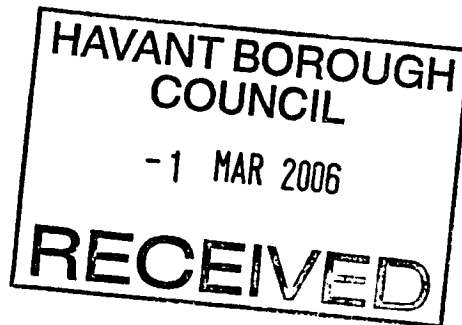


EMSWORTH RESIDENTS' ASSOCIATION

(Affiliated to the Hampshire Federation of Residents Associations)

75 Bosmere Gardens
Emsworth
PO10 7NR
Tel/Fax 01243 430314
Email: brettellf@ntlworld.com

For the Attention of:
Eleanor Fielder
Policy Planner
Planning Policy and Urban Design
Havant Borough Council
Civic Offices
Havant
PO9 2AX



28 February 2006

Re: Havant Borough Local Development Framework
Statement of Community Involvement: Submission Stage January 2006

The Emsworth Residents' Association (ERA) committee have studied with interest the revised version of the Statement of Community Involvement (SCI) and support the aim of involving the community more fully in planning, as being both useful and beneficial. We are also pleased to see that many of the comments made on the Draft SCI, July 2005 by statutory consultees, community and interest groups, such as the ERA, as well as individuals have been responded to positively and incorporated into the revised draft of the SCI.

The ERA committee wishes to maintain the representations on the draft SCI July 2005 set out in the enclosed letter dated 15 September 2005. Additional comments on the Council's responses to the ERA representations on the draft SCI are given in the table at the end of this letter.

We recognise that the Borough Council, along with all other local authorities in England & Wales, is constrained by Central Government guidelines and under pressure to work to a tight timetable and severe budgetary limitations. There are, however, several points which we believe need further consideration and amendment.

These points are listed below and where possible the relevant paragraph in the SCI is given in brackets.

1. Vision of Community Involvement (1.4)

We seriously question the process by which "*the whole community will have the opportunity to engage in the planning process in a meaningful way*", and consider it unrealistic given the resources available to HBC. The SCI must have the "*resources available to manage community involvement effectively.*" (No. VI of the Tests of Soundness)

2. Involvement Methods (2.5, Table 1)

Havant Borough Council has placed considerable reliance on its in house magazine entitled 'Serving You' as its main mechanism for communicating directly with the public. It is understood that arrangements for distributing this magazine have been failing for some time and many have not been delivered as a result. This has led to complaints, not least from those who have missed important deadlines for making representations. Had the magazine been delivered to all households as intended, public response figures to the Draft SCI (36) could well have been greater than reported to the Borough Council and perhaps other issues raised. Problems with the distribution of 'Serving You' indicate that Regulation 26 of the Town and Country Planning Regulations 2004 has not been fulfilled very effectively, namely "*Locally advertise that the documents are available for inspection and the places and times at which they can be inspected.*"

In addition, it is not clear who is represented on the Citizen's Panel (Community Pulse), how many people are involved or how they have been selected and therefore what weight their views carry. To the best of our knowledge there are 2 people from Emsworth.

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3. Who should be involved? (2.2)

Residents' Associations

We are pleased to see that Residents' Associations are listed in the overall target groups involved (2.2) and the Emsworth Residents' Association (ERA) is specifically listed in Appendix 6 as one of the "Consultees to be consulted in accordance with the Regulations and as appropriate".

It is noted that "Presentations could be made to Public Meetings/Youth Council Meetings and Residents' Associations on specific documents or specific development proposals" has been added to Table 1 Involvement Methods. It is hoped that Residents' Associations will at least receive the same information/presentations as the new Community Boards.

We agree that it is essential that the community is given every opportunity to get involved at every stage of the planning process and are pleased to note (5.7) that the ERA along with other Residents' Associations has been invited to the Planning Workshop given by Planning Aid at the end of February 2006 together with members of the Community Boards.

The Emsworth Residents' Association is wholly independent of business or political control and is financed entirely by local subscription. In addition to regular committee meetings, it holds four general meetings a year to which members of the public are invited. Other ad hoc public meetings are arranged on important urgent matters to enable residents to put forward their views. The ERA is therefore concerned at the duplication of effort involved in having both a Community Board in Emsworth as well as the ERA commenting on planning and related matters.

The other primary issue is the independence of the Community Board which is closely linked to the Havant Community Partnership and is not perceived as being independent of political control, compared with the ERA.

