



Elmbridge
Borough Council
... bridging the communities ...

Planning in Elmbridge

How you can be involved

Statement of Community Involvement



Email: tplan@elmbridge.gov.uk

Website: www.elmbridge.gov.uk/planning/policy

Elmbridge Statement of Community Involvement

Contact Details:

Email: tplan@elmbridge.gov.uk

Telephone: 01372474474

Address: Planning Policy Team
Planning Services
Elmbridge Borough Council
Civic Centre
High Street
Esher
Surrey
KT10 9SD

Website: www.elmbridge.gov.uk/planning/policy

Contents

INTRODUCTION	
1. What is the Statement of Community Involvement?	1
2. Why is community involvement important?	2
3. What do we do with your comments?	2
4. How do you find out what difference your comments have made?	2
5. Who do we consult?	3
6. What principles will guide community engagement?	5
COMMUNITY INVOLVEMENT IN PLANNING POLICY	
7. How can you be involved in the Local Plan?	6
8. What other planning documents can you comment on?	15
COMMUNITY INVOLVEMENT IN DEVELOPMENT MANAGEMENT	
9. How can you be involved in Planning Applications?	16
PERFORMANCE	
10. How well are we doing?	23
Appendix 1: Consultation groups involved in Local Plan production	24
Appendix 2: Formal consultation by application type or location	26

1. What is the Statement of Community Involvement?

1.1 Planning affects everyone. Planning decisions determine where development takes place and what happens to our towns, open spaces and historic environment.

1.2 Producing a Statement of Community Involvement is a legal requirement¹. It sets out the opportunities residents and other interested parties have to become involved in planning, ensuring that the Council meets the requirements set out in Government Regulations published in April 2012². The Council has replaced its 2006 Statement of Community Involvement as legal requirements and the ways in which we engage with the community have changed. We have tried to ensure that this statement is more streamlined, clearer and easier to understand, presenting new ways to engage and empower people about the future planning of their local areas.



Claygate Design Workshop-May 2011

1.3 Some local people have already given us their views on our existing approach to community engagement. Their comments have played a key role in shaping the content of this statement, creating a more easily understood, and up to date document that answers the following key questions:

- **Why** do we encourage community engagement?
- **How** can you become involved?
- **Who** do we consult?
- **Which** sort of planning issues can you comment on?
- **When** should you let us know your views?
- **What** do we do with your comments?

1.4 The Council consulted on its draft Statement of Community Involvement between 14 September and 12 October 2012. The results of this consultation were considered and, where appropriate reflected in this document

1.5 Following a review in 2014, the SCI was amended to provide greater detail on the publicity of planning applications. These changes were also subject to consultation from 16 March until 27 April 2015.



Cobham Local Character Assessment - April 2011

1.6 A summary of these representations and the Council's response to both consultations can be found in the relevant Consultation Statement which are available to view at www.elmbridge.gov.uk

1.7 This latest SCI was adopted by the Council on 29 June 2015.

¹ Planning and Compulsory Purchase Act 2004

² Town and Country Planning (Local Planning) (England) Regulations 2012

2. Why is community involvement important?

2.1 The Government is committed to increasing the ability of local communities to influence planning decisions and future development in their areas by making the planning system much more simple and accessible. The National Planning Policy Framework, published on 27 March 2012, simplifies the planning system, making it easier to understand and much more accessible to local people. It sets out the Government's commitment to involve all interested parties in planning:

“Early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. A wide section of the community should be proactively engaged, so that local plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of an area, including those contained in any neighbourhood plans that may have been made.”³

2.2 The Council has taken a local approach to the preparation of its planning documents. This ensures that they are relevant, addressing particular issues of interest to the local community.

2.3 The Government has also introduced the option for a Parish Council or a Neighbourhood Forum to prepare a Neighbourhood Plan⁴. These plans need to deliver growth within the area. They cannot promote less development than is set out in the Council's Local Plan, but they can promote more. In addition, and unlike Council prepared plans, a Neighbourhood Plan must undergo a local referendum prior to being adopted. Once adopted it would form part of the Local Plan.

2.4 The approach taken to engaging and involving local residents, business and other stakeholders is a matter for the Parish Council or the Neighbourhood Forum. As local communities are responsible for the development of these plans, it is up to them to decide how they involve people and undertake any consultation. However, the Council does have some statutory functions regarding the development of Neighbourhood Plans, which are set out in the Neighbourhood Planning (General) Regulations 2012⁵.

3. What do we do with your comments?

3.1 We take account of every comment sent in to us. As far as possible, we try and make sure that your comments are taken on board in making decisions about planning, but it is impossible to satisfy all people all of the time. We do have to make some very difficult decisions at times. These must be in accordance with the National Planning Policy Framework as well as our own local plan.

4. How do you find out what difference your comments have made?

4.1 If your comments relate to a Local Plan document, we will prepare a Consultation Statement setting out how and why the comments made during the consultation have either been taken on board and influenced the final document or have not been considered as appropriate for inclusion. The Consultation Statement will be placed on the Council's website. Where appropriate, feedback sessions may be organised where people have been involved directly in either focus groups or workshop sessions.

4.2 If your comments relate to a particular planning application, these are summarised and responded to within the planning officer's report.

³ National Planning Policy Framework, 2012 paragraph 155, p.37

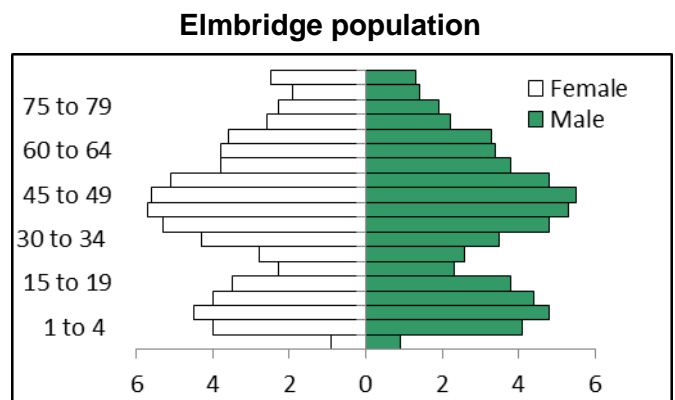
⁴ Localism Act, 2011, Chapter 3 p113

⁵ These regulations can be viewed at <http://www.legislation.gov.uk>

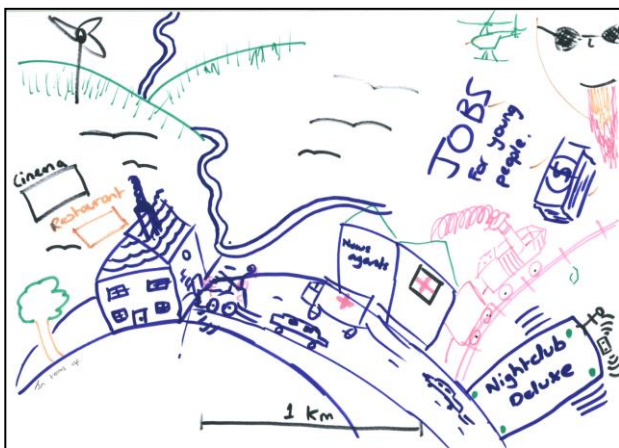
5. Who do we consult?

