

HAVANT BOROUGH COUNCIL

# STATEMENT OF COMMUNITY INVOLVEMENT

December 2013

Cleaner, Safer,  
More Prosperous



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Erratum: Since publication of this document the Constitution has changed with regard to the procedure requesting planning applications to be determined by Committee.

Paragraph 4.16 should read:

The Government expects local planning authorities to delegate approximately 90% of all decisions on applications to officers. Havant Borough Council consistently exceeds this target. The remaining applications - predominantly major proposals - are determined by the Development Management Committee (DMC) which usually sits every three weeks and is made up of seven Councillors from around the borough. A Councillor may make a written request for an application to be considered by Committee; this written request process has been termed the 'Red Card' procedure. Councillors can submit a red card on any application in any part of the Borough. Red card requests must be submitted prior to the end of the publicity period for the planning application concerned, as notified in the weekly list of planning proposals.

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## **1.0 INTRODUCTION**

- 1.1 The purpose of the Statement of Community Involvement (SCI) is to explain how local people can engage in plan making and decision making in Havant Borough. Community involvement and consultation play an important role in the Borough Council's decision making process on planning. The Council believes that the whole community should have the opportunity to engage in the preparation of the Local Plan and in the consideration of planning applications in order to promote and protect the development of sustainable communities.
- 1.2 Havant Borough Council's first SCI was adopted in 2006. The Council began a review of this document in 2010 and carried out a public consultation on the First Revision SCI in 2011. Due to changes to national planning legislation and regulations in 2011 and 2012, including the introduction of the National Planning Policy Framework (NPPF), the Council decided to pause progress on the revised document. The SCI 2013 is an updated version of the 2011 consultation draft that reflects the legislative and regulatory changes that have subsequently taken place.

### **Preparing the Statement of Community Involvement**

- 1.3 The SCI aims to -
- Explain the process and methods for community involvement for different types of planning policy documents and for the different stages of plan preparation, including how the diverse sections of the community are engaged
  - Explain the process and appropriate methods for effective community involvement in the determination of planning applications
  - Identify which organisations and community groups that we will engage with at different stages of the planning process,
  - Include the Council's approach to pre-application discussions
  - Include information on how the SCI will be monitored and updated
  - Include details of where community groups can get more information on the planning process.
- 1.4 The preparation of an SCI is a requirement of the Planning and Compulsory Purchase Act 2004. The Localism Act 2011 emphasises the importance of community involvement in the planning system, and of enabling communities to make a significant contribution towards shaping the places where they live.
- 1.5 Neighbourhood planning, as conceived by the Act, will allow communities to come together through a parish council, neighbourhood forum or similar body and prepare local policies and/or proposals that the community itself supports. Havant Borough does not have parish councils, however communities in any of the five areas of the Borough can come forward and apply to be a qualifying Neighbourhood Planning body namely Emsworth, Havant and Bedhampton, Hayling Island, Leigh Park and Waterlooville.
- 1.6 The Localism Act also introduced the 'duty to co-operate,' which places a legal requirement for all local planning authorities, county councils and a number of other 'prescribed' bodies to work with one another in a collaborative manner, and to consider joint approaches in relation to the planning of sustainable development.

- 1.7 This SCI will also take into account other relevant documents, which have been produced by the Council and/or its partnership organisations.
- 1.8 The Solent Local Enterprise Partnership (LEP) was established in 2010. The Partnership is supported by four university partners, the further education sector, three upper tier authorities (Isle of Wight, Portsmouth and Southampton), eight district councils (East Hampshire, Eastleigh, Fareham, Gosport, Havant, New Forest, Test Valley and Winchester) and the voluntary and community sector. The LEP is also a specific consultation body under the duty to co-operate. Alongside the Solent LEP, the Partnership for Urban South Hampshire (PUSH) is a well established partnership of all the Hampshire Solent local authorities and is acknowledged by Government as best practice in the duty to cooperate. Havant play an active role in all PUSH matters.
- 1.9 Havant Borough's Corporate Strategy 2012-2017 sets out three priority strategic themes: financial sustainability, economic growth and public service excellence. The vision for the next five years is of an area that will be "increasingly prosperous, vibrant and active".
- 1.10 The South and East Hampshire Marketing Strategy 2012-2017 aims to meet local needs and deliver value for money.
- 1.11 The Council is a signatory to the One Compact for Hampshire, which is a set of principles that determine how the statutory and voluntary/community sectors will engage with one another. Wherever practicable the Council will endeavour to comply with the consultation guidelines set out in the Compact.
- 1.12 Havant Borough Council 's elected members represent the community in local planning matters. Councillors are at the head of the Council's decision-making process and provide the primary links between communities and many of the Council's functions. Councillor engagement with their communities is critical to the delivery of the localism agenda.

## 2.0 INVOLVING THE HAVANT COMMUNITY

2.1 Havant Borough Council is committed to positive and constructive engagement with the community it serves, and endeavours to involve as many organisations and local people as possible in the planning process.

### Whom to consult?

2.2 The Planning Policy team have established a Local Plan database, which includes the contact details for all individuals and organisations who are interested in the Havant Borough Local Plan. As of December 2013 there were over 3,000 interested individuals on the database.

2.3 The Local Plan database is the first point of reference in determining which groups should be consulted when the local plan and other planning policy documents are prepared. The database may be shared with partners in East Hampshire District Council for more effective engagement. The full list of consultees is set out in Appendix 1 and is sub-divided into four categories -

- (i) Specific consultation bodies under the duty to co-operate including:
  - Neighbouring local planning authorities namely Portsmouth City Council, Winchester City Council, East Hampshire District Council and Chichester District Council
  - Hampshire County Council
  - Any other 'prescribed' body including the Environment Agency, English Heritage and Natural England.
  
- (ii) Other specific and general consultation bodies including:
  - Parish councils of neighbouring planning authorities
  - Infrastructure providers
  - Emergency Services.
  
- (iii) The local community including:
  - General public
  - Community forums / panels / networks
  - Resident / community / civic societies and associations
  - Local businesses and business groups
  - Charity and voluntary organisations
  - Under-represented groups within the community.
  
- (iv) The extended community including:
  - Landowners, developers and agents
  - National and sub-regional interest groups
  - General business and industry
  - Housing bodies
  - Transport bodies.

## Principles of Community Involvement

### (i) Meeting minimum standards

- 2.4 The minimum standards for community involvement in the preparation of Local Development Documents are set out in Town and Country Planning (Local Planning) (England) Regulations 2012. Those for planning applications are set out in the Development Management Procedure Order 2010. Havant Borough Council currently meets these minimum standards and exceeds them in many cases.

### (ii) Continuous involvement

- 2.5 Community engagement should occur throughout the various stages of preparing the local plan. To be truly effective, this must provide appropriate opportunities for information, participation, consultation and response. For planning applications, particularly 'significant' ones, this means involving the community as early as possible in the pre-application stage, through to notifying interested groups and individuals of the Council's decision.

### (iii) General access to information

- 2.6 All planning information should be accessible to the whole community. The Council will do its best to write all consultation documents in plain English, avoiding jargon and over-use of abbreviations wherever possible. Its website will be kept up-to-date with information on local planning policy documents and planning applications. The website will be the primary means of providing information. Documents are also available for public inspection at the Public Service Plaza during office hours (subject to the provisions of the Data Protection Act).

