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## The Purpose of this document

**1.1** This Statement of Community Involvement (SCI) sets out how and when you can contribute in the planning process, including the Local Plan and planning applications. It also sets out our advice on how Town and Parish Councils and Neighbourhood Forums should seek to involve local people and groups in the preparation of Neighbourhood Plans.

Section 18 of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to produce a Statement of Community Involvement, which should explain how they will engage local communities and other interested parties in producing their Local Plan and determining planning applications. The Statement of Community Involvement should be published on the local planning authority's website.

**1.2** We are committed to involving as many people and organisations as possible in the preparation of the Local Plan and in the determination of planning applications, particularly those who are under-represented in the planning process. We will strive to make it easier for all individuals to become involved, regardless of their circumstances. By involving communities from the start they

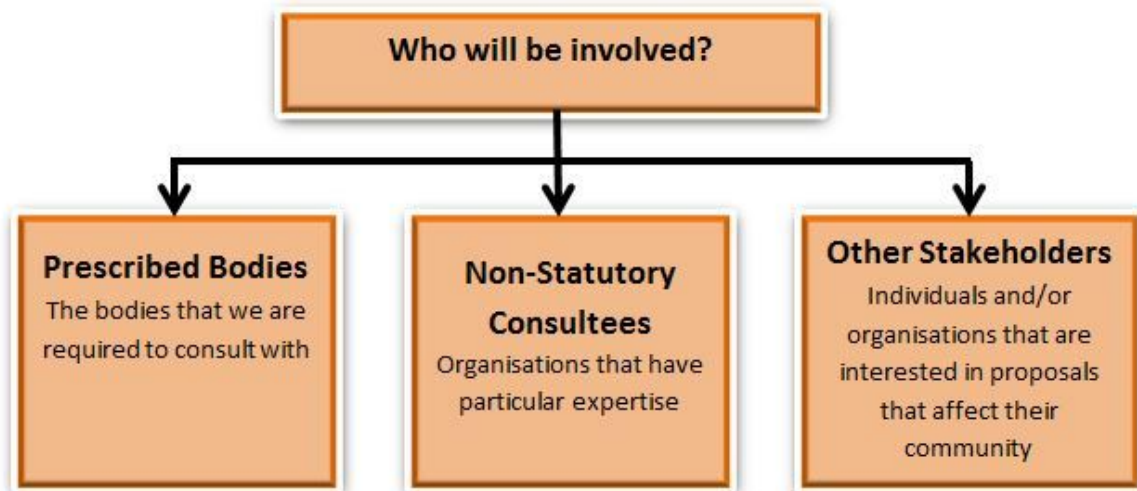
can help to make a difference and, crucially, feel a sense of ownership of local planning decisions.

### Our commitment:

- To inform communities and other interested third parties about emerging policies and proposals in good time;
- To enable communities to put forward ideas and suggestions and participate in developing proposals and options;
- To ensure that as wide an audience as possible is consulted;
- Consider comments thoroughly and provide feedback in a balanced and open manner; and
- Support Town and Parish Councils and Neighbourhood Forums in involving local people and community groups in the preparation of Neighbourhood Plans.

**1.3** Government guidance and planning regulations provide advice on a range of bodies that we need to consult in preparing the Local Plan and in considering planning applications. While we aim to involve as many people as possible, we specifically consult the following groups:

Picture 1



**1.4** In undertaking our statutory duties, we will also meet the requirements of the Equality Act 2010. This Statement of Community Involvement has also been the subject of an Equality Impact Assessment. We will promote equality and diversity, and not unfairly discriminate against anyone who wishes to participate in the planning system.

**1.5** We will actively monitor the success of our community involvement and refine our methods as appropriate.

We will measure our success at community involvement assessing:

- How successfully the community and other stakeholders are able to find and comment on information and proposals;
- The level of actual involvement of groups with protected characteristics;
- Respondents' satisfaction in how they have been consulted on planning applications; and
- Respondents' satisfaction with the Council's overall consultation standards.

### Independent Support

**1.6** Further information may be obtained through the Planning Portal at <http://www.planningportal.gov.uk>. This facility explains how the planning system works in a clear and concise way.