The Local Community

5.1 Elmbridge has a resident population of 130,875⁶. It is important to understand who the local community is in order to ensure that we engage and consult in the most effective way, and that the views received are representative of the community as a whole and do not just represent the views of a vocal minority. When reviewing the responses to consultation we will examine how they reflect the demographic breakdown of the Council's local population. This will allow us to identify those groups that are under represented and improve our methods of engaging with them.



Source: ONS 2013 Resident Population



Young People's Planning Forum- Sept 2011

5.2 Like many areas across the UK, Elmbridge has an increasingly ageing population. 28% (36,800) are over the age of 55, which is an increase of over 10% since 2001.

5.3 There has also been a significant increase in the number of children and young people under the age of 19, with the population of this group standing at 33,467. This group has grown by 10% since 2001 and has coincided with an increase in the number of residents aged over 40, suggesting that there are an increasing number of families being attracted to the area over the last ten years.

5.4 The age group that has seen significant decline over the last decade has been those aged between 20 and 35, and now makes up only 13% of the population compared to over 17% in 2001.

5.5 77.2% of our working age residents (aged 16-64) are in employment. Over 80% of working aged men is economically active whereas the figure is only 69% for working aged women. 32% of the working age population in Elmbridge is classified as 'looking after their family', compared to 26% and 25% for the South East and Great Britain respectively.

5.6 The working population is also relatively affluent with an average weekly wage of £728.3 compared to £567 for the South East. This higher than average salary reflects both the level of commuting into London and the number of residents in senior management or professional occupations. 62.8% of working age residents is in these higher income occupations.

5.7 Despite this affluence there are also some small pockets of relative deprivation. These areas have lower incomes, higher unemployment and poorer health compared to other areas in the Borough. 0.5% of the population aged 16-64 claim working age benefits, with the majority of these being incapacity or disability benefits (3.5%).

⁶ Statistics from the Census 2011 and the Nomis Labour Market profile for Elmbridge 2015

5.8 The largest minority ethnic group is Asian or Asian British who make up 5.4% of the population. 90.3% of the population are white.

The Wider Community

5.9 It is important to recognise that it's not just residents that make up our community. The Borough has many small and medium sized businesses located in the town and village centres and industrial estates, together with a number of larger companies such as Sony, Proctor and Gamble and Mercedes Benz who all make a significant contribution to the local economy. A significant proportion of the population that work in the Borough commute from other areas with the majority of those commuting to the business and industrial parks in the Weybridge area.

5.10 There is also a strong voluntary and community sector that provides a number of valued services across the Borough. These organisations are important in delivering services to local people and, as such, are a key consultee on planning issues.

5.11 Utilities companies, Surrey County Council and other service providers such as the National Health Service and the Environment Agency, are consulted on planning policy and planning applications, where necessary.

Statutory Consultees

5.12 There are certain organisations that the Council has a statutory duty to consult. When developing Local Plans, regulations⁷ state the types of groups that must be included in consultation processes. They are grouped into 'specific' and 'general' consultation bodies (See appendix 1).

5.13 Specific bodies are those organisations the Council is required to consult on all planning policy. They include organisations such as the Environment Agency, health care providers and neighbouring local authorities.

5.14 General bodies include voluntary groups, business interests and amenity groups who may be interested to find out how proposed policies may affect them. Unlike specific bodies there is no definitive list of general bodies with whom the Council must consult.

5.15 In addition, the Council works closely with neighbouring boroughs and districts and the County Council with regards to strategic priorities and areas of common interest. These partnerships help us to meet our Duty to Co-operate, established by the Localism Act 2011⁸.

5.16 There are also statutory consultees that need to be notified on specific planning applications before the determination of a planning application. Consultation depends on the application type and location of the proposed development. For further information, see appendix 2.

The Council recognises the different individuals, groups and organisations that make up the Elmbridge community, their differing needs and expectations, and the various roles they perform. There is 'no one size fits all' and methods of engagement need to be tailored to maximise their opportunities to influence the way in which their local area should develop.

⁷ Town and Country Planning (Local Planning) (England) Regulations 2012

⁸ National Planning Policy Framework, para 178-181.

6. What principles will guide community engagement?

6.1 In order to maintain high standards of customer service and continually improve engagement with the community, the following core principles have been established.

Make it relevant

- Focussing on issues that matter to particular groups
- Explaining the role of planning and the way in which people can have an influence

Avoid Consultation overload

- Maintaining our planning database to keep it as up to date as possible
- Ensuring regular information on what we are doing is provided through the website, press articles and Council newsletters
- Joining up with other consultation events where possible and use the results of other consultations as evidence

Make it readable and easily accessible

- Providing clear and jargon free consultation materials
- Recognising the importance of the internet in improving accessibility to information but also its limitations for consulting with some groups
- Complying with the Council's Corporate Equality Plan accessibility standards

Give you the information you need, when you need it

- Providing documents for inspection at the Civic Centre and all public libraries
- Publishing all documents on the Council's website
- Informing all specific and general consultation bodies that the draft and associated documents are available for consultation
- Sending copies of the consultation document to relevant specific consultees
- Placing notices on all community notice boards in the Borough
- Issuing a press release to publicise the consultation
- Using other events or publications, where available and appropriate, to publicise any consultation, including attending local community group meetings on request
- Placing a notice in the Surrey Advertiser and the Elmbridge Guardian newspapers, as well as their web sites, outlining what the draft document is about and that these are available for consultation

Provide feedback

- Publishing consultation statements following all consultations
- Publishing reports following any research
- Holding public forums such as the Planning Services User Group
- The Authority's Monitoring Report also provides feedback through policy analysis and assessment, allowing people to see whether policies are working in practise.

Be clear about what we will do and what we will not do

- We will not accept any anonymous or confidential responses
- We will make all responses publicly available
- We will not take into account comments received after the consultation period for policy documents and after a decision for planning applications.
- We will not accept any responses which are considered to be offensive or prejudiced
- We will not provide individual responses. A generic consultation statement will address any issues raised.