The Emsworth Residents' Association has been active in planning matters for more than 40 years (founded in 1962) keeping residents informed by means of its quarterly newsletter, The EMS, a dedicated notice board in the town centre and a website as well as quarterly public meetings which attract more than 50 people. The ERA is run by a large group of about 200 volunteers who in addition to running the meetings, deliver The EMS to about 5,000 households in Emsworth and collect ERA membership subscriptions from about 66% of households. The ERA therefore has very strong local support.

Community Boards

Whilst the new Community Boards are potentially useful in bringing together a wide range of community groups as well as individual residents, the experience of the ERA especially in planning matters more than justifies giving the ERA the same degree of consultation.

The potential of the Community Boards is not yet being realised in some areas because of a serious lack of communication at all levels. This has resulted in their wider role, which is only now becoming apparent, being resisted in some areas.

The local authority's aim to link Community Boards with the Havant Community Partnership is stated in 1.16 to be "*the key to effective delivery of the Community Strategy*". It makes no mention of the well-established and successful Residents' Associations. Paragraph 1.16 also states, "*Community Boards will have an important role in future years as the consultation mechanism for the Havant Community Partnership and in major planning decisions under the Local Development Framework*". Again no reference to Residents' Associations in this paragraph.

The consultation proposed in the Statement of Community Involvement seems heavily weighted in favour of the new Community Boards and the Havant Community Partnership. Paragraph 4.13 implies that the views of these groups will be given greater value. For instance planning applicants are to be particularly encouraged to present their ideas to Community Boards and the Council will itself present any significant applications to Community Boards for comment. Such relevant comment on any planning application will be given weight as 'material considerations'. This phrase has not been used in relation to the proposed consultation with Residents Associations or in relation to the wider community.

It is therefore rather surprising that neither the Emsworth Community Board nor the Havant Local Strategic Partnership (Havant Community Partnership) have been given a presentation on the SCI. This is very regrettable especially in view of the major roles both these boards are supposed to play in the planning process in the future. Members of the various Community Boards have also been asked to fill in a tick-box form: the Submission Stage representation form (also on the HBC website) which is very similar to the 'Tests of Soundness' given in the SCI in Appendix 2. This representation form is totally inappropriate and

unsuitable as a method of consultation for the intended target group (Test of Soundness V), namely the Community Boards and the general public, who may not have had the time or opportunity to study this complex series of documents.

If the aims of community involvement are to be achieved, it is considered that well run and established Residents' Associations should have equal status with Community Boards and receive the same degree of consultation.

4. Local Development Scheme (Appendix 3)

The ERA is still concerned about the short period of 6 weeks stipulated in the Local Development Scheme for consultation of Development Plan Documents as well as Supplementary Plan Documents. This is especially a matter of concern when the consultation period coincides with the summer holiday period as is the case for the Core Strategy Development Plan Document (a key planning document) with a 6-week consultation period falling in July-August 2006. The ERA would like to see this consultation period extended to 10 weeks for consultations over the summer and to 8 weeks at other times of the year.

5. Village/Town Design Statements (Table 1 and 4.3)

The Emsworth Design Statement (EDS) written by a group of residents, initiated and sponsored by the ERA has taken nearly 3 years to complete. The public consultation on which the EDS is primarily based included a questionnaire in The EMS which went to over 5,000 households and which received more than 1,000 responses (20% of households) and a public exhibition. The Emsworth Design Statement deserves an important place in the planning process as well as providing valuable information for the Market Town Initiative (MTI); another community project currently being carried out in Emsworth.

Village Design Statements (VDSs) may be adopted as Supplementary Planning Documents which local authorities are obliged to take into consideration (material consideration) when assessing planning applications (Phil Turner, Planning Aid).

It is noted that VDSs are included in Havant Borough Council's SCI, page 10, Table 1: Involvement Methods, stating that the "*VDS is an advisory document produced by the community and can be adopted as a Supplementary Planning Document*". However, VDSs are not included in the list of Relevant Planning Considerations, subsection 4.3.

To rectify this omission and to clarify the status of VDSs within the new planning system, we urge HBC to include the Emsworth Design Statement (EDS), Langstone VDS and the North East Hayling VDS in their Statement of Community Involvement under Section 4, Planning Applications, subsection 4.3, Relevant Planning Considerations.

We also urge HBC to include the Emsworth Design Statement in its Local Development Scheme giving the estimated time periods for the production, consultation and adoption of these Supplementary Planning Documents.