**1.7** Further advice is available from Planning Aid which is an independent voluntary service offering free, independent and professional planning advice to community groups and individuals who cannot afford to employ a planning consultant. It aims to give people the confidence to deal with the planning system and to become involved in wider planning issues. Planning Aid is not part of the Local Planning Authority, it is a separate service that complements the advice given by Local Planning Authorities. Contact details are as follows:

Planning Aid:  
<http://www.rtpi.org.uk/planning-aid/>

Tel: 0330 123 9244

Email: [advice@planningaid.rtpi.org.uk](mailto:advice@planningaid.rtpi.org.uk)

**2.1** The Local Plan guides new employment, housing and retail development across the County and once adopted provides local policies against which planning applications will be determined.

**2.2** The timetable for producing the Local Plan is set out within the Local Development Scheme.

### Access to Information

**2.3** We will make information available and consultation document available through a number of methods:

- On the Council's website <http://www.durham.gov.uk/cdp>;
- Copies of consultation documents will be available at Council Customer Access Points, main Council Offices and at Council-operated local libraries and mobile libraries;
- Offer advice and assistance over the telephone 03000 261908, by e-mail to [spatialpolicy@durham.gov.uk](mailto:spatialpolicy@durham.gov.uk) or by post to FREEPOST Spatial Policy;
- Upon request, we can make the information available in Braille, large print, translated into another language, or put on to audio cassette; and
- We will seek to ensure that venues chosen for events are accessible and seek where possible to ensure that events are held at times which maximise the ability for people to find out the information they need, ask questions and provide comments.
- We will promote all events via the Council's website and social media as well as promoting them with press releases. All of these methods will also highlight the information available online.

All known consultees will be directly notified of consultation events.

If you wish to be removed, deleted or your existing details to be updated then please write to **FREEPOST Spatial Policy**, email [spatialpolicy@durham.gov.uk](mailto:spatialpolicy@durham.gov.uk) or by telephoning **03000 261908**.

### Target Groups

**2.4** We will target a wide variety of groups during consultations. Some of the key groups include:

- Known Community Organisations;
- Residents' Associations;
- Neighbourhood Forum;
- Businesses including organisations such as the North East Chamber of Commerce;
- Developers/Agents/Landowners;
- Statutory bodies and groups;
- Central, regional, and local government, including neighbouring authorities; and
- Interested bodies - for example the Royal Society for the Protection of Birds (RSPB).

**2.5** We will try to engage 'hard to reach' or 'easy to overlook' groups in planning issues and will continue to expand our consultation techniques to seek views. We will continue to use social media for example (e.g. Facebook, Twitter, Instagram and You Tube) where possible to help access these groups in particular.

## Consultation methods to be used during each stage of the production of the Local Plan

**2.6** We recognise that there will be varying degrees to which you will wish to become involved in the Local Plan. We also recognise that there are differing needs depending upon knowledge and experience of the planning system which will require a targeted and, at the same time, flexible approach to consultation.

### Access to draft documents

**2.7** Local Plan consultation documents will be available for inspection at County Hall Durham, Council Customer Access Points and Council run local and mobile libraries during the set consultation period. The documents will provide details of how and when people can make representations. The Council Customer Access Points are:

- Barnard Caste Customer Access Point;
- Chester-le-Street Customer Access Point;
- Consett Customer Access Point;
- Crook Customer Access Point;
- Durham City Customer Access Point;
- Seaham Customer Access Point;
- Spennymoor Customer Access Point; and
- Stanley Customer Access Point.

### 'Durham County News' Magazine

**2.8** Newspaper supplements are one of the most effective ways of spreading planning and development ideas to large numbers of people and generating public debate. Our free publication 'Durham County News' that is sent to every household in the County may be used to disseminate information about the Local Plan preparation process, emerging issues and consultation events.

### Public Meetings

**2.9** Although public meetings can help deliver immediate discussion and feedback, some people find them intimidating and are

reluctant to participate. Therefore public meetings will only be used in conjunction with other techniques where appropriate.

### Formal Meetings

**2.10** We pride ourselves on our partnership working and are often involved in regular meetings through the Duty to Cooperate, North East Combined Authority, Business Forums, County Durham Partnership, the Area Action Partnerships and with Town and Parish Councils for example. We will endeavour to provide updates on the Local Plan at appropriate junctures when these are requested.