7. How can you be involved in the Local Plan?

7.1 Every local authority is required to produce a Local Plan for its area. The Elmbridge Local Plan will guide the future development and use of land, buildings and infrastructure. All planning decisions must be made in accordance with the Local Plan.

7.2 The Council has a suite of documents, which together form the local plan. This provides greater flexibility and an ability to respond to changing economic, social or environmental circumstances as only one document would need to be reviewed not the whole local plan. These documents are being prepared over a number of years and focus on specific areas of plan making – e.g. overall strategy, site allocations and development management. The Council must consult residents, businesses and other stakeholders on these documents and this section outlines the stages at which you can become involved.

7.3 There are two principal types of document that set out and explain policy. Each has different statutory arrangements that dictate what they can cover and how they are prepared.

Local Plans: These set out policies that will be used to manage development within the Borough. They are consulted on and examined by a Planning Inspector through a public examination.

Supplementary Planning Documents: These provide additional guidance on policies in the adopted Local Plan. They cannot introduce new policy. Although they are consulted on, they are not examined by a Planning Inspector.

7.4 In addition to Local Plans and Supplementary Planning Documents, you can also comment on:

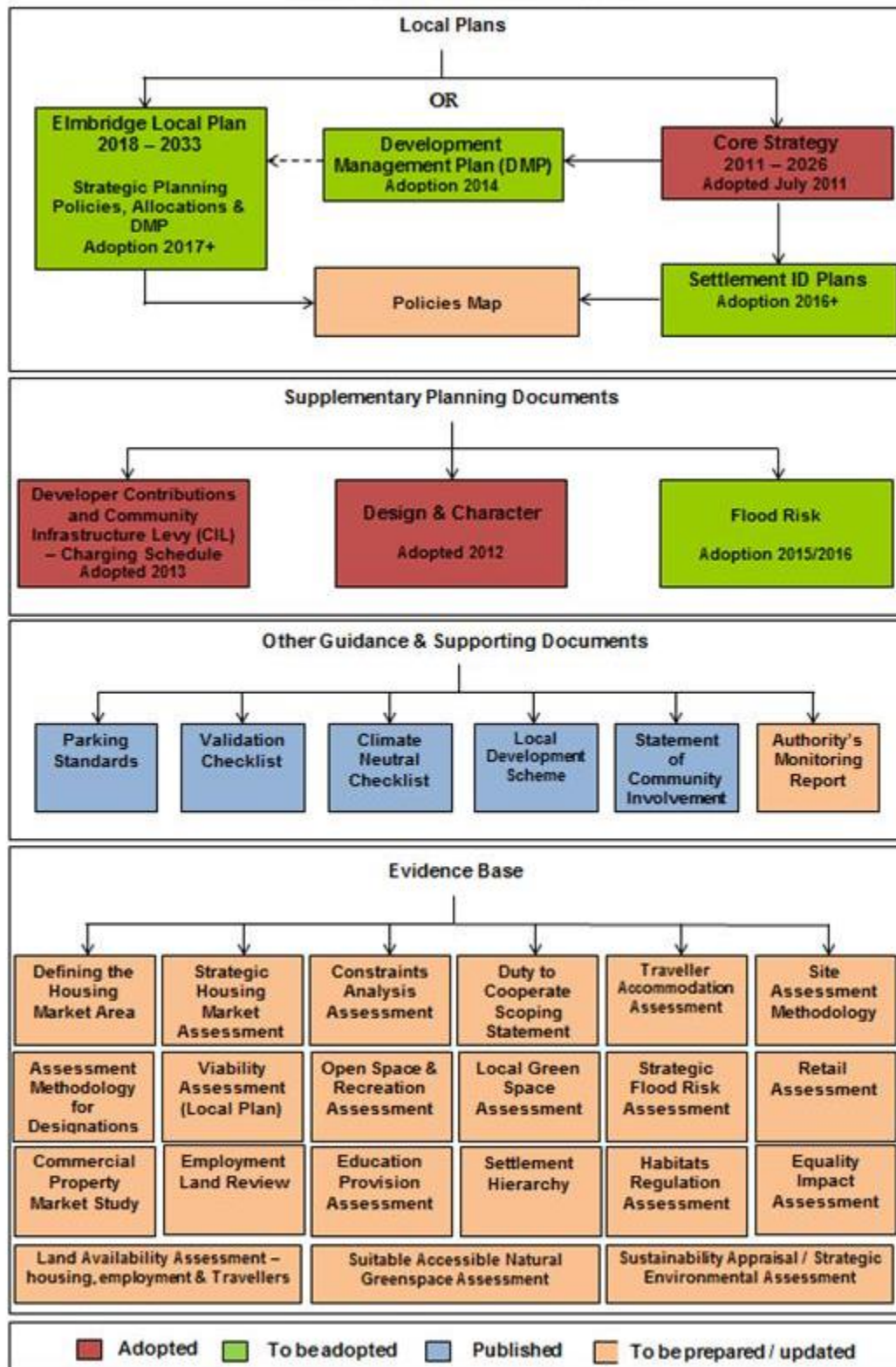
- The Community Infrastructure Levy Charging Schedule
- The Statement of Community Involvement
- The Local Development Scheme

These documents are explained in greater detail at section 8.

7.5 The progress and success of these documents is monitored annually through the 'Authority Monitoring Report'. The diagram overleaf illustrates how these different documents make up the Elmbridge Local Plan. For comprehensive information about each document and the timetable for their delivery, please see the current Local Development Scheme which is available online⁹.

⁹ Local Development Scheme 2014-2017- www.elmbridge.gov.uk/planning/policy/lids.htm

Figure 1: The Elmbridge Local Plan 2017/18



Preparing Local Plans and Supplementary Planning Documents

7.6 All planning policy documents are required to be based on evidence. The evidence used in preparing a plan includes 'hard' statistical evidence such as census data, population projections, housing and accommodation needs, land supply and economic growth expectations. In addition 'soft' data can also be used to inform planning documents. This includes public opinion from consultation, surveys and workshops etc, which are used to ensure that any policy that is prepared reflects local opinion as far as possible.

7.7 In addition, the Council needs to ensure that policies are compatible with national policy as set out in the National Planning Policy Framework. Therefore the Council must balance the need to ensure that its policies not only reflect local opinion, as far as possible, but that they are justified by the empirical economic, social and environmental evidence whilst supporting the broad national aims of the Government.