### (iv) 'Hard to reach' groups

- 2.7 One of the main aims of this revised SCI is to increase the scope of consultation and directly engage with those groups in our community who do not normally get involved, or who have limited opportunity to be involved, with the planning system. These have been under-represented in the planning process and include -
- Black and ethnic minority groups
  - People with disabilities
  - Those on low incomes
  - Those with low literacy levels
  - Lone parents
  - Working age people
  - Children and young people
  - People without access to the internet
  - Gypsies and travellers.

## How and when will the community be involved?

- 2.8 Corporately, the Council undertakes a wide variety of consultation measures and initiatives to involve individuals, business and other groups in the delivery of its services. With particular reference to the 'hard to reach' groups, these include -
- Hampshire & Isle of Wight Youth Options
  - Havant Borough 50+ Forum
  - Havant Diversity Network Forum
  - Havant Area Disability Access Group
  - Sure Start Parent Carer Forum.

- 2.9 The Council's strategy for community involvement aims to move away from the traditional (reactive) methods of consultation where plans and proposals tend to be presented to communities, as complete. Instead, the Council is seeking to promote a more pro-active strategy where the community itself becomes an active driver for change, in line with the themes and objectives of the Localism Act which aims to make the planning system more democratic and more effective. The main methods the Council will use to involve the community in the planning process are set out in table 1 at the end of this section.

### **Community Planning**

- 2.10 The Council is encouraging all communities in the Borough to have their own Community Plan. Such plans play a role in informing the Council and other partners of peoples' aspirations for the area in which they live, work or learn.
- 2.11 A Community Plan is a 'road map' for creating community change by specifying what will be done, who will do it and how it will be done. It is based on what local residents think about where they live, what they love or hate about it, and what they would like to see in their area in the future. Although the plan should be innovative and challenging, it must also be realistic and achievable. A Community Plan cannot stop development; but it can be used as a way to make sure decision makers know what is most important to local people when planning development. Subject to the details of each Community Plan it could be a material consideration in planning decisions.
- 2.12 The Council's Community Team currently supports the following groups to develop local Community Plans:
- Hayling Island Community Network/ Hayling Island Residents' Association
  - Bedhampton Community Network
  - Waterlooville Community Forum
  - Leigh Park Community Forum
  - Barncroft & West Leigh Community First Panels.
- 2.13 Although not working towards a Community Plan in the Emsworth area, the Emsworth Residents' Association is working closely with the Emsworth Community Association, Emsworth Business Association and other smaller groups in the area to identify community needs.
- 2.14 Such initiatives, along with the Local Plan and Supplementary Planning Documents, will enable local communities to participate in and promote the Government's Localism agenda.

**Table 1: Community Involvement Methods**

<b>Method</b>	<b>Description</b>	<b>Engagement type</b>
<b>Public Service Plaza</b>	Community hub	General <b>information</b> and advice on planning and all other Council services.
<b>'Serving You'</b>	Council's in-house magazine, delivered three times a year to every household in the borough	<ul style="list-style-type: none"> <li>▪ <b>Information</b> on forthcoming local plan consultations and major planning applications</li> <li>▪ <b>Feedback</b> on previous consultations</li> </ul>
<b>Press Releases</b>	To local newspapers, radio and TV, plus local magazine and newsletter editors concerning Local Plan documents, major planning applications and other opportunities for public involvement, for example, through social media	<ul style="list-style-type: none"> <li>▪ <b>Information</b> on local plan, planning applications and opportunities to comment</li> <li>▪ <b>Feedback</b> on previous consultations</li> </ul>
<b>Local Plan Newsletter</b>	<ul style="list-style-type: none"> <li>▪ Produced quarterly or more frequently as necessary – emailed to everyone with an email contact on local plan database, all Councillors, Skills and Employability Partnership Board, community teams and on Council website and social media feeds.</li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>Information</b> on local plan and opportunities to get involved</li> <li>▪ General planning <b>information</b> and advice</li> </ul>
<b>Leaflets</b>	<ul style="list-style-type: none"> <li>▪ Readable and accessible summaries of Local Plan documents, highlighting opportunities to get involved</li> <li>▪ Published on the website and distributed in libraries</li> <li>▪ Continue to produce and keep up-to-date the planning advice notes available on the website and at the Public Service Plaza</li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>Information</b> on local plan and opportunities to get involved</li> <li>▪ General planning <b>information</b> and advice</li> </ul>
<b>Council website</b>	<ul style="list-style-type: none"> <li>▪ Information and access to Local Plan documents and opportunities to comment</li> <li>▪ Information and opportunities to comment on planning applications</li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>Information</b> - up to date information on local plan documents and planning applications</li> <li>▪ <b>Consultation</b> - documents available online, and make use of online questionnaires and comment forms</li> <li>▪ <b>Feedback</b> on previous consultations and applications</li> </ul>