### Internet-based consultation and the use of Social Media

**2.11** In order to improve how we involve you we will undertake web-based consultation on all emerging documents using our website consultation pages. The most common form of consultation will be through interactive documents, however from time to time we may publish internet based surveys, polls or discussion forums. We believe that the internet provides quick and efficient opportunities for interested individuals and parties to engage in the planning process. Whilst names are published, to protect your privacy, all other personal information you provide when registering will not be open to public view.

**2.12** The internet offers the following potential uses:

- Timely, accurate information on site plans, opportunities, constraints, commissioned studies;
- A platform on which organisations can respond to issues known to be of community concern;
- A way for organisations to invite stakeholders to comment on the specific proposals and a means of receiving feedback; and
- An interactive medium allowing discussion and debate.



**2.13** All consultations on the production of the Local Plan will be published on the Council's website. Social media can be an effective way to spread news-stories to a wide audience. We will use a range of social media techniques to raise the awareness of consultation events and document available through the use of Facebook, Twitter, Instagram and You Tube.

### Press and public relations

**2.14** We will inform the community of key consultation dates during the production of the Local Plan by releasing appropriate and timely press releases.

### Community Forums

**2.15** We will work with the Area Action Partnerships that are already established in the County to widen community involvement in the plan making process. These Forums will be used as a channel to inform the local community of the stage reached in the review process, to provide opportunities for their input and participation and to explain key issues affecting local areas.

### Public Exhibitions

**2.16** As part of the formal consultation exercises associated with the preparation of the Local Plan we will hold staffed and un-staffed exhibitions at accessible venues throughout the County.

### Existing networks

**2.17** There are a range of existing meetings and forums, which can be tapped into, including the County Durham Partnership Thematic Groups and the voluntary sector. There are a number of networks covering particular sections of the community which can be used to engage 'hard to reach' groups.

### How to make your views known

**2.18** We are happy to receive your views - either by letter or email - at any stage of preparation of the local plan. However, during specific consultation periods we encourage

you to send us your views and ideas online, via our interactive website, using our consultation web pages  
<http://durhamcc-consult.limehouse.co.uk/portal/planning/> (also available at [www.durham.gov.uk/cdp](http://www.durham.gov.uk/cdp)). We believe this method will save you time and it will allow us to process and consider your comments more quickly.

**2.19** Following consultation, your comments will be processed and added to the interactive website where you will be able to see your comments as well as what other people have said. Whilst names are published, to protect your privacy, all other personal information you provide when registering will not be open to public view.

### Providing feedback

**2.20** After the end of each consultation period we will process all of the representations we have received. Once processed, representations will be available on the consultation web pages. The timescales for completing this will vary according to a number of factors including the level of responses received.

**2.21** Depending upon the nature and significance of representations we will sometimes need to arrange for further dialogue to ensure we have fully captured the relevant issues.

### Further Information

**2.22** For more information please contact:

#### **FREEPOST Spatial Policy; or**

Spatial Policy Team  
Durham County Council  
County Hall  
Durham DH1 5UQ

Telephone: **03000 261 908**  
Email: [spatialpolicy@durham.gov.uk](mailto:spatialpolicy@durham.gov.uk)  
Council's website:  
<http://www.durham.gov.uk>

## What is Neighbourhood Planning?

**3.1** A new type of plan making, the Neighbourhood Planning process, is designed to give communities a greater degree of control over how their local area is to be developed in the future. To support their implementation the Government has published regulations which set out how they are to be prepared - The Neighbourhood Planning (General) Regulations 2012 (Statutory Instrument 2012, No. 637) and the Neighbourhood Planning (General) (Amendments) Regulations 2015 (Statutory Instrument 2015, No. 20). Although they are to be prepared by the local community, the Council, in its role as local planning authority, has a statutory duty to support and enable the process.

**3.2** The Localism Act introduces three components of neighbourhood planning:

- **Neighbourhood Development Plans** (or Neighbourhood Plans)
- **Neighbourhood Development Orders**
- **Community Right to Build Orders**

### Neighbourhood Development Plans (or Neighbourhood Plans)

**3.3** Neighbourhood Plans form a statutory part of the planning system and carry weight in planning decision making. The new Local Plan and Neighbourhood Plan will form the “Development Plan” for that area. They are to be prepared by Neighbourhood Forums, which in parished areas will be Town and Parish Councils (although the forum must be open to a wide range of members and not just existing members of that local council). In unparished areas the forum can be created by an existing local group or by a new group.