7.8 In ensuring that the Council takes account of local opinions and concerns when preparing planning policy, a five-stage process will be used. The diagram overleaf illustrates the key stages in the plan making process which are:

1. Preparation
2. Consultation on a draft document
3. Production/ Publication of final document
4. Submission and examination
5. Adoption

7.9 Whilst all these stages will be undertaken for the production of Local Plans, Supplementary Planning Documents (SPD) do not require an examination in public. As such stage 4 does not apply. Each of these stages is discussed in the next section detailing what the Council will do to engage people.

Sustainability Appraisal

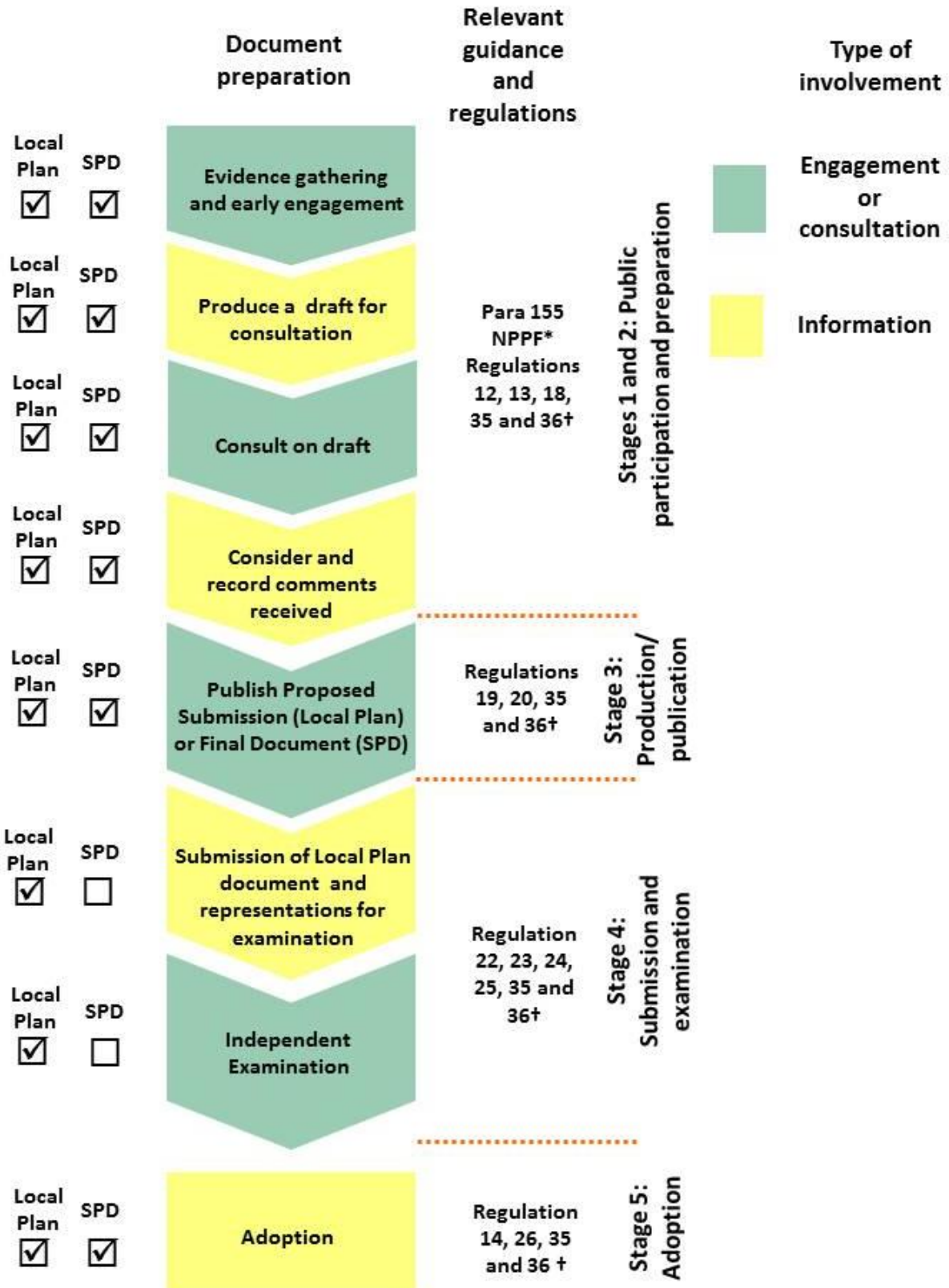
Throughout this process the Council is required to assess the social, environmental and economic implications of planning policies and proposals. Sustainability Appraisal takes place alongside the preparation of the Local Plan.

In undertaking sustainability appraisals, the Council will:

- consult key stakeholders, including the Environment Agency, Natural England and Historic England on the scope of the appraisal
- consult key stakeholders and the public as part of public participation in the preparation of a Local Plan Document
- undertake public consultation on the final Sustainability Appraisal which supports the Proposed Submission Local Plan

Sustainability Appraisals are not required for Supplementary Planning Documents.

Figure 2: Process diagram for the Preparation of Planning Documents



* National Planning Policy Framework

† Town and Country Planning (Local Planning) (England) Regulations 2012

Stage 1: Preparation

7.10 This stage applies to Local Plans and Supplementary Planning Documents.

What this stage involves

7.11 This stage involves the gathering of evidence and identification of the main issues relating to the document's purpose. This is where the process of engaging with residents, businesses, service providers, utilities and all other stakeholders will begin.

How you can be involved

7.12 This is one of the best times to be involved in the plan making process as your comments and views form part of the evidence base that supports the Council in setting the policy direction of the proposed plan.

7.13 The methods used in engaging stakeholders will depend on the type of document being produced, the target audience and the Council's resources. Legislation does not set out how the Council should approach early engagement and any approach taken by the Council will be limited by the amount of financial and staff resources available. The Council will seek to use the most effective approach both in terms of cost and outcome.

7.14 The following list details some of the activities and methods we will consider using. It is not exhaustive; nor does it represent a list of activities that will be used in every instance. All engagement activities being undertaken will be published on the Council's website.

Providing information:

- Public exhibitions
- Publication and distribution of posters, fliers and promotional leaflets
- Articles in the Elmbridge Review
- Present information at public events such as 'Let's Talk Elmbridge'
- Presentations at Planning User Group

Consultation:

- Questionnaires and surveys
- Surveys of the Council's residents panel

Involvement:

- Community planning workshops
- Stakeholder focus groups
- Meetings with community groups and other key stakeholders

7.15 Many of the above activities are also dependent on timing. If the consultation or early engagement exercise falls within the timeframe of a 'Let's Talk Elmbridge' event or an 'Elmbridge Review' publication date, then it will be possible to use these to support any consultation or engagement activity being undertaken.