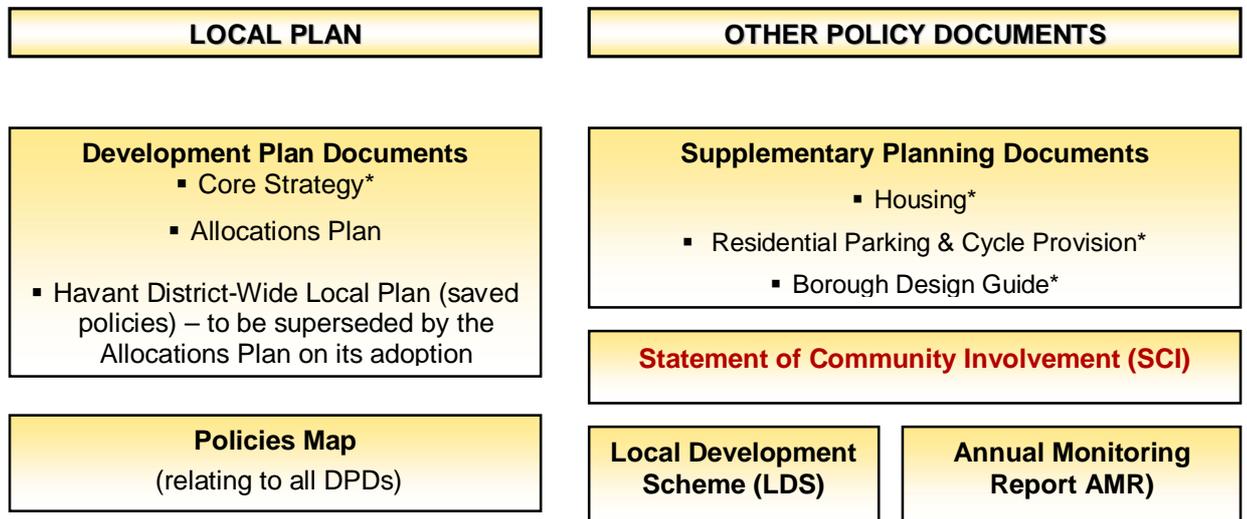
Method	Description	Engagement type
<b>Written consultation</b>	<ul style="list-style-type: none"> <li>▪ Contact statutory consultees, organisations, residents' associations and other community groups at each consultation stage of Local Plan documents</li> <li>▪ Also contact previous respondents at subsequent stages</li> <li>▪ Notify neighbouring properties</li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>Information</b> on local plan and consultations.</li> <li>▪ <b>Consultation</b> - where appropriate copies of draft documents or questionnaires will be issued</li> <li>▪ <b>Feedback</b> on previous consultations</li> <li>▪ <b>Written consultation</b> on applications and feedback on decision</li> </ul>
<b>E-mail</b>	<ul style="list-style-type: none"> <li>▪ Direct consultations to those who have requested to be contacted by e-mail</li> <li>▪ Investigate scope to circulate documents electronically</li> <li>▪ Comments on planning applications</li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>Information</b> on local plan and consultations</li> <li>▪ <b>Consultation</b> - where appropriate copies of draft documents or questionnaires will be issued</li> <li>▪ <b>Feedback</b> on previous consultations</li> <li>▪ <b>Opportunity to respond</b> to applications via email</li> </ul>
<b>Exhibitions/Displays</b>	<ul style="list-style-type: none"> <li>▪ Provided at key stages in the production of Local Plan documents at the Public Service Plaza, libraries, community centres, shopping centres and other public buildings as appropriate</li> <li>▪ Could also be used to publicise significant applications where appropriate</li> <li>▪ Use of the Council's exhibition/display trailer</li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>Information</b> on local plan, significant planning applications and consultation opportunities</li> <li>▪ <b>Participation</b> - where displays are staffed by Council officers or applicants</li> </ul>
<b>Community Networks/ Forums, Residents' Associations, Hants Youth Options, Havant 50+ Forum, Disability Access Group, Diversity Network Forum and other public meetings</b>	<ul style="list-style-type: none"> <li>▪ Means of raising awareness and of opportunities to comment</li> <li>▪ Opportunities for question and answer sessions with planning officers and other specialists where necessary</li> <li>▪ Presentations could be on particular Local Plan documents or on specific development proposals</li> <li>▪ Could involve statutory consultees where appropriate</li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>Information</b> on local plan, applications/proposals and consultation opportunities</li> <li>▪ <b>Participation</b> - opportunities to discuss projects and proposals and feedback ideas</li> <li>▪ <b>Consultation and feedback</b> on options, draft proposals and specific planning applications</li> </ul>
<b>Design Panels</b>	Independently-appointed architects, designers and development professionals who provide unbiased design	<b>Consultation and feedback</b> on specific planning applications and other proposals

Method	Description	Engagement type
	advice	
<b>Enquiry by Design Events</b>	<ul style="list-style-type: none"> <li>▪ Allows small groups of professionals and non-professionals to work together to develop planning and design ideas</li> <li>▪ Could also be used for significant development proposals</li> </ul>	<b>Participation</b> - particularly for specific area-based projects/ development proposals
<b>Planning / Community Workshops</b>	<ul style="list-style-type: none"> <li>▪ Means of getting main stakeholders and wider community to work together to explore options for an area or particular site</li> <li>▪ Could also include techniques such as 'Planning for Real' for significant development proposals</li> </ul>	<b>Participation</b> - particularly for specific area-based projects/ development proposals
<b>Village Design Statements<sup>1</sup></b>	Produced by communities to identify local character and help guide new development.	<b>Consultation and participation</b> - opportunity for input into producing the plan

### 3.0 DEVELOPMENT PLANS

3.1 Havant Borough’s portfolio of local planning policy and other documents includes the Statement of Community Involvement (SCI). Its present structure is illustrated in figure 3.1.

**Figure 3.1: Havant Borough Local Plan and other planning documents**



\* adopted

3.2 In the past, consultation on development plans tended to be a ‘top down’ exercise in which the views of the local community were sought after draft proposals/policies had been prepared by the Council. In such cases, the draft plan(s) could sometimes be the first contact between the Council and the community it serves. The ‘front loading’ of consultation exercises has done much to improve this situation by promoting earlier, pro-active community engagement.

3.3 The National Planning Policy Framework (NPPF) stresses the importance of early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses in the plan-making process. Along with the Localism Act, new Local Planning and Neighbourhood Planning Regulations (2012) provide the opportunity to take such initiatives further, and to empower local communities in development planning. The approach aims to maximise ‘buy-in’ from local communities in terms of their ‘ownership’ of future development, and to minimise anti-development attitudes that can hinder economic growth. The new regulations allow local planning authorities greater flexibility to prescribe consultation programmes in ways they consider appropriate for the type of document concerned.

#### Local Plans

3.4 The Havant Borough Local Plan is in two parts: the Core Strategy (adopted 2011) and the Allocations Plan (programmed for adoption in 2014). The minimum standards for consultation in the preparation of local plans set out in the regulations are:

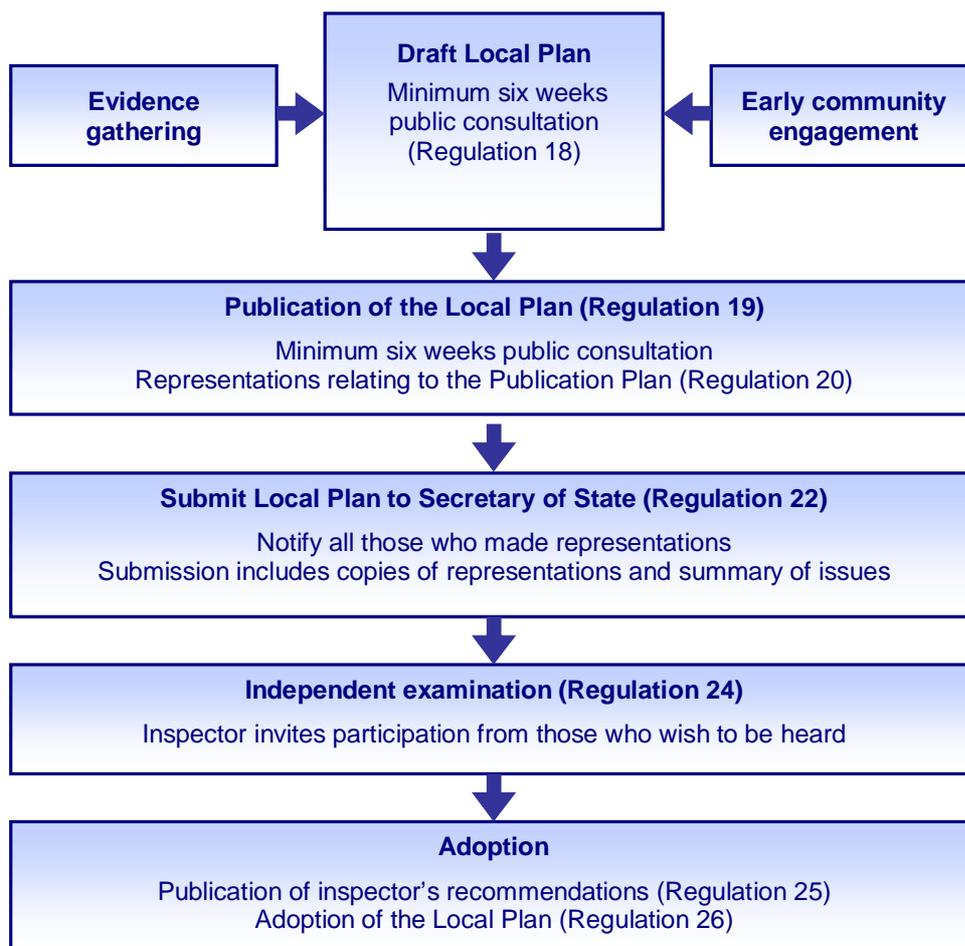
- A period for the submission of representations of not less than six weeks
- Notify certain bodies of the subject of a local plan, and invite representations about what the plan should contain
- Notify and issue information to specific and general consultation bodies
- Notification to residents and businesses as the Council considers appropriate.

