

**INSPECTOR'S REPORT**  
**HAVANT BOROUGH COUNCIL**  
**STATEMENT OF COMMUNITY INVOLVEMENT**

Inspector: Keith Holland BA(Hons) Dip TP MRTPI ARICS  
Date: 8<sup>th</sup> August 2006

# **Havant Borough Council Statement of Community Involvement (January 2006)**

## **INSPECTOR'S REPORT**

### **Introduction**

- 1.1 An independent examination of the Havant Borough Council Statement of Community Involvement (SCI) has been carried out in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004. Following paragraph 3.10 of Planning Policy Statement 12: Local Development Frameworks, the examination has been based on the 9 tests set out (see Appendix A). The starting point for the assessment is that the SCI is sound. Accordingly changes are made in this binding report only where there is clear need in the light of tests in PPS12.
- 1.2 A total of 27 representations were received all of which have been considered. The Council proposed a number of amendments to the SCI in response to representations received, and these have been taken into account in the preparation of this report and attached as Appendix B.

### **Test 1**

- 2.1 The Council has undertaken the consultation required under Regulations 25, 26 and 28 of the Town and Country Planning (Local Development) (England) Regulations 2004. The only omission was that some Parish Councils and West Sussex County Council were not consulted due to a procedural error. This was rectified and these Councils were included at all subsequent stages. I am satisfied that none of the subject Councils have been prejudiced by this error.
- 2.2 In all other respects I am satisfied that this test has been met.

### **Test 2**

- 3.1 Paragraphs 1.13 to 1.16 recognise the links between the LDF, the SCI and the Community Strategy. The SCI explains in Paragraph 1.16 the structure of the Local Strategic Partnership and the Community Liaison Forums, and how these existing groups will be utilised in the consultation on the DPDs. I am satisfied that the Council recognise the links between the strategies, the LDDs and the associated consultation exercises.
- 3.2 Paragraphs 1.17 and 1.18 also set down a summary of the Council's Consultation and Communication Strategies and how these aim to optimise the consultation process through a more co-ordinated approach across the Council so as to avoid "consultation fatigue".
- 3.3 This test is met.

### **Test 3**

- 4.1 The Council has set out in Appendix 6 of the SCI those groups which will be consulted. This list includes the statutory bodies from PPS12 Annex E. It is stated at paragraph 2.3 of the SCI that the Council will hold a list of consultees' details, and that the list will be updated as and when necessary.
- 4.2 The re-organisation of certain consultation bodies should be acknowledged in the SCI and I recommend an additional sentence be added to this effect.
- 4.3 Subject to the following recommendation, this test is met.

### **Recommendation**

- 4.4 Insert the following footnote to Appendix 6, "Please note, this list also relates to successor bodies where re-organisations occur."

### **Test 4**

- 5.1 Section 2 shows that the Council will involve and inform people from the early stages of DPD preparation and Table 1 sets out the range of methods the Council will employ to do this. It shows that consultation will take place with the key stakeholders through the Havant Community Partnership during the preparation stage of DPD production; this is in accordance with Regulation 25. Paragraph 2.1 (ii) makes clear that community involvement will take place at all stages of DPD preparation.
- 5.2 Diagram 2 on page 11 refers to the three main consultation stages. For the sake of completeness the Regulation 32 consultation requirements in relation to site allocation representations should be referred to.

### **Recommendation**

- 5.3 Add a footnote to diagram 2 making it clear that in the case of site allocation representations there is an additional 6 week consultation period

### **Test 5**

- 6.1 Section 2, Table 1 sets out the methods that the Council propose to use to involve the community and stakeholders. These cover a range of recognised consultation techniques that will present information via a range of different media. The Council acknowledge the benefits of the different methods and indicate at what stages of LDD preparation the various methods might be employed.
- 6.2 Paragraph 2.1 (iv) acknowledges that the Council may have to provide extra support to facilitate consultation with certain groups or individuals. An information note at the front of the SCI explains that the Council can make the

SCI available in a variety of formats including large print, audio format and in other languages through the Council's translation service.

6.3 I am satisfied that the methods of consultation proposed in the SCI are suitable for the intended audiences and for the different stages in LDD preparation.