Stage 2: Consultation on the draft document

7.16 This stage applies to Local Plans and Supplementary Planning Documents.

What this stage involves

7.17 This consultation stage is a statutory requirement¹⁰. At this stage all the evidence collected from the preparation stage, including the results of early engagement is considered and a draft document is published for consultation.

7.18 This is an important stage allowing you to comment on whether you consider this to be the correct way forward and gives you the opportunity to raise any concerns regarding the policy or guidance set out in the document and set out any alternative options to those being proposed.

How you can be involved

7.19 Any consultation on draft documents will be no shorter than 6 weeks for Local Plans and 4 weeks for Supplementary Planning Documents. However, should consultation coincide with a holiday period such as Christmas, the time for responses for Supplementary Planning Documents will be extended to 6 weeks. The consultation methods used will be advertised on the Council's web site and will accord with the Core Principles set out in section 6.

7.20 The Council will take into account any representations received before the deadline and consider and make appropriate changes before producing the final document.

¹⁰ The statutory requirements set out in Regulation 12, 13, 18, 35 and 36 of the Town and Country Planning (Local Planning) (England) Regulations 2012

Stage 3: Production/ Publication of final document

7.21 This stage applies to Local Plans and Supplementary Planning Documents.

What this stage involves

7.22 In the case of a local plan, the Council will publish the plan, and if necessary any changes to the adopted policies map¹¹, that, in its view should be the final version.

7.23 In the case of a Supplementary Planning Document, a final version will be produced and presented to the Council for adoption (see Stage 5). **There is no scope to make further comments on a Supplementary Planning Document at that stage.**

How you can be involved

7.24 The published local plan document will be subject to consultation for 6 weeks. This consultation stage is a statutory requirement¹². The way in which you respond becomes much more formal at this stage. Representations can only relate to whether it has been prepared in accordance with the Duty to Co-operate, the relevant legal and procedural requirements, and whether it is considered to be 'sound'. As such, your representation at this stage should only make reference to these matters.

National Planning Policy Framework- Tests of Soundness

Positively Prepared- the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

Justified- the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

Effective- the plan should be deliverable over its period and based on effective joint working on cross boundary strategic priorities; and

Consistent with national policy- the plan should enable the delivery of sustainable development in accordance with the policies in the framework.

7.25 The consultation methods used will be advertised on the Council's website and will accord with the Core principles set out in section 6. To support anyone making a representation the Council will publish guidance notes setting out how representations should be made. In addition the Council will provide an appropriate form on which representations can be made. Those making the representations should indicate if they would like to attend and give evidence at a public examination.

7.26 Following consideration of the comments made during the consultation, the Council will give consideration to making minor changes in the light of comments received prior to submission. If we decide we want to make more significant changes in the light of your comments, we will re-publish and re-consult.

¹¹ A policies map illustrates the policies, proposals and designations in the local plan documents across the Borough.

¹² The statutory requirements are set out in Regulation 19, 20, 35 and 36 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Stage 4: Submission and examination

7.27 This stage applies to Local Plans only.

What this stage involves

7.28 All representations made at stage 3 are then submitted to the appointed inspector together with the document itself, and all supporting evidence used in its preparation¹³.

7.29 The independent inspector will consider whether the document meets the tests of soundness set out in the National Planning Policy Framework (as explained in 7.24).

How you can be involved

7.30 The Council will publicise the examination in accordance with statutory requirements¹⁴, giving people at least 6 weeks notice before the opening of any hearing session. We will let you know where and when the hearing will be held and the name of the independent inspector.

7.31 The Government encourages representations to be dealt with in writing. However, if people would like to present their evidence in person, a public hearing will be held. Written representations carry equal weight to those presented orally at the examination. The inspector will decide how any oral representations will be heard, however, this usually takes place as a round table debate chaired by the inspector. No new representations can be submitted.

¹³ In accordance with statutory requirements set out in Regulation 22, 35 and 36 of the Town and Country Planning (Local Planning) (England) Regulations 2012

¹⁴ The statutory requirements set out in Regulation 24, 35 and 36 of the Town and Country Planning (Local Planning) (England) Regulations 2012

Stage 5: Adoption

7.32 This stage applies to Local Plans and Supplementary Planning Documents.

What this stage involves

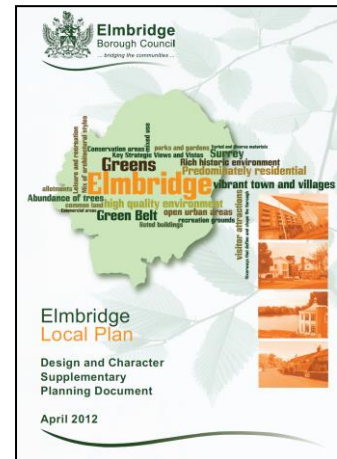
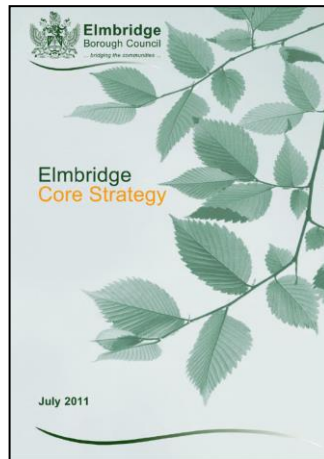
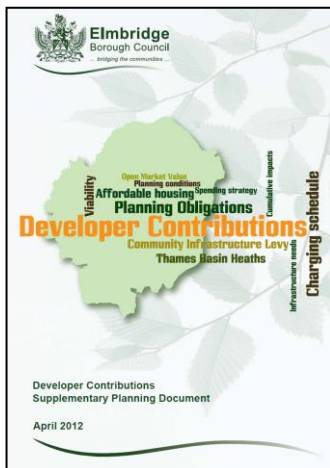
7.33 Both Local Plans and Supplementary Planning Documents need to be formally adopted by the Council before they carry any weight¹⁵. Once adopted, they become statutory planning policy or guidance and form part of the Elmbridge Local Plan.

7.34 Following examination of a Local Plan, the inspector will produce a report with their recommendations. On receipt of the Inspector's Report, the Council will make a copy publicly available and inform those persons who asked to be notified of its publication as soon as reasonably practicable¹⁶. Where necessary, the Local Plan document will be amended to reflect the Inspector's recommendations prior to being presented to the Council for adoption.

7.35 With regards to Supplementary Planning Documents, the Council will consider the comments made at Stage 2, and make any appropriate changes before formally adopting the document.