- Make documents available on the Council’s website, as well as copies to any person requesting copies of them
- Make information available at the principal Council office, and at other places in the area as the Council considers appropriate
- Publish a statement setting out who has been consulted, how this consultation was undertaken, a summary of any issues raised and details of how these have been addressed.

3.5 Whenever possible, the Borough Council will endeavour to exceed the minimum requirements, and every effort will be made to undertake consultations at appropriate times, taking into account school terms and public holidays. Where these times are unavoidable due to the need to make progress on preparing the development plan, the Council may extend the consultation period beyond the minimum time, but not beyond any maximum prescribed period.

3.6 The Council’s approach to community involvement during the preparation of the local plan is set out in figure 3.2. These are broadly divided between the informal stages of evidence gathering, early community involvement and draft consultation documents (together referred to as ‘front loading’), and the more formal processes of publication, submission, examination and adoption.

**Figure 3.2: Local Plan preparation**



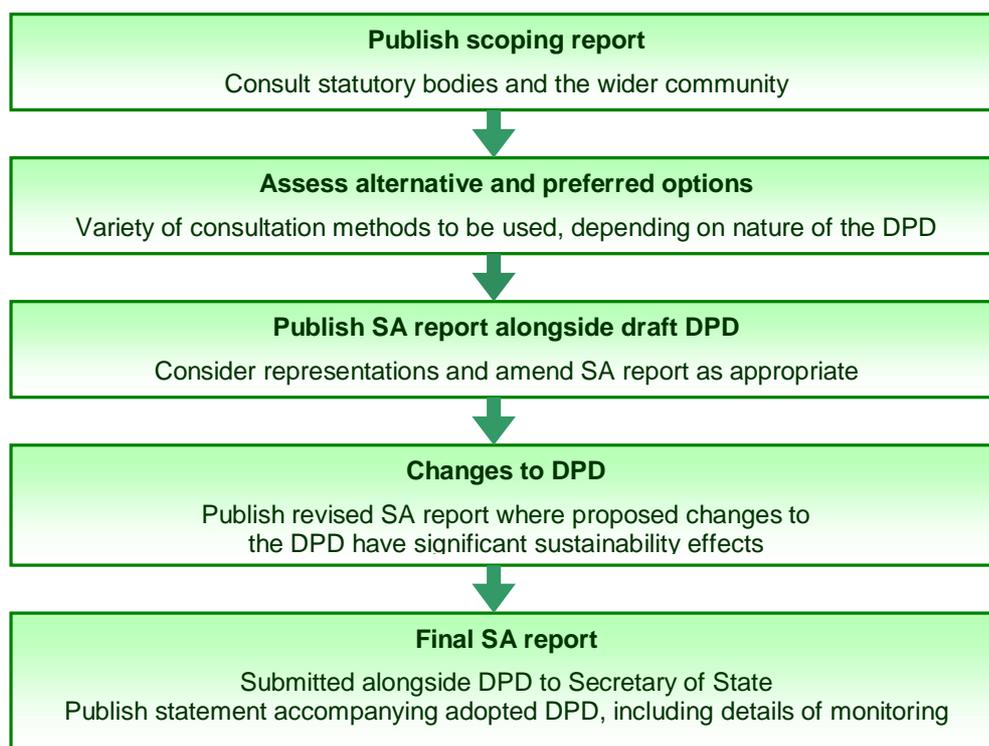
## Supplementary Planning Documents

- 3.7 Supplementary Planning Documents (SPDs) cover a range of issues (by subject or specific sites) that provide further details to adopted policies in the Local Plan. The NPPF paragraph 153 states that ‘*supplementary planning documents should be used where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens on development*’. The degree of community involvement will vary according to the nature of the SPD, and the methods used will be proportionate to the nature of the document.
- 3.8 The process for adopting SPDs requires only one stage of public consultation (minimum four weeks) and there is no independent examination. Before adoption, the council must prepare a statement setting out the persons/organisations consulted, a summary of the issues raised, and how those issues have been addressed in the SPD.

## Sustainability Appraisals

- 3.9 All plan, policies and programmes require a Sustainability Appraisal (SA). This involves an assessment of the document’s economic, social and environmental impacts and performs a key role in providing a sound evidence base for the plan. A report on the findings is published alongside the plan.
- 3.10 The SA process fully incorporates the requirements of the European Directive on Strategic Environmental Assessment (SEA), which requires an assessment of the significant environmental effects of the local plan. The legal requirements to carry out SA and SEA, while different, are usually combined into a single process that meets the requirements of both. The process is set out in figure 3.3 below.

**Figure 3.3: The Sustainability Appraisal process**



- 3.11 While an SA is not required for SPDs, it is still necessary for the Council to publish a screening report which draws on the SA of the parent Local Plan, and which clarifies whether or not the SPD is likely to lead to any further significant effects. The screening report should also ensure that any requirements under the European Directive are met for the SPD.
- 3.12 Public consultation on other policy documents or site-specific proposals prepared by the council (e.g. management plans, design frameworks, conservation area appraisals) will be undertaken as appropriate, according to the nature and scope of the document concerned.

### **Neighbourhood planning**

- 3.13 The Localism Act also introduced neighbourhood development plans, which parish councils or neighbourhood forums will be able to prepare. Such plans will have the power, if the community so wishes, to promote more development than is set out in the strategic policies of the local plan. They must generally conform with national planning policies (NPPF) and those of the local plan, and be assessed by an independent examination before they can go to a local referendum. If the neighbourhood plan is approved by a majority then the Council would approve it as part of the development plan and relevant planning applications will be assessed against it.
- 3.14 If a community wishes to simplify the process for allowing development, it can propose a Neighbourhood Development Order or a Community Right to Build Order, either instead of, or in conjunction with, a neighbourhood plan. This will effectively grant planning permission for certain types of development in specified areas. Such orders, however, cannot remove the need for other permissions such as listed building or conservation area consent.
- 3.15 Any community in the five areas of the Borough could undertake a neighbourhood plan, subject to meeting the 'qualifying body' requirements set out in legislation and regulations. The first step in this process is to make an application for designation as a 'neighbourhood area' and appropriate 'neighbourhood forum' to the Borough Council.

