office – including facility to submit comments via the website².</p> |
| Listed Building & Conservation Area Consents | Pre Application | <p>Pre application discussions with the Council, including seeking specialist advice from the Design & Conservation Team.</p> <p>Good practice would be to consult with neighbours prior to submitting an application.</p> <p>For some more significant proposals applicants may wish to consider consulting with a wider group of stakeholders, such as conservation and amenity bodies.</p> | General advice, by phone and in person at the Council's main office. |
| | Application | In addition to any statutory requirements (design & access statements, serving notice on site owners etc.) applicants to submit a statement outlining the methods and results of pre-application consultation. | <p>Site notice(s) in a prominent location(s).</p> <p>Consultation letters to neighbours considered to be materially affected by the proposals.</p> <p>Consultation letters to statutory consultees and other individuals/ organisations considered to be materially affected by the proposals.</p> <p>Inclusion in the Public Notices of the local paper.</p> <p>Inclusion in the weekly list of planning applications (available by subscription and at www.south-norfolk.gov.uk)</p> <p>Application available for inspection at www.south-norfolk.gov.uk and at the Council's main office – including facility to submit comments via the website.</p> |

² Works to TPO Trees Applications from Spring 2007.