How you can be involved

7.36 There is no scope to comment at this final stage of the process unless you wish to legally challenge the document being adopted¹⁷. The application must be made promptly, and in any event, not later than the end of the six weeks from the date set out in the Adoption Notice.



Elmbridge Local Plan and Supplementary Planning Documents- adopted 2011/2012

¹⁵ The Council must adopt in accordance with Regulation 14 or 26 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

¹⁶ In accordance with Regulation 25, 35 and 36 of the Town and Country Planning (Local Planning) (England) Regulations 2012

¹⁷ Any aggrieved person may make an application to the High Court under Section 113 of the Planning and Compulsory Purchase Act 2004 on the grounds that the document is not within the appropriate power or that a procedural requirement has not been complied with.

8. What other planning documents can you comment on?

The Community Infrastructure Levy Charging Schedule

8.1 The Community Infrastructure Levy is a standardised, non-negotiable, local levy that is placed on new development for the purpose of helping to raise funds to support the delivery of the infrastructure such as schools, highways etc that is required as a result of new development. The Council adopted its first Charging Schedule in 2013. This will be kept under review and it is therefore likely that consultation will take place again within the lifetime of this Statement of Community Involvement.

8.2 Regulations¹⁸ require local authorities to undertake a clearly defined procedure prior to adopting a Community Infrastructure Levy Charging Schedule, which sets out the level of charge the Council will require for every additional square metre of new development. The requirements for consultation prior to adoption include:

- The publication and consultation of a Preliminary Draft Charging Schedule setting out the Council's initial consideration of an appropriate charge;
- The publication of a Draft Charging Schedule on which representations can be made prior to its submission for an independent examination. This consultation will be for a minimum of 4 weeks;
- An examination in public of the Draft Charging Schedule. All those who made representations on the Draft Charging Schedule will have the opportunity to make an oral presentation at a public hearing.

8.3 The Council will follow the five-stage process applied to Local Plans in the production or review of a Community Infrastructure Levy Charging Schedule, recognising the importance of early engagement within the development of new policy. The consultation methods to be used for both the consultation on the Preliminary Draft Charging Schedule and the Draft Charging will be advertised on the Council's website and will accord with the Core Principles set out in section 6.

Statement of Community Involvement

8.4 When preparing the Statement of Community Involvement, the Council will undertake an initial four-week consultation inviting specific and general consultees along with everyone registered on the planning database to make early representations. These comments will be considered when preparing the draft Statement of Community Involvement.

8.5 The draft document will then be subject to a further 4 week consultation which will accord with the Core Principles set out in section 6.

Local Development Scheme

8.6 The Local Development Scheme sets out a 3 year work programme for producing planning documents. This shows you the key consultation periods when you can become involved. Whilst consultation on this document is not a legal requirement, the Council considers that it is good practice to undertake a targeted local consultation in order to engage people early in the process, and confirm that partner organisations can provide necessary information on time. Responses are requested within 3 weeks.

¹⁸ Regulation 15 and 16 of the Community Infrastructure Regulations 2010 (as amended 2011).

9. How can you be involved in Planning Applications?

9.1 The Council's Planning Services is responsible for the processing of all planning applications within the Borough¹⁹. This section sets out how you can be involved in planning applications at the pre-planning stage, application stage and once a decision has been made.

General advice and assistance

9.2 The Development Management section provides a daily duty officer system, which enables people to speak to an experienced planning officer either at the Civic Centre or by telephone. Offering general planning advice, the service operates between 10am and 4pm Monday to Friday.

9.3 A wealth of information on the Borough's development management functions including validation requirements can be obtained online at the Planning Services home page www.elmbridge.gov.uk/planning

9.4 The Planning Portal is the UK Government's online planning and building regulations resource for England and Wales and also provides advice and services for the public and professionals www.planningportal.gov.uk

9.5 Additionally, Planning Aid England (www.rtpi.org.uk/planning-aid/) provides free, independent and professional planning advice to communities and individuals who cannot afford to pay professional fees. This service encourages people to become involved in the planning system.

9.6 The contact details for Planning Aid are:

- Telephone: 0330 123 9244
- Email: advice@planningaid.rtpi.org.uk

Stage 1: The pre-application stage

9.7 Formal procedures for dealing with pre application enquiries were introduced in 2008. The formalisation of this stage with appropriate fees allows us to dedicate time with applicants to improve the quality of development schemes prior to submission.

9.8 The Council will encourage developers/applicants to consult with the community about their initial schemes. Depending on the size and scale of the development proposal the Council would recommend developers/applicants use some or all of the follow methods of consultation:

- Letter/or discussion with neighbours about plans
- Surgery/Drop in/exhibition event to discuss proposals with interested neighbours, community groups and consultation bodies (where appropriate)
- Public meeting combined with a 'Planning for Real' exercise. Should also include media advertisement to publicise the event and development.

9.9 The Localism Act requires applicants to consult with the community before submitting planning applications for certain developments²⁰. This will give local people a chance to comment when there is still an opportunity to influence the proposal.

¹⁹ Surrey County Council deals with applications for minerals or waste related developments, and for development to its own property, such as schools and libraries. Elmbridge Borough Council is consulted on any application falling within the Borough.
²⁰ Localism Act 2011: Chapter 4-Consultation, 122 'Consultation before applying for planning permission'.

9.10 Pre application consultation should provide all groups, statutory and non-statutory, and specialist interest groups, with an opportunity to participate in the evolution of development proposals.

9.11 Applicants are especially encouraged to liaise early with infrastructure providers for new developments at the pre-application stage.

9.12 When applicants have undertaken community consultation, it is advisable to include a full statement of community involvement in the planning application submission. This will allow the Council to understand how the community and other stakeholders have been involved.

Stage 2: The application stage

9.13 Opportunities for formal community involvement occur when applications are lodged. It is at this point when the majority of residents become involved in the planning system especially if the proposed development affects them directly. Elmbridge Borough Council determines over 2000 applications a year ranging from householder applications to new housing schemes and retail and office developments. These decisions are important to local people as they have a direct impact on the way an area grows and develops.

9.14 The requirements for advertising and consulting on planning applications are set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015. User friendly guidance on what steps the local planning authority must take to involve members of the public on planning applications is also available to view online at the Planning Practice Guidance website²¹. As well as meeting these statutory requirements, the Council has a well-established process for publicising planning applications. These include:

- Planning applications with plans uploaded on the Council's website to enable online consultation and tracking
- Weekly list published on website
- Letters to statutory organisations and interest groups
- Letters to residents/businesses/properties next to the application site (Please see table 1 for circumstances)
- Site notices (Please see table 1 for circumstances)
- Newspaper adverts (Please see table 1 for circumstances)
- The weekly list is sent to the press for publication every week however this is published at the newspapers discretion.