### **Duty to co-operate**

- 3.16 The Localism Act requires neighbouring local authorities, groups of authorities and/or other public bodies to work together on planning issues that cross administrative boundaries, particularly those which relate to strategic priorities (as set out in paragraph 156 of the NPPF). The 'duty to co-operate' is a statutory requirement for all local planning authorities in relation to the planning of sustainable development.
- 3.17 The Borough Council will continue to work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly co-ordinated and reflected in the preparation of the local plan and other Development Plan Documents. In that respect, the Council has taken a leading role in the Partnership for Urban South Hampshire (PUSH) and is continuing to develop wider co-operation with the Solent Local Enterprise Partnership and other appropriate bodies. The extent to which a Council has undertaken this duty will be scrutinised as part of the independent examination of its local plan.

## **Responding to comments**

- 3.18 Representations on local development documents must be made in writing, whether by post or email. All comments received in formal consultation periods cannot be treated as confidential and will be available for public inspection at the Havant Public Service Plaza. All comments received will be taken into account in the continuing preparation of that particular document. Respondents will be added to the local plan database and will be contacted at each subsequent stage to inform them of progress and of opportunities for further involvement. More general feedback will be provided using the methods outlined in Table 1, particularly by keeping the Council's website up to date.
- 3.19 When local plans are formally published and submitted to the Secretary of State for independent examination, the documentation must include a statement of representations. This sets out the ways in which the Council has engaged the community in the preparation of the plan in accordance with the regulations and the procedures prescribed in this SCI. It provides details of who has been involved; when and how they have been engaged in the process; and the Council's responses to the representations and how these have been taken into account in preparing the relevant document.

## 4.0 PLANNING APPLICATIONS

### Consultation

- 4.1 The Borough Council considers it very important that local people are involved in the development management process as early as possible. The Council therefore encourages applicants on major, significant or sensitive sites to engage with the community before a planning application is actually submitted.
- 4.2 Since the last SCI was adopted in 2006, the Council has introduced new consultation measures designed to address this issue, namely -
- Development Consultation Forums (DCF)
  - Design/Architect Panels; and
  - Community Networks/Forums.
- 4.3 **Development Consultations Forums (DCF)**  
Pre-application discussions between the Council and developers/applicants are confidential unless and until applicants wish to publicise their proposals with the local community. This can be done independently, but the Council's preferred method, particularly where 'significant' applications are concerned, is to arrange a DCF. These meet in public and provide the opportunity for an applicant or developer to explain proposals directly to Councillors, residents' associations, key stakeholders and the general public at an early stage in the pre-application process. In particular, a Forum will seek to:
- identify any issues that may be considered in a formal application;
  - inform pre-application discussions between officers and the developer; and
  - enable the developer to shape an application to address community issues.
- 4.4 The DCF gives local people a chance to influence proposals at an earlier stage in the development process, and aims to reduce delay and frustration in determining applications. The initiative is supported by a requirement in the Localism Act (section 122) for applicants to consult local communities before submitting certain types of application.
- 4.5 **Design/Architect Panel**  
The Council may also refer significant development proposals to the South East Regional Design Panel or the Portsmouth, Fareham, Gosport & Havant Architects' Panel. These comprise independently-appointed architects, designers and development professionals who provide unbiased design advice to the Council. There is an Emsworth Design Review Panel that provides advice on development in Emsworth and can on a discretionary basis also advise on sensitive development proposals elsewhere in the Borough.
- 4.6 **Community Networks/Forums**  
Applicants are encouraged to make use of Community Forums and Networks and residents' associations by presenting their ideas to them before submitting a major planning application. A major application is defined as a residential development of ten or more dwellings or 0.5 hectares and /or a commercial development of 1,000 square metres or more than 1 hectare.

## Publicity for applications

- 4.7 The Council will continue to carry out consultation on all planning applications to meet, and wherever possible exceed, the minimum requirements set out in the Town and Country Planning (Development Management Procedure) (England) Order 2010 as amended. Appendix 2 of this document shows a comparison of the minimum requirements for publicising planning applications and the Council's current procedures.
- 4.8 A weekly list of all registered applications and appeals is currently sent to local libraries, Councillors, amenity groups and other interested organisations. The list is also posted on public notice boards and on the Council's website.
- 4.9 Formal advertisements for certain types of application are placed in a local newspaper (The Hampshire Independent).
- 4.10 **Site notices** are displayed for 21 days, on or close to the site of all planning applications which have been subject to a formal newspaper advertisement. Notices are also placed for proposals affecting listed buildings and conservation areas; for developments for which there are no easily identifiable neighbours; and proposals affecting trees subject to Tree Preservation Orders.
- 4.11 **Neighbour notification** letters are sent to occupiers of premises or land adjacent to the application site. The number of neighbours notified will vary according to the size of the site. Neighbours will also be notified if a proposal is amended in a 'minor' way following the grant of planning permission, unless the amendments are considered not to be significant.
- 4.12 Current applications and appeal documents are publicly available for inspection at the Havant Public Service Plaza and on the Council's website.

## Making comments on a planning application

- 4.13 Anyone can comment on a planning application. Representations must be made in writing, by post or email, or by completing the comment form on the Council's website. Representations received cannot be treated in confidence and will form part of the planning application file which (subject to the Data Protection Act) is available to view online and at the Public Service Plaza. All representations are acknowledged and a reply is sent out with the outcome of the decision, which is also published on the Council's website. All representations are published on-line once they have been submitted to the Council.
- 4.14 All comments will be taken into account when the application is determined, but the Council can only properly consider comments on material considerations on relevant planning issues. A list of planning issues is set out in figure 4.1.

**Figure 4.1: Planning issues for planning applications**

<p><b><i>Relevant planning issues include:</i></b></p> <ul style="list-style-type: none"><li>• Local Plan policies</li><li>• Government guidance and legislation</li><li>• Design, layout and appearance of the proposal</li><li>• Highway safety and traffic generation</li><li>• Loss of amenity (i.e. effect on outlook, privacy or daylight).</li><li>• Effect on important trees</li><li>• Character of an area</li><li>• Noise and disturbance</li><li>• Intrusion into the countryside</li><li>• Pollution (e.g. air or water quality, noise)</li><li>• Flood risk</li><li>• Previous planning applications / decisions</li></ul> <p><b><i>Issues which are not normally relevant to the planning process include:</i></b></p> <ul style="list-style-type: none"><li>• Loss of property value</li><li>• Loss of private view</li><li>• Competition between businesses</li><li>• The applicant's motives</li><li>• Matters covered by other legislation (e.g. building regulations, licensing, legal covenants)</li><li>• Private disputes regarding land ownership or boundaries</li><li>• Moral objections (e.g. to uses such as betting offices or adult shops)</li></ul>
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- 4.15 The progress of applications of strategic importance can also be followed in the Council's magazine 'Serving You'. The 'Making Plans' section provides a summary of applications received, permitted or refused (including appeals), along with news of developments, which have recently commenced construction.