6. Planning applications (Section 4)

The introduction of a pre-application stage into the planning process, effectively replacing Outline Planning Applications, means that decisions on what constitutes an application that may have significant impact on the local community is left to planning officers without the need for any publicity unlike that required for Outline Planning Applications. This implies that the first and only opportunity that interested parties have to comment on a development is at the Application Stage (formerly Detailed Planning Application). Whilst we appreciate that the planning system is plan driven, there is an enormous difference between the generalities of Development Plans and, for example, a specific proposal to build 30 flats on the site of one large house. More effort needs to be made to advise the community of changes to the planning system and its constraints.

7. Significant applications (4.9 – 4.14)

It is noted that the local authority now propose that 50 dwellings would constitute a 'Significant Development' with 5,000 square metres for Employment/Industry, 2,500 square metres for Retail and 1,000 square metres for Leisure.

Given that the key aim of the new planning system is to strengthen community involvement in the planning process these high thresholds are, in our view, incompatible with this aim.

Although the council have reserved the right to seek wider community involvement on other applications inside these thresholds, the SCI document makes no provision for a mechanism whereby community groups, who may have greater local knowledge as to the sensitivity and likely impact of a large proposed development, can themselves seek a wider community involvement – the proposed traffic is one-way!

HAVANT BOROUGH COUNCIL
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It is also noted that Portsmouth City Council has adopted a threshold of 10 dwellings to define a 'Significant Development'.

If the local authority is not prepared to reduce these thresholds to those defined by the Office of the Deputy Prime Minister for major applications (10 or more dwellings and offices, industry and retail floor space over 1,000 square metres), then the ERA would wish to seek the introduction of some mechanism to enable formal local groups to request a wider community involvement for those applications they consider to be insensitive or of great impact in their areas. Local groups need to be informed about any proposals which fall between 'major' and 'significant' applications at the pre-application stage.

8. Sustainability Appraisals (3.3)

It is hoped that Sustainability Appraisals will seek to include other bodies i.e. transport, health, water and sewage in addition to other local authorities through the evolution of the LDF into a spatial planning system.

9. General layout and style of the SCI

While it is appreciated that considerable effort has been made to reduce jargon and write the SCI in clear English, the ERA feels that the document is still difficult to read especially by people with little or no background knowledge. The layout is still confusing making it difficult to assess and find your way around.

10. Statement of Consultation January 2006

As stated above Havant Borough Council's responses to representations to the draft Statement of Community Involvement July 2005, were in the main positive and most suggestions have been incorporated into the revised SCI. However, the number of representations from members of the public including Residents' Associations and other interest groups at 36, is very low (population of Havant Borough 119,637 in 2001!) Nevertheless, these responses have been subjected to statistical analysis in the Statement of Consultation January 2006. This statistical analysis is very weak because of the very small number of respondents, which makes percentage analysis meaningless. Conclusions drawn can only be considered to be speculative.

11. Confusion in use of planning terms (1.16)

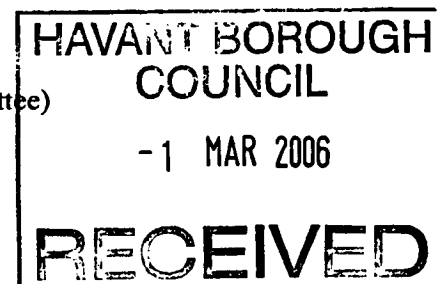
Using the term 'action plans for local areas' which Community Boards will be given the opportunity to develop is confusing since they are not the same as Area Action Plans which are Development Plan Documents and would form part of the Local Development Framework, where needed. The ERA would like to see another term used for 'action plans for local areas' to avoid this confusion.

The ERA wish to maintain the representations set out in the enclosed letter and would like to add the following comments.

Draft SCI July 2005	Comments on responses to representations made in the ERA letter 15 September 2005 (paragraph no. in between brackets)
Overarching Concerns	(1a) The Association feel that the community ought to have an opportunity to make representations on planning applications which are submitted retrospectively and those which are considerably enhanced during the course of construction.
Overarching Concerns	(1b) It is noted that the issue of third party rights of appeal is under discussion as part of the new planning system.
Whole Document	(2) Accept changes to distinguish between policy documents and the detailed review of planning applications
Para 4.1	(4) It is noted that the information on neighbour notification has been expanded
Para 2.11 (iii)	(10) It is noted that further consideration will be given to site notices being displayed both before and during the period of development.

Yours Sincerely,

Frances Jannaway (on behalf of the Emsworth Residents' Association committee)



Enclosure: ERA letter of 15 September 2005 on the Draft SCI, July 2005.