6.4 This test is met.

### **Test 6**

7.1 Section 5 of the SCI explains how the Council will seek to ensure that sufficient resources are put in place to achieve the scale of consultation envisaged. I am satisfied that the Council is alert to the resource implications of the SCI.

7.2 This test is met.

### **Test 7**

8.1 Paragraphs 3.5, 3.6 and Table 1 explain how the results of community involvement will be taken into account by the Council and used to inform decisions. The Council also proposes to use its website to explain how views have been considered and documents changed in light of the community involvement at each preparation stage.

8.2 This test is met.

### **Test 8**

9.1 Section 6 of the SCI provides information on monitoring and review and confirms the Council's intent to review the SCI on an annual basis through the Annual Monitoring Report.

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

9.3 This test is met.

### **Test 9**

10.1 The SCI at Section 4 and Appendix 5 clearly describes the Council's policy for consultation on planning applications. Paragraphs 4.1 to 4.6 meet the minimum requirements and provide additional methods of consultation. Paragraph 4.9 and appendix 5 distinguish between procedures appropriate to different types and scale of application, and include information on how the consultation results will inform decisions. Paragraph 4.9 also encourages developers to carry out pre application consultation on significant applications. In response to representations received the Council has agreed to expand on this guidance by adding text to Section 4 and a Table which clarifies the different community consultation techniques for different types of applications. A full schedule of changes is attached to this Report in Appendix B (see paragraph 11.1).

10.2 This test is met.

### **Changes proposed by the Council**

11.1 The Council have set out in their Regulation 31 Statement a number of proposed changes to the SCI in response to representations received on the submission document. These suggested amendments do not affect the substance of the SCI but they do improve the clarity and transparency of the submission SCI. I therefore agree that they be included.

### **Recommendation**

11.2 Insert the changes set out in the Schedule in Appendix B into the SCI.

### **Conclusions**

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

12.2 The Council should remove all references to previous stages of this document and replace any preface containing such references with a statement of adoption.

### **Recommendation**

12.3 Remove all reference to previous stages of the SCI.

12.4 Subject to the recommendations set out in this report, the Havant Borough Council SCI (January 2006) is sound.



Keith Holland

Inspector

**APPENDIX A**  
**TESTS OF SOUNDNESS**

## **Examination of the soundness of the statement of community involvement**

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

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

*From: Planning Policy Statement 12: Local Development Frameworks*

<sup>1</sup> The Town and Country Planning (Local Development) (England) Regulations, 2004.

**INSPECTOR'S REPORT**  
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**APPENDIX B – PROPOSED CHANGES**

## **Involvement Techniques (Table 1)**

1. Expand reference to citizen's panel in table 1 to read as follows;

*"The Council has set up a citizen's panel called Community Pulse. The panel consists of 1,500 residents selected by sending out approximately 8,800 letters to a random selection of residents from the electoral roll. The Council endeavour to include a wide range of residents who have the opportunity to input into Council decision making in a variety of ways and are contacted up to 4 times a year, with questionnaires on various subjects covering a range of Council services".*

2. Change wording in table 1 to reference to Village Design statements as follows:

*"Village Design Statements will be used as a material consideration for Development Control purposes. The weight which will be given to it will depend on the particular issues of each case."*

## **Planning Applications (Section 4)**

3. Expand paragraph 4.1 (iv) to include the following;

*"Following the grant of planning permission, in instances where a proposal is amended in a 'minor' way without a new planning application being required, the Council will normally notify neighbours affected before a decision is reached as to whether the changes are acceptable unless the amendments are insignificant".*

4. Change wording of the significant thresholds in paragraph 4.10 to the following;

Residential	50 units or more
Employment/Industrial	5,000m <sup>2</sup> or more
Retail	2,500m <sup>2</sup> or more
Leisure	1,000m <sup>2</sup> or more

5. Change wording in paragraph 4.10 to read residential units rather than dwellings.

6. Add 'Other approved guidance (e.g. Council Strategies, Village Design Statements)' to paragraph 4.3.

7. Change last sentence of paragraph 4.7 to read;

*"The 'Making Plans' section is a regular feature which sets out the major applications which have been received, permitted, refused and developments which are now under construction".*