**3.4** One of the key intentions of Neighbourhood Plans is to allow local communities to make their own decisions on how their settlements change or develop but they are required to conform with the strategic policies of the Local Plan. If, for example, the

new Local Plan determines that a settlement should have a certain level of residential development, the Neighbourhood Plan cannot reduce that amount. They can potentially influence the location of the development and can specify more development if they wish, but not less.

**3.5** The area that a Neighbourhood Plan covers is open to local choice, so they can cover the whole or part of a parish, or can extend across parish boundaries - the County Council is the arbitrator of the area. Forums need to formally submit the area they wish the plan to cover to the Council. It is also important to note that plans are not mandatory, so a local council does not have to prepare one. The first thing for a community to do is assess the issues for its area. Once that is established the community can decide the best approach to address those issues, be it a Neighbourhood Plan, one of the options addressed below or by preparing a traditional parish plan, a village design statement or simply relying on the new Local Plan to address planning issues in the area.

### Neighbourhood Development Orders (NDO)

**3.6** These are prepared by a forum set up in the same way as for a Neighbourhood Plan. They are a tool that can allow certain types of development in certain locations, without the need to submit a planning application to the Council and can apply to all of a Neighbourhood Plan area, part of it, or to a particular site within the neighbourhood. They can also be prepared as an alternative to a Neighbourhood Plan.

**3.7** Their purpose is to simplify the planning system in a specified area, for example, by allowing changes of use that would normally need permission or by allowing certain types of development that would normally need permission. There is a formal preparation procedure for their creation, the Council has to approve them, and they are also subject to an examination by an independent person.



## Community Right to Build Orders

**3.8** These are a mechanism for delivering community Right to Build, and are a specific type of Neighbourhood Development Order. They allow a local community group to bring forward a small development, which might include proposals for new homes, business premises and/or community facilities, but it must be small scale in comparison to the size of settlement. A community organisation, not just a parish or town council or a neighbourhood forum, is able to develop a Community Right to Build Order, however, to be eligible, at least half of the community organisation's members must live in the neighbourhood area to which the Community Right to Build Order will apply. The organisation must also exist to further the economic, environmental and social well-being of the area in question.

**3.9** The process for preparing and adopting a Community Right to Build Order is broadly the same as that for a Neighbourhood Development Order. The Council is closely involved in the preparation process and they are subject to independent examination so this should ensure that they are delivered in a responsible way.

### Preparing a Plan

**3.10** There are a number of stages that have to be carried out in order that a Neighbourhood Plan, a Neighbourhood Development Order or a Community Right to Build Order is prepared to accord with the regulations. They can only be produced within a designated area and by a designated forum. The process for all three is similar so the following applies to all, with variations highlighted as necessary. We have a statutory role in this process and an approach to how it will meet these obligations is set out below:

### Defining a Neighbourhood Area and Defining a Neighbourhood Forum

**3.11** The regulations require neighbourhood areas to be defined as the first part of the process and we have a specific role to carry

out when a body submits an application to us. The regulations also guide how an application for a Neighbourhood Forum should be dealt with. The two processes are very similar so the approach below applies to both, with the slight variations highlighted.

### Is the application in accordance with the regulations?

**3.12** To determine this, we will assess it. If unacceptable, will write to applicants to set out what the issues are and how they might be addressed.

### Publicising an application

**3.13** If it meets the requirements of the regulations an application is then publicised for 6 weeks (or in cases where the Area corresponds to the Parish Area, 4 weeks). To meet our obligations it will be published on our website and advertise in an appropriate way, inform the portfolio holders for Economic Regeneration and Neighbourhoods and Local Partnerships and the local Members, and will display the details in the closest Council office, library or other suitable premises.

### Designating a neighbourhood area / neighbourhood forum

**3.14** When the consultation is completed the responses will be assessed to see if there are any reasons that the application should not be permitted. If there are issues they will be explained to the applicant via a "decision document" (for Neighbourhood Area Applications) or by a "refusal statement" for Neighbourhood Forum Applications) and these will be publicised in the way outlined above. If the proposal is acceptable we will proceed to designate the neighbourhood area or the neighbourhood forum as follows: The Head of Planning and Assets in consultation with Portfolio Holders for Economic Regeneration and Neighbourhoods and Local Partnerships and local Members will issue a letter to the applicants informing them that the application has been successful.