9.15 Applications, including all of their supporting information, are made available online²². Comments can be made in writing direct to the Council or through the online consultation portal. The comments received and additional information including the officer report (which includes a summary of comments received) is added to the website so that anyone can view the information upon which a decision is made. For more detailed advice on how to comment on a planning application, please see the guidance online at www.elmbridge.gov.uk/planning

9.16 All responses received are uploaded on to the Council's website and are considered and included in written reports regardless of the decision-making mechanism (see stage 3). Unfortunately due to the volume of representations that are received we can no longer provide acknowledgements.

²¹ Information on statutory consultation is available at <http://planningguidance.planningportal.gov.uk/blog/guidance/>

²² For those customers without access to the internet, this information can also be viewed using the computers at the Council Offices and Borough libraries

Full consideration will be given, and due weight attached, to the views of the community and stakeholders.

Table 1: Publicity on Planning Applications

- The table below sets out the statutory requirements for publicity on different types of planning applications. The statutory minimum requirement will always be met by the Council.
- All applications including those with no statutory requirements such as tree works and lawful development certificates are uploaded on the website.
- The column to the right explains exactly what the Council will do in addition or in response to the statutory requirements. These have been developed through best practice, an understanding of the location and type of development in the Borough as well as an ability to deliver this with limited resources.

Type of Development	Statutory Requirement#			The Council's additional notification or response to statutory requirements
	Press Advert	Site Notice	Site Notice or Neighbour Notification	
Major Development Residential developments involving 10 or more homes, or where the site area is 0.5 hectares or more. Other development: 1000m2 floor space or 1.0 hectares.	Yes		Yes*	*The Council will always notify neighbours in adjoining and opposite properties and post site notices
Applications subject to Environmental Impact Assessment which are accompanied by an environmental statement	Yes	Yes		Neighbour notification letters will be sent out if applicable and depending on the location of the development.
Application that is a departure from the local plan	Yes	Yes		Neighbour notification letters will be sent out if applicable and depending on the location of the development
Application which would affect a right of way to which Part 3 of the Wildlife and Countryside Act 1981 applies	Yes	Yes		Neighbour notification letters will be sent out if applicable and depending on the location of the development

Type of Development	Statutory Requirement#			The Council's additional notification or response to statutory requirements
	Press Advert	Site Notice	Site Notice or Neighbour Notification	
<p>Minor Development Residential development involving less than 10 homes.</p> <p>Other development: floor space is less than 1000m²</p> <p>Change of use applications</p>			Yes*	<p>*Always notify neighbours in adjoining and opposite properties.</p> <p>A site notice will be posted if any adjoining land/property cannot be identified.</p> <p>The Council will post site notices for any net increase in dwellings.</p> <p>A site notice will be posted for all other minor developments.</p>
Householder developments			Yes*	<p>*Notify neighbours in adjoining and opposite properties if they could be affected by the proposed development. (See Notes below table on page 20)</p> <p>The Council will post site notices where there is likely to be wider public interest or where it is not practicable to notify adjoining properties</p>
Development affecting the setting of a listed building	Yes	Yes		Notify neighbours in adjoining and opposite properties.
Listed Building consent for works affecting the exterior of the building.	Yes	Yes		Notify neighbours in adjoining and opposite properties.
Development affecting the character of a conservation area.	Yes	Yes		Notify neighbours in adjoining and opposite properties.
Applications to vary or discharge conditions attached to a listed building consent or conservation area consent, or involving exterior works to a listed building.	Yes	Yes		Notify neighbours in adjoining and opposite properties.
Applications for telecommunications development	Yes	Yes		Depending on the location of the equipment, the Council will notify neighbours in adjoining and opposite properties and post site notices if relevant.

Type of Development	Statutory Requirement [‡]			The Council's additional notification or response to statutory requirements
	Press Advert	Site Notice	Site Notice or Neighbour Notification	
Prior Notification of Larger Homes Household Extensions ²³			Yes*	*Neighbour notification only- no site notice
Prior Notification of Changes of Use ²⁴			Yes†	†Site Notice only- no neighbour notifications
Prior Approval –Agriculture, Forestry, Telecoms, Demolition of building ²⁵	None			A site notice will be posted. Neighbour notification where considered relevant by officers
Advertisement Applications	None			The Council will post a site notice only for advertisement applications.
Applications for Works to Trees Protected by a Tree Preservation Order	None			Site notice only where there is likely to be wider public interest
Notice of works to trees in conservation areas	None			Site notice only where there is likely to be wider public interest
Certificates of Lawfulness for Existing Use and Development	None			Neighbour notification where considered relevant by officers. A site notice maybe posted in very exceptional circumstances.
Certificates of Lawfulness for Proposed Use and Development	None			None

[‡] The Town and Country Planning (Development Management Procedure) (England) Order 2015 and The Planning (Listed Buildings and Conservation Areas) Regulations 1990

Notes

- **Householder applications**

Notification letters will not be sent to every address that adjoins the property to be extended or altered. It will depend on the nature and location of the development as to who gets a notification letter.

For example, a proposed porch at the front of the property will only generate letters to the front and side properties as these are the only properties potentially affected by the proposal. The adjoining properties to the rear will not receive a letter as they will not see the porch. Likewise, a proposal for a rear

²³ Applicable between 30th May 2013 to 30th May 2016 (A.1(ea) of Schedule 2 to General Permitted Development Order 1995 as amended)

²⁴ Classes J,K and M of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013

²⁵ Schedule 2 Part 6,7,24,25,31 of the Town and Country Planning to GPDO 1995 as amended)

extension would not warrant letters sent to the opposite houses at the front of the road as they will not see the development to the rear of the property.

- **Amended plans**

Where amended plans are received on a current application those individuals or bodies who have expressed an opinion may be notified of the revisions and given a further limited period (usually up to 14 days) to assess and comment upon the amendments. The number of days within which to respond may be reduced in certain cases where there is insufficient time left within the statutory period for determining the application to allow the full fourteen days.

Where a substantially different scheme is submitted with significant changes to the original application, full re-notification may be necessary depending on the circumstances of the case. Where full re-notification is considered necessary a further period for comment of up to 21 days will be given.

Stage 3: The decision stage

9.17 The majority of applications are dealt with within 8 weeks or 13 weeks for 'major' applications. We provide notification of decisions by updating the application details on the webpages and placing a decision list on the website.