#### **Determining the application**

- 4.16 The Government expects local planning authorities to delegate approximately 90% of all decisions on applications to officers. Havant Borough Council consistently exceeds this target. The remaining applications - predominantly major proposals - are determined by the Development Management Committee (DMC) which usually sits every three weeks and is made up of seven Councillors from around the borough. Requests to have an application dealt with by DMC rather than by the officers must be made through your Ward Councillor in writing within four weeks of the receipt of a valid application by the Council. Officers will notify ward Councillors when five or more objections have been received on an application that the Council is minded to approve. The final decision on this will be made by the chair of DMC. Anyone making such a request is strongly advised to discuss their concerns about the application with the case officer beforehand.
- 4.17 If an application is to be considered by DMC, individuals (on behalf of themselves or organisations) and applicants (or their representatives) may personally address the meeting where the decision is due to be taken. Requests for such deputations must be made by prior arrangement.

- 4.18 Where an application is refused permission by the Council, the applicant has the right of appeal. Appeals are determined by the Planning Inspectorate who will take account of all the representations received, along with the appellant's and the Council's cases.

### **Planning Obligations and the Community Infrastructure Levy**

- 4.19 Planning Obligations are legal agreements made under section 106 of the Town & Country Planning Act 1990. Although superseded by section 12 of the Planning and Compensation Act 1991, the term 'section 106' persists in common usage with reference to obligations. They may be required by policy, for example affordable housing, or where a new development generates impacts on the community that need to be mitigated by contributions towards local facilities. The agreements (with the Council) are usually entered into by the landowner (and sometimes also by the developer) to ensure that the costs do not fall upon the community.
- 4.20 For major planning applications, the Council will encourage prospective developers to engage with relevant stakeholders in the community at the pre-application stage by setting out the details of the contributions they intend to provide. When the application is submitted, the Council will expect draft heads of terms of any planning obligation to accompany the application, so that consultation can take place before the application is determined. Where such an application is reported to the Development Management Committee, the officer's report will set out the proposed heads of terms.
- 4.21 The longstanding system of developer contributions via Section 106 agreements was largely replaced by the tariff-based Community Infrastructure Levy (CIL) in August 2013. The introduction of CIL limits the use of planning obligations to site-specific measures which may be required to make a development acceptable in planning terms, including affordable housing. To that end, such agreements need to meet three statutory tests (CIL Regulation 122), whereby they must be -
- necessary to make the development acceptable in planning terms;
  - directly related to the development; and
  - fairly and reasonably related in scale and kind to the development.
- 4.22 The Havant Borough Council CIL Charging Schedule was approved in February 2013, and charging commenced on 1<sup>st</sup> August 2013. CIL will need to be reviewed on adoption of the Local Plan (Allocations) due to changes to the town centre boundaries. This revision will be subject to the statutory rounds of consultation set out in the CIL Regulations 2010 (as amended 2011, 2012 and 2013).

### **What we expect from applicants**

- 4.23 Applications may need to be supported by a statement setting out how the applicant has complied with the requirements for pre-application consultation and demonstrating that the views of the local community have been sought and taken into account in the formulation of development proposals. The level of consultation should be proportionate to the scale and significance of the application.
- 4.24 This Statement does not seek to be prescriptive about the methods of community involvement that applicants should use to consult on or publicise their proposals. Equally, it does not discourage the use of innovative techniques. To guide applicants,

Table 2 below sets out the consultation techniques for the different types of applications at each stage of the process, and who is responsible for carrying them out. Subject to the nature and scale of the proposal, applicants will be encouraged to undertake as many of the suggested measures as possible.

- 4.25 The need for any wider community involvement, and the intentions of the applicant regarding the consultation methods, will be considered as part of pre-application discussions. A statement should be submitted with the application setting out the nature and scale of community involvement undertaken prior to finalising proposals in accordance with the requirements of the SCI.

**Table 2: Community Consultation on Planning Applications**

■ Required action ■ Optional action

Stage	Consultation Techniques	Category of Application		
		Significant*	Major**	Minor / Other***
PRE-APPLICATION	Press release	Applicant	-	-
	Leaflets	Applicant	-	-
	Public Exhibitions / Displays	Applicant	-	-
	Planning / Community workshops	Applicant	Applicant	-
	Community Networks/Forums and Residents' Associations	Applicant	Applicant	Applicant
	Development Consultation Forum	Applicant Council	-	-
	Public meeting / presentations	Applicant	Applicant	-
APPLICATION	Community Networks/Forums and Residents' Associations	Applicant	Applicant	Applicant
	Neighbour notification	Council	Council	Council
	Site notice / press advert	Council	Council	Council
	Council website	Council	Council	Council
	Press release	Applicant	Applicant	-
	Leaflets	Applicant	-	-
	Public Exhibitions / Displays	Applicant	-	-
	Public meeting / presentations	Applicant	Applicant	-
	'Serving You'	Council	Council	-
Design / Architects' Panel	Council	Council	-	
POST-APPLICATION	Where a proposal is amended in a 'minor' way without a new planning application being required, and unless the amendments are insignificant, the Council will normally notify neighbours affected before a decision is reached as to whether the changes are acceptable. Significant amendments to proposals would require a new planning application and therefore would be subject to the Council's usual publicity procedures.			

- \* 'Significant' applications normally involve more than 50 dwellings; 5,000 sq m or more of employment floorspace; 2,500 sq m or more of retail floorspace; or 1,000 sq m or more of leisure floorspace.
- \*\* Major applications normally involve residential sites of 10 or more dwellings or 0.5 ha or more and/or commercial sites of 1,000 sq m or more, *or* more than 1 ha.
- \*\*\*Minor/other applications includes all other applications which do not fall within the 'significant' or 'major' categories, such as proposals for fewer than 10 dwellings; buildings with a floor area of less than 1,000m<sup>2</sup>; change of use; householder development; advertisements; listed building or conservation area consent; or certificate of lawfulness for existing or proposed use.

## 5.0 RESOURCES

- 5.1 Providing and supporting the range of consultation initiatives set out in this SCI will need to be carefully managed in order to achieve the best balance between what the Council needs to do (its statutory obligations), what it would wish to do (for the most effective community involvement), and the financial and staffing resources available to do so.
- 5.2 In order to make the most effective use of limited resources, the work of the Council's community, housing, transport, economic development and planning teams will be co-ordinated and focused on delivering the community involvement principles of the Localism Act. This will be complemented by further shared and collaborative working with neighbouring councils and other relevant bodies under the duty to co-operate.
- 5.3 Community involvement in the production of the local plan will be the responsibility of the Planning Policy and Urban Design Team, with support from other service departments on issues such as housing, economic development, community regeneration, climate change, environmental health and historic buildings.
- 5.4 The Council has set up a **Local Plan Members' Panel** to oversee the production of the plan. This includes the Planning & Built Environment Portfolio Holder, the Chairman of the Development Management Committee and other appointed Councillors. Its terms of reference are:
1. To provide member strategic input to the preparation of the Local Plan, Community Infrastructure Levy (CIL), Statement of Community Involvement (SCI) and any other planning policy documents.
  2. To monitor and review progress on these planning policy documents in accordance with the Local Development Scheme (LDS) (programme plan).
  3. To consider the findings of the Annual Monitoring Report (AMR), which monitor the implementation of planning policies and authorise the Portfolio Holder to agree any formal Submission of the AMR to government
- 5.5 The Panel is serviced by the Planning Policy Shared Service Manager and Team Leader, and meetings are held according to the programme of work, ensuring that Councillors are fully involved in the local plan process.
- 5.6 Officers in Development Management will have responsibility for pre-application advice and formal consultation on applications, as well as organising specific community involvement with regard to applications, such as Development Consultation Forums and Community Forum/Network meetings.
- 5.7 The Royal Town Planning Institute's **Planning Aid** service provides free, independent and professional town planning advice and support to communities and individuals who cannot afford to pay fees to a planning consultant. Where appropriate, the Council will consider using its services to facilitate community events, especially local plan consultation exercises and community planning initiatives.