### Publicising the designation of a neighbourhood area or a neighbourhood forum

**3.15** We will publish notice of designation in the same way as outlined above. In cases when we consider that the area or forum should not be designated the approach is set out above (following consultation between the Head of Planning and Assets and the Portfolio Holders for Economic Regeneration and Neighbourhoods and Local Partnerships and local Members).

**3.16** It should be noted that to meet our obligations the above process will require public notices to be placed in the press.

### **Preparing a Neighbourhood Plan, a Neighbourhood Development Order or a Community Right to Build Order**

**3.17** It is vital that Community engagement is incorporated into the neighbourhood planning process by the forum. It is necessary and important for several reasons:

- It is a statutory requirement of the Localism Act 2011;
- Early engagement is essential for developing political consensus and avoiding misconceptions;
- It is part of developing the evidence base (front loading);
- It helps achieve better informed outcomes (a community knows its own area/locality);
- It leads to more realistic and deliverable plans/policies;
- Public confidence and support need to be maintained;
- It helps to avoid conflict, delay and cost at later stages;

- It reduces the possibility of a 'no' vote in the local referendum if people are aware of the plan and have had the opportunity to participate in its production; and
- There is a democratic deficit (there is a need to involve people at a more detailed level beyond the election cycle every four years).

**3.18** Once a Neighbourhood Area and Forum are defined there are a number of stages that must be carried out in order that a Neighbourhood Plan, a Neighbourhood Development Order or a Community Right to Build Order is prepared in accordance with the relevant regulations. The process for all three is similar and therefore the following guidance is applicable to each, with variations highlighted as necessary.

### **Advice to assist Neighbourhood Forums develop a strategy to meet their community engagement obligations**

**3.19** Where intensive community engagement has recently been undertaken, such as in respect of the Sustainable Community Plan or Parish Plan, the material obtained will be useful in informing the neighbourhood plan. The following points should help Forums plan their engagement strategy:

- **Publicity and Awareness:** It is important to publicise the proposed neighbourhood development plan as widely as possible using different media from the beginning of the process.
- **Local Partnerships:** Key partners and stakeholders should be identified. These can provide easier access and support in involving groups with protected characteristics, different communities, residents, the business community, hard-to-engage communities, etc..
- **Front Loading:** Community engagement should be undertaken before work commences on the plan (this is called front-loading). The purpose of the first

stages of community engagement is to help define issues and aims for the plan, and to inform an overall vision. Early and later stages of community engagement/involvement will also inform policies and proposals in the plan.

- **Capacity Building:** It will often be useful to build on people's knowledge and understanding so that those participating in community engagement events are well informed about the plan and the issues it is dealing with.
- **Specialist advice and enabling:** It may be necessary for those leading and participating in the planning process to bring in specialist advice and support.
- **Be Creative:** Community engagement needs to engage people - it should be stimulating and enjoyable.
- **Manage Expectations:** It is necessary to explain the scope and limitations of the planning system and of neighbourhood development plans, in particular that they are a means to an end, not the end itself.
- **Targeting:** Whilst some people will naturally want to get involved in neighbourhood planning, with other people targeting will be necessary. This might include the elderly, young people and hard-to-engage groups.
- **Accessibility:** Careful thought needs to be given to make events accessible, including location, timing, media, format, etc. Events should be informal and unthreatening – for example those running events should dress informally.

### **Our approach to community engagement in neighbourhood planning matters**

**3.20** We also have a statutory role in this process and an approach to how it will meet these obligations is set out below:

#### Publicising the “submission” of a proposal

**3.21** In accordance with the regulations, when receiving a proposal from a forum at the Submission stage (i.e. the revised proposal resulting from changes made after the “pre-submission” consultation carried out by the forum) we have to publicise the submission for six weeks. To achieve this, we will:

- Place the document on our website;
- Publish a press release;
- Place copies in the nearest local council office or library or other suitable location;
- Liaise with the forum applying for the designation to have a notice published in the local parish/town council newsletter (if this is not possible we will publish a notice in the local free press or to carry out a mailshot); and
- Notify the relevant consultation bodies as set out in the regulations.

**3.22** The proposal will have already been through a consultation led by the forum so we will also consult those who have already made comments to the forum as well as informing the Elected Members and specific Partnerships. The consultation on the “submission” proposal allows interested parties to make representations. In the case of a Community Right to Build Order, we will also notify by letter those whose property abuts the area covered by the order.