9.18 In some instances decisions will be made at sub committee and these meetings are open to the public. However, there are instances when an application will be referred to the full Planning Committee:

- For any application where there are objections from more than 40 households and the sub committee has recommended permission then the decision will be referred to the full Planning Committee
- All departures from the Local Plan that are required to be forwarded to the Secretary of State
- Any two Members of the Planning Committee may refer an application to the Planning Committee from the Area Sub Committee at which they were present

9.19 This sub committee process, including public speaking, is explained on the Council's website www.elmbridge.gov.uk/planning and includes the following consultation methods:

- Letters to interested parties including the committee date and advice regarding their right to be heard
- Committee papers
- Presentations at committee
- Committee minutes

Stage 4: The post application stage

9.20 If an application is refused, or the decision includes a condition that the applicant/developer is not satisfied with, or the application has not been determined within the statutory time period, the applicant/developer can appeal the decision/ or non-determination. The Council will contact all those who made representations during the application to notify them of the appeal and invite further comments. All views are considered during an appeal. The Planning Inspectorate will inform the Council and objectors of the outcome. These are the current methods of communication the Council adopts with regard to appeals, all of which are available on the Council's website:

- Monthly list of forthcoming hearings and inquiries
- Weekly list of appeals received
- Weekly list of appeal decisions

9.21 The planning website contains information on how the appeal process works and includes a range of downloadable leaflets and appeal information from the Planning Inspectorate. You can make an appeal and track the process of an appeal through the Council's website.

10. How well are we doing?

- 10.1** The Government recommends assessing resources for managing community involvement. Involving the community during all planning processes has time, staff resource and funding implications and must be a key consideration when planning any form of engagement or consultation.
- 10.2** Therefore whilst Elmbridge is committed to providing a high level service to the community, making sure everyone has the opportunity to be involved in the planning process, the Council will look to achieve this in the most resource efficient way. Therefore any approach used when engaging with stakeholders will reflect the type of work being undertaken. Any non-statutory approaches used during engagement or consultation activities will also be reviewed to assess whether such an approach was effective and achieved value for money.
- 10.3** The Statement of Community Involvement will be monitored on an annual basis and the outcomes of any consultation or engagement activity reported through the Authority Monitoring Report. This will include assessing whether the community involvement techniques indicated in this document have been effective and efficient in achieving a good level of public involvement and participation across all sections. Questionnaires and surveys will be used to gauge participant's views on the success of consultation events. As a result of monitoring, the Council will consider what changes, if any, need to be made to the Statement of Community Involvement.

Appendix 1: Consultation Groups Involved in Local Plan production

Specific Consultation bodies

The council must involve the following statutory organisations in the Local Plan process. These along with the government departments listed below form the **specific consultation bodies** as defined in the Town and Country Planning (Local Planning) (England) Regulations 2012. These are:

- Environment Agency
- Historic England
- Natural England
- Network Rail Infrastructure Limited
- Secretary of State for Transport
- Highway Agency
- Surrey County Council- Strategy, Transport and Planning
- Other adjacent local authorities
- M3 Local Enterprise Partnership
- Civil Aviation Authority
- NHS Surrey
- Surrey Police
- Police and crime commissioner
- Relevant telecommunications companies
- Relevant electricity and gas companies
- Relevant water and sewerage undertakers
- Homes and Communities Agency
- Parish Councils

General consultation bodies

- Voluntary bodies some or all of whose activities benefit any part of Elmbridge Borough Council's area.
- Bodies that represent the interests of different racial, ethnic or national groups in Elmbridge Borough Council's area
- Bodies that represent the interests of different religious groups in Elmbridge Borough Council's area
- Bodies, which represent the interests of disabled persons in Elmbridge Borough Council's area.
- Bodies, which represent the interests of persons carrying on business in Elmbridge Borough Council's area.

Duty to co-operate bodies

- Environment Agency
- Historic England
- Natural England
- The Mayor of London
- Civil Aviation Authority
- Homes and Community Agency
- NHS Surrey
- Office of Rail Regulation
- Transport for London
- Surrey County Council
- Highway Agency
- M3 Local Enterprise Partnership

Other Consultees

Some 900 bodies and individuals are registered on the Elmbridge Planning Services database. These have been grouped and include:

- Individual Residents, residents associations, local strategic partnership, parish councils, community groups, societies, political parties
- Councillors- Local and County
- Local businesses, business associations, chamber of commerce, commercial companies
- Planning Officers in other local authorities, developers, agents, planning consultants, architects, surveyors, landscape architects, housing associations
- Landowners, Estate agents (residential and commercial)
- Disabled groups, public agencies, charity organisations, voluntary organisations, ethic groups, care providers, health providers, leisure groups, minority groups, religious groups, sports bodies, young people, allotments, police, older people, faith groups, equalities, community support.
- Environment and nature, historic groups, Conservation Area Advisory Committees
- Infrastructure providers, schools and education institutes, transport groups
- Members of Parliament
- Government Departments

Appendix 2: Formal Consultation by application type or location

This table explains the organisations/people Planning Services notify in relation to certain types of planning application. Consultees have a 21-day period to respond.

Application/ Location	Consultees
Adjoining Borough Boundary	Relevant adjoining authority
Adjoining railway	Network Rail
Advertisements	Surrey County Council Highways
Ancient Woodland	Forestry Commission Surrey Wildlife Trust
Scheduled Monuments	Historic England
Applications of 15 houses or more	Thames Water Surrey Constabulary EBC Housing
Archaeological site	Surrey County Council- Archaeologist
Claygate settlement area	Claygate Parish Council
Conservation area	Relevant Conservation Area Advisory Committee Historic England (where appropriate)
Contaminated land	EBC Environmental Health Environment Agency
Gates and fences on all public roads	Surrey County Council- Highways
Householder extensions that could impact on car parking, garage conversions, parking changes and front projecting garages/extensions only on classified A, B and C roads	Surrey County Council Highways
Leisure Development	EBC Leisure
Listed Building- Grade I or II*	Historic England
Loss of playing fields	Surrey Playing Fields Association EBC Leisure Sports England
Major Development Sites over 0.4 hectares	Surrey County Council- Archaeologist
New dwellings on public roads	Surrey County Council- Highway Department
New Park or Extension	EBC Leisure
Non- residential applications	EBC Environmental Health
Historic Parks and Gardens- Grade I or II*	Historic England Garden History Society (including Grade II)
Pipeline	Pipeline Agency
Possible presence of bats	Natural England Surrey Wildlife Trust
Public Footpath	Surrey County Council Highways
Site of Special Scientific Interest, Site of Nature Conservation Interest, Local Nature reserve	Surrey Wildlife Trust Natural England
Within the flood plain and Flood Zone 3B	Environment Agency
Shop Fronts	Surrey County Council Highways
Theatres	The Theatres Trust