## **6.0 MONITORING AND REVIEW**

- 6.1 The Council will actively monitor the success of its community involvement techniques in the Annual Monitoring Report (AMR). This will ensure that the procedures are achieving an effective level of representation amongst the community and that they are making best use of resources.
- 6.2 The Council will consider revising the SCI where monitoring information concludes that there is substantial dissatisfaction with the community involvement processes for developing local planning policy or considering planning applications. This will not preclude any minor adjustments to the methods of consultation, or updates to the consultation database.
- 6.3 The SCI is not intended to be a static document. It needs to be responsive to future developments in any of the various involvement techniques available to the Council. In particular, it will need to embrace future neighbourhood-based initiatives that may emerge from the reforms to the planning system as a result of the Localism Act.

## APPENDIX 1

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**List of Consultees** to be consulted in accordance with statutory regulations and as appropriate, Note: this list also relates to successor bodies where re-organisations occur.

▪ **Specific Consultation Bodies under the Duty to Co-operate (including prescribed bodies relevant to Havant BC)**

Chichester District Council  
Civil Aviation Authority  
East Hampshire District Council  
English Heritage  
Environment Agency  
Hampshire County Council (highways)  
The Highways Authority  
Homes and Communities Agency  
Marine Management Organisation  
Natural England  
Office of Rail Regulation  
Portsmouth City Council  
Solent Local Enterprise Partnership  
Solent Local Nature Partnership  
South Eastern Hampshire Clinical Commissioning Group  
Winchester City Council

▪ **Other Specific and General Consultation Bodies**

British Marine Federation  
Central Government Departments\*  
Chichester Harbour Conservancy  
Denmead Parish Council  
Design Council  
Hampshire Constabulary  
Hampshire Fire and Rescue Service  
Highways Agency  
Horndean Parish Council  
Local Transport Companies\*  
Network Rail  
Partnership for Urban South Hampshire (PUSH)  
Queen's Harbourmaster  
Rowlands Castle Parish Council  
Royal Mail  
Southbourne Parish Council  
South Central Ambulance Service  
Southwick & Widley Parish Council  
Stoughton Parish Council  
Utility companies (gas, electricity, telecommunications and water supply services)\*  
Westbourne Parish Council  
West Sussex County Council  
West Thorney Parish Council

## ▪ **The Local Community**

Barncroft & West Leigh Community First Panels  
Bedhampton Society  
Bedhampton Society Environmental Group  
Bosmere Hundred Society  
Brockhampton Residents' Association  
Brook Meadow Group  
Campaign to Protect Rural England (South Hampshire Group)  
Chidham Park Residents' Association  
Community Associations\*  
Cowplain Business Association  
Emsworth Conservation Society  
Emsworth Residents' Association  
Estate Agents\*  
Faith Groups\*  
Friends of Chichester Harbour  
Friends of Langstone Harbour  
Friends of Nore Barn Wood  
Friends of the Earth (Havant branch)  
Green Party (South East Hampshire)  
Hampshire & Isle of Wight Youth Options  
Hampshire Wildlife Trust  
Havant & District Horticultural Society  
Havant 50+ Forum  
Havant and Bedhampton Community Network  
Havant Area Disability Access Group  
Havant Business Association  
Havant Conservation Action Group  
Havant Council of Community Service  
Havant District Residents' Liaison Group  
Havant Diversity Network Forum  
Hayling Island Community Network  
Hayling Island Residents' Association  
Langstone Conservation Group  
Langstone Harbour Board  
Langstone Residents' Association  
Langstone Village Association  
Leigh Park Business Association  
Leigh Park Community Forum  
Maisemore Gardens Residents' Group  
Manor Close Residents' Association  
Member of European Parliament  
Member of Parliament  
Mengham Traders' Association  
Neighbourhood Watch Groups\*  
North East Hayling Residents' Association  
North Havant Residents' Association  
North Hazelton Residents' Association  
North Hill Bedhampton Residents' Association  
Nursery Road and Tulip Gardens Residents' Association

Oak Park Residents' Association  
Parchment Residents' Association  
Planning and development consultants/agents\*  
Political social clubs\*  
Portsmouth & SE Hampshire Chamber of Commerce and Industry  
Purbrook and District Residents' Association (PADRA)  
Purbrook and Widley Area Residents' Association  
Ramsdale Environmental Group  
Save Old Bedhampton Association  
Schools and colleges\*  
Solent Forum  
Solent Protection Society  
Southern Tourist Board  
Springwood Community Partnership  
Wade Court Residents' Association  
Warblington and Denvilles Residents' Association  
Warren Park Residents' Association  
Waterlooville and District Residents' Association  
Waterlooville Business Association  
Waterlooville Community Forum  
Waterlooville Trust  
West Bedhampton Residents' Association

▪ **The Extended Community**

Age UK  
Developers/Housebuilders\*  
Disability Rights Commission  
English Partnerships  
Equality and Human Rights Commission  
Family Support Groups\*  
Fields in Trust  
Forestry Commission  
Gypsy and Traveller Bodies\*  
Health and Safety Executive  
Homebuilders Federation  
Housing Associations\*  
Housing Corporation  
Major Local Businesses\*  
National Farmers' Union  
Planning Aid  
Road Haulage Association  
Royal Society for the Protection of Birds  
Skills Funding Agency  
Sport England  
Theatres Trust  
Women's Institute  
Women's National Commission  
WRVS

\* Comprise one or more organisations whose individual details are recorded in the Council's database of consultees