#### Appointment of the independent examiner

**3.23** Once the consultation of the submission proposal is completed, the proposal will be the subject of an examination by an independent examiner and it is our role to appoint the examiner. Unlike planning appeals or examinations into Local Plans, the examiner does not have to be an Inspector from the Planning Inspectorate, but does need to be independent of the Council and the forum. We will usually appoint through the nationally established Neighbourhood Planning Independent Examiner Referral

Service (NPIERS) process to get an independent examiner. The process can start during the consultation period to ensure a speedy process. It should be noted that we are expected to fund the examiner's fee and any other costs associated with the examination.

#### The examiner's report

**3.24** The report on the proposal will follow on from the examination. In the case of Neighbourhood Plans it should contain one of three recommendations: proceed to referendum, proceed to referendum subject to certain amendments, or not proceed. It is for us to assess the report and decide whether the recommendations should be followed. In the case of an Neighbourhood Development Order or a Community Right to Build Order we have to decide whether to accept the recommendations in the examiner's report.

**3.25** Assessments will be made in consultation with the Portfolio Holders for Economic Regeneration and Neighbourhoods and Local Partnerships and also Local Members. We will then publish a "decision statement", including its reasons for the decision, and details of where the decision can be inspected and a copy of the report made by the examiner. A copy of the statement is also sent to the forum.

#### The referendum

**3.26** Once the examination report and the decision statement by the Council have been completed and publicised, in cases where the proposed content is acceptable, a referendum is carried out with the local community.

#### Adopting (or Making) the proposal

**3.27** If the proposal is supported through the referendum it can be adopted by the Council through agreement by Full Council. In the case of a Neighbourhood Development Order or a Community Right to Build Order, although not part of the Development Plan, the nature of the Orders warrants the same approach as in effect the orders supplement

the provisions of the Development Plan in their specific areas. Once the proposal has been adopted the Council has to publicise this decision.

#### **Additional advice from the Spatial Policy Team**

**3.28** We are happy to be contacted to discuss any aspect of community involvement in the preparation of Neighbourhood Plans. For information contact:

**FREEPOST Spatial Policy; or**

Spatial Policy Team  
Durham County Council  
County Hall  
Durham DH1 5UQ

Telephone: **03000 261908**

Email: [spatialpolicy@durham.gov.uk](mailto:spatialpolicy@durham.gov.uk)

Council's website:

<http://www.durham.gov.uk/ldf>

**4.1** Development Management is the process by which the Council determines whether a proposal for development should be granted planning permission, taking into account the development plan and any other material considerations, such as the effect it may have on neighbouring properties.

Planning applications can be determined by two mechanisms:

- Determination by Council Members on the Planning Committee; and
- Determination by Development Management Officers - these applications are not referred to Planning Committee.

**4.2** The Development Management approach adopted by the Planning Development Management Service seeks to ensure that the views of communities who have an interest in planning matters are fully considered before a decision is taken by the Council.

**4.3** Planning applications that are determined by Officers are covered by the Scheme of Delegation that is included in the Council's Constitution. This can be found on the Council's web page<sup>(i)</sup>.

**4.4** Where planning applications are determined by Planning Committee, there are four separate Committees that make decisions. There are three Area Committees and one County Committee that determines major and strategic planning applications. Map 1 over leaf shows the administrative areas for the three Area Planning Committees.

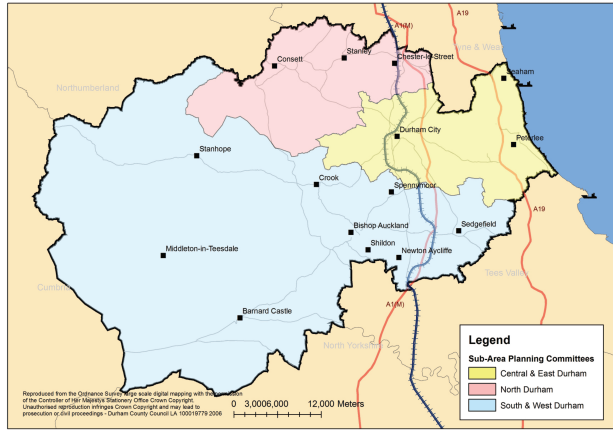
**4.5** The Planning Development Management Service is committed to both informing and engaging with the wider community and individuals in relation to planning proposals. However, there needs to be a balance between making decisions in a timely and cost-effective way and providing the community with a reasonable

opportunity to comment. Consultation involves not only the public but also statutory and non-statutory consultees. The breadth of consultees will vary with the nature of the proposal and location so not all bodies are consulted on every application.