8. Change wording of paragraphs 4.12 and 4.13 to read as follows;

### 4.12 What we expect from the applicant

This statement does not seek to be prescriptive about the types of community involvement techniques that applicants should be using for different types of application and it does not discourage the use of innovative techniques. To guide the applicant, a range of consultation and communication techniques are set out in Table 1. Table 2 also illustrates the types of community involvement techniques which may be required for different types of applications at each stage of the process. Subject to the nature and scale of the proposal, applicants will be required to do some, or all of the suggested techniques. The need for wider community consultation and the intentions of the developer with regard to involvement techniques will be discussed and agreed as part of pre-application discussions. The applicant will be expected to submit a statement with the application setting out what community involvement they have undertaken prior to finalising the proposals.

#### 4.13 Community Boards and Residents Associations

Applicants will be particularly encouraged to make use of Community Boards and Residents Associations. Applicants for significant applications will be encouraged to present their ideas to the relevant Community Board and Resident Association before finalising their proposals and submitting a planning application. The Council will present any significant application to the relevant Community Board and Resident Association for comment. For applications falling within the 'major' category, but not exceeding the 'significant' threshold, the Council would expect applicants to notify the relevant Community Board and Resident Association of the application at submission stage. A copy of the planning application should be provided by the applicant on request and a planning officer from the Council would be available to attend group meetings to discuss the proposals if requested. These groups also have the opportunity to comment on all planning applications through the weekly list.

Table 2: Community consultation techniques for different types of applications.

Application type				
Consultation Techniques		Significant Applications	Major Applications	Minor/Other** applications
Pre-application	Press Release	Applicant		
	Leaflets	Applicant		
	Written Consultation	Applicant	Applicant	
	Exhibitions/Displays	Applicant		
	Planning/Community workshops	Applicant	Applicant	
	Consultation with Community Boards and Residents Associations	Applicant	Applicant	Applicant
	Public meeting/presentations	Applicant	Applicant	
Application	Consultation with Community Boards and Residents Associations	Applicant Council	Applicant Council	Applicant Council
	Neighbour Notification	Council*	Council*	Council*
	Site notice/press advert	Council*	Council*	Council*
	Press Release	Applicant	Applicant	
	Leaflets	Applicant		
	Written Consultation	Applicant	Applicant	
	Exhibitions/Displays	Applicant		
	Public meeting/presentations	Applicant	Applicant	
	Serving You	Council	Council	
	Council Website	Council*	Council*	Council*
Citizens Panel	Council			
Post-application	In instances where a proposal is amended in a 'minor' way without a new planning application being required, the Council will normally notify neighbours affected before a decision is reached as to whether the changes are acceptable unless the amendments are insignificant. More significant amendments to proposals would require a new planning application and therefore be subject to the Council's publicity procedures for planning applications. The need for wider community consultation will be agreed with the Council during pre-application discussions.			

\*Denotes methods which are part of Havant Borough Council's procedures for publicity on planning applications.

\*\* Minor/other applications includes all other applications which do not fall within the 'significant' or 'major' categories such as proposals for 1-9 dwellings; buildings with a floor area of less than 1000m<sup>2</sup>; change of use; householder development; advertisements; listed building consent;

conservation area consent; certificate of lawfulness for existing use; certificate of lawfulness for proposed use.

**Black Text** = Will be required.

**Grey Text** = May be required

9. Provide further clarification in paragraphs 3.5 and 4.2 that only written representations will be taken into consideration and not verbal representations.

#### **Paragraph 1.16**

10. Provide clarification to make it clear that 'action plans for local areas' differ from Area Action Plans in the Local Development Framework.

#### **Consultees list (Appendix 6)**

11. Remove North Hazelton Residents Association, Northney Residents Association and Emsworth Rate Payers Association from Appendix 6.
12. Leave Leigh Park Community Development in Appendix 6 and remove this at a later stage if group is disbanded.
13. Add Traveller Education Service and Portsmouth Race Equality network Organisation to Appendix 6.
14. Add 'The' to Theatres Trust
15. Amend typing error at the foot of Appendix 6 to read 'database'.