## APPENDIX 2

### PUBLICITY FOR PLANNING APPLICATIONS

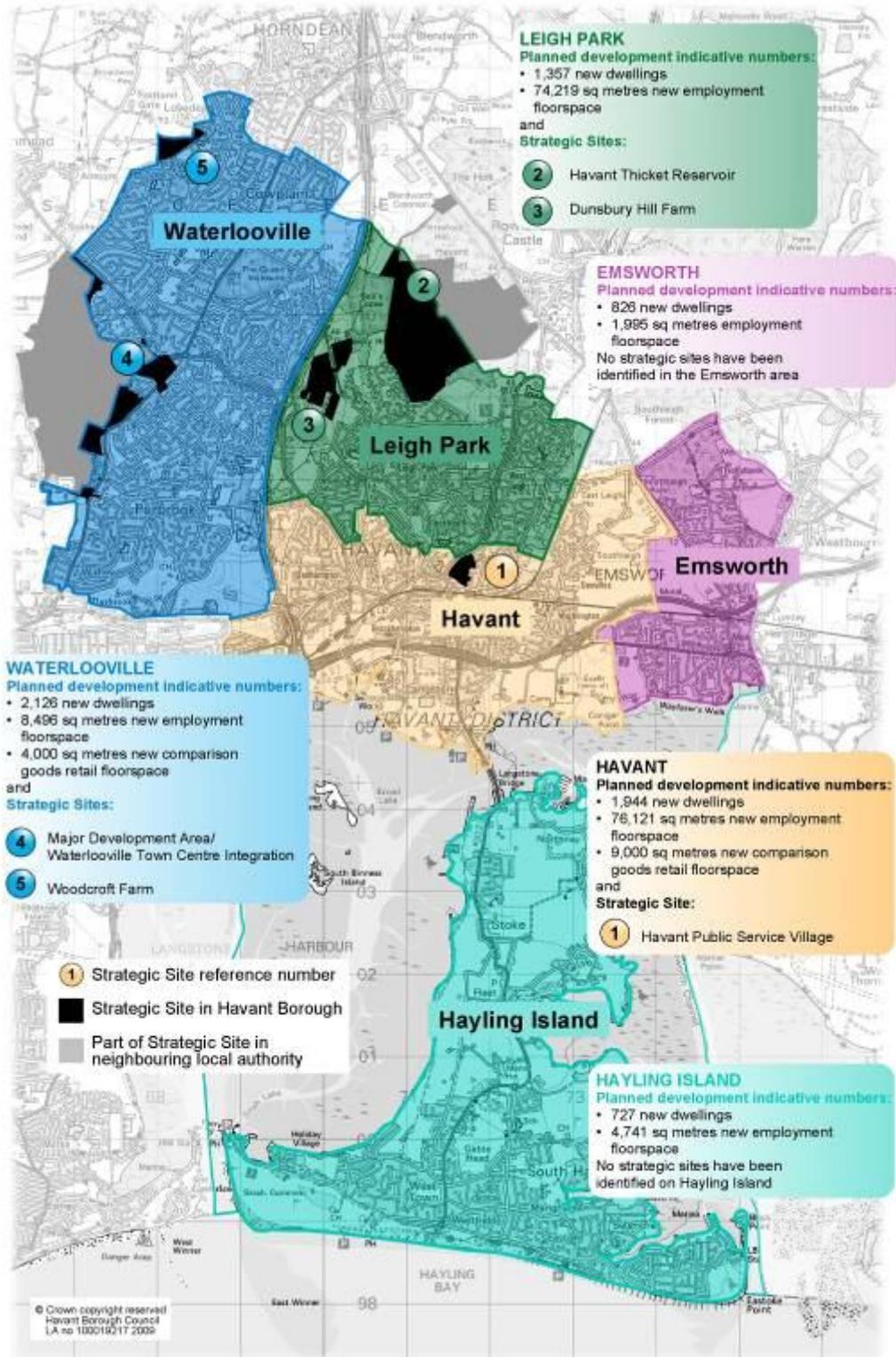
Nature of development	Publicity required by the Town and Country Planning (Development Management Procedure) (England) Order 2010	Publicity carried out by Havant Borough Council
Application accompanied by Environmental Statement	<ul style="list-style-type: none"> <li>▪ Advertisement in local newspaper</li> <li>▪ Site notice</li> </ul>	<ul style="list-style-type: none"> <li>▪ Advertisement in local newspaper</li> <li>▪ Site notice</li> <li>▪ Neighbour notification*</li> <li>▪ Website</li> </ul>
Proposal departs from the Development Plan		
Development affecting a public right of way		
Development affecting the setting of a listed building		
Development affecting the character or appearance of a conservation area		
Major development	<ul style="list-style-type: none"> <li>▪ Advertisement in local newspaper</li> <li>▪ <b>Either</b> site notice <b>or</b> neighbour notification</li> </ul>	<ul style="list-style-type: none"> <li>▪ Advertisement in local newspaper</li> <li>▪ Site notice</li> <li>▪ Neighbour notification*</li> <li>▪ Website</li> </ul>
Listed building or conservation area consent	<ul style="list-style-type: none"> <li>▪ Site notice</li> <li><b>or</b></li> <li>▪ Neighbour notification</li> </ul>	<ul style="list-style-type: none"> <li>▪ Advertisement in local newspaper <b>and/or</b> site notice**</li> <li>▪ Neighbour notification*</li> <li>▪ Website</li> </ul>
Minor development		
<ul style="list-style-type: none"> <li>▪ <b>Householder applications</b></li> <li>▪ <b>Minor alterations to commercial properties</b></li> <li>▪ <b>Advertisement applications</b></li> <li>▪ <b>Trees</b></li> </ul>		<ul style="list-style-type: none"> <li>▪ Neighbour notification*</li> <li>▪ Website</li> </ul>

\* Normally, individual letters to all neighbours adjacent to the application site.

\*\* Only for applications likely to be of wider interest. These include those which:

- affect nearby property by causing noise, smell, vibration, dust or other nuisance;
- attract crowds, traffic and noise into a generally quiet area;
- cause activity and noise during unsocial hours;
- introduce significant change, such as tall buildings;
- result in serious loss of light and privacy beyond adjacent properties; or
- affect the setting of an ancient monument or known archaeological site.

THE FIVE AREAS OF THE BOROUGH  
(Local Plan [Core Strategy] Key Diagram)



## APPENDIX 4

### GLOSSARY OF TERMS AND ABBREVIATIONS

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**Core Strategy** - A Development Plan Document that sets out the long-term spatial vision for the local planning authority area, along with the spatial objectives and strategic policies to deliver that vision. Havant's Core Strategy is the first part of the Borough Local Plan.

**Development Plan Documents (DPD)** - Planning policy documents that are subject to independent Examination. They can include a Core Strategy, Site Specific Allocations of land and Area Action Plans (where needed). Other DPDs, including generic development management policies, can also be prepared. All DPDs must be based on a robust and credible **evidence base incorporating participation (evidence of the views of the local community and other stakeholders); and research / fact finding (evidence that policies are backed up by the background facts)**.

**Examination** - Proceedings which deal with the legal compliance and 'soundness' of Development Plan Documents. It is chaired by an independent Planning Inspector. A 'sound' DPD must be **positively prepared, justified, effective and consistent with national policy**.

**Local Development Scheme (LDS)** - Sets out the programme for preparing Local Development Documents.

**National Planning Policy Framework (NPPF)** - Sets out the government's planning policies for England and how these are to be applied. It provides a framework within which local people and their accountable councils can produce local and neighbourhood plans which reflect the needs and priorities of their communities.

**Policies Map** - Illustrates on a base map (to a registered scale) all the policies contained in Development Plan Documents, along with any saved local plan policies. It must be revised as each new Development Plan Document is adopted, and it should always reflect the up-to-date planning strategy for the area.

**Site Specific Allocations** – A DPD which identifies and allocates sites for specific or mixed uses or development and policies. The second part of the Havant Borough Local Plan is the 'Allocations Plan'.

**Strategic Environmental Assessment (SEA)** - A generic term used to describe environmental assessment as applied to policies, plans and programmes. The European SEA Directive (2001/42/EC) requires a formal 'environmental assessment of certain plans and programmes, including those in the field of planning and land use'.

**Supplementary Planning Documents (