**4.6** Statutory consultees generally have 21 days in which to respond to a consultation. As a result of the responses to these consultations, the case officer may have to contact the applicant to request more information or to seek amendments. If significant amendments are made to proposals a further period of consultation may be carried out.

i The Council's Constitution can be downloaded from this webpage: <http://www.durham.gov.uk/constitution>

Map 1 Sub area Planning Committee Areas in County Durham.





**Approach to pre-application discussions**

**4.7** The Planning Development Management Service is committed to delivering a pragmatic, timely and high quality pre-application service to all customers:

- To provide a timely and consistent level of service, which ensures that the advice offered at the pre-application stage is provided within a reasonable length of time and which is of sufficient quality to ensure that it is honoured as and when customers make a planning application which follows the advice which has been provided.
- To ensure that in those cases where the advice is to support a proposal in principle, to provide comprehensive advice as to what will be required from a customer to ensure that a planning application is determined favourably, in the shortest timeframe possible.
- To ensure that in those cases where the advice is to resist a proposal in principle, to provide a clear explanation why this is the case, and what a customer may be able to do to challenge this view.
- To adopt a pro-active and problem solving approach, to ensure that with the exception of those proposals which are considered to be unacceptable in principle, that Officers seek to work in partnership with customers to ensure that any areas of concern can be addressed to deliver a favourable recommendation at the planning application stage.
- To provide a structured route to opening effective and ongoing dialogue between a customer and the service.
- To ensure that the service receives an income receipt from the provision of pre-application advice, appropriate to the complexity of the project and the level of advice requested, to enable the service to be equipped to provide such advice

in an effective and timely manner in the future.

- To provide dissatisfied customers with a route to seek redress against pre-application advice which has clearly failed to meet acceptable standards.

**4.8** Our preference is to provide pre-application advice in writing. There are many benefits to this, not least the fact that it provides both parties with a clear audit trail as to what advice was provided in relation to a particular project. However, this should not discourage open communication between customers and the service, whether this be in person or by telephone, ahead of a formal pre-application submission. Officers are always happy to meet applicants to discuss proposals, ahead of the submission of a pre-application enquiry.

**4.9** All pre-application enquiries should be submitted in writing, preferably electronically, and should contain the level of information required relevant to the level of advice sought. Advice for most forms of development proposals can be sought at one of two levels; either in outline or in full.

**4.10** Further information on our pre-application advice service and anticipated timescales for responses can be found within the Pre-Application Advice Protocol.<sup>(ii)</sup>

**4.11** In addition, for more strategic development projects, a bespoke pre-application service will be arranged, with the scope and timescales set out in an agreed planning performance agreement.

**Involvement of the community when a planning application is first received**

**4.12** When an application is received, we aim to ensure the application is validated and all consultations are sent out within the first 5 days. This will include writing to the nearest neighbours to the proposal, and if considered necessary by posting a notice on site or

ii Pre-Application Advice Protocol can be found at <http://www.durham.gov.uk/media/3739/Pre-Application-Advice/pdf/PreApplicationAdvice.pdf>

publishing one in the local press. A period of 21 days is normally provided for responses to be made.

### **Involvement of the Community during the processing of a planning application**

**4.13** We are committed to carefully considering comments received in response to consultations carried out on applications. Officers will consider the need for potential amendments to schemes where they have been suggested. If significant material changes are made to applications, a further period of consultation may be required.

**4.14** For major or potentially controversial applications, Officers will encourage the applicant to consider hosting a public exhibition to enable communities to better understand development proposals and how they may impact on them.

### **Involvement of the Community when an application goes to Committee**

**4.15** We will ensure that any comments received in response to consultation (on material planning grounds) are brought to the attention of Members of the Planning Committee when they make a decision on the application. Officers will also ensure that such comments are appraised and their relevance to the determination to be made brought to the attention of the Committee. We operate a speaking at Committee procedure, further details of which can be found on our website. <sup>(iii)</sup>

### **Involvement of the Community if an appeal is received on a planning application**

**4.16** In the event of an appeal being received, we will write to all individuals and organisations who were consulted, and who expressed an opinion, on the original application. With the exception of appeals which are heard through the householder fast track service, this notification will afford

people the opportunity to make additional comments to the Planning Inspectorate directly.

**4.17** For cases to be heard by way of hearing and Public Inquiry, we will also write to advise interested parties of the time and date of the Inquiry to invite them to come along to make their views known to the Inspector. All comments received from the community in response to the consultation carried out on the original application will also be sent to the Planning Inspectorate. This ensures that regardless of whether or not people chose to engage in the appeal process, their views will be made known and taken into account.

### **Approach to Community involvement in planning obligations**

**4.18** In cases where a draft Section 106 Legal Agreement has been submitted as part of an application a copy is normally made available for inspection on the public register and on the Council's website.

**4.19** When negotiating with developers on major development proposals, we will consider whether the obligations are necessary in order to mitigate the impact of the development. We will also aim to ensure any community request for an obligation is considered against the relevant legislation as part of the overall consideration of a planning application. The issues to be addressed by an obligation will be considered in the report presented to Planning Committee. Similarly if we consider that an obligation is not justified, notwithstanding a community request for one to be entered into, the reasons for this view will usually be explained in the report.

### **Approach to community involvement on Planning Performance Agreements**

**4.20** Planning Performance Agreements (PPAs) are an agreement between a developer and the local planning authority setting out who will do what and by when.

iii Procedure Note for Speaking at Planning Committee  
<http://www.durham.gov.uk/media/3789/Speaking-at-a-Committee-Meeting-leaflet.pdf> Procedure Note For Public Speaking At Planning Committee.pdf

**4.21** A PPA will improve the speed and quality of the decision making process, deliver better outcomes and facilitate better engagement between parties. Some key benefits include:

- Establishing a better understanding of the project's needs, including management and resources;
- Setting a realistic timetable for decision making;
- Minimising the risks and costs of an appeal; and
- The identification of problems and a mechanism to seek resolutions.

**4.22** Further information regarding PPAs can be sought from the Council's website. <sup>(iv)</sup>

### **Involvement of the Community on Enforcement Issues**

**4.23** All enforcement complaints will be investigated by the Council's Enforcement Team. All cases will be dealt with in confidence. Whilst no public consultation is undertaken on enforcement cases, complainants will be kept informed of the process and the outcome of the complaint.

### **Further Information**

**4.24** We are happy to be contacted to discuss any aspect of community involvement during the consideration of planning applications or other types of application including advertisement control.

Telephone: 03000 262830

Email: [planning@durham.gov.uk](mailto:planning@durham.gov.uk)

### **The Role of the Developer in Facilitating Your Involvement Prior to Submitting 'Significant' Planning Applications**

**4.25** The Council encourages the developers to engage with the local community in developing their proposals and ahead of submission of a planning application, however it is now also a mandatory requirement for certain developments (set out under Section 122 of the Localism Act) to undertake pre-application community consultation. We will discuss the need and scope of any required community engagement exercise with the prospective developer. This will ensure that the views of all stakeholders, including statutory organisations are sought at an early stage to ensure their views are known.

**4.26** The Council may refuse to validate significant planning applications which are submitted without any pre-application consultation.

### **How should the results of Community Consultation be used?**

**4.27** The planning application should be accompanied by a Consultation Statement setting out the community engagement undertaken and including:

- A description of the publicity, consultation and engagement methods used and the reasons for their use;
- An assessment of the inclusiveness of the approach;
- A summary of the comments received and issues raised;
- The developers' response to the issues raised and how they have been addressed, or alternatively reasons for not addressing them;

iv Planning Performance Agreements  
<http://www.durham.gov.uk/article/3556/Planning-Performance-Agreements>

- A description of how the proposal has changed as a result of public consultation; and
- An appendix providing copies of all written comments.

**4.28** It is also recommended that the developers forward a copy of the consultation statement to the main organisations and groups involved in the consultation process and advise all respondents where a copy of the consultation statement can be examined. The developer should provide sufficient copies of the consultation statement to allow it to be distributed to all statutory consultees and make copies available for inspection at the nearest Customer Access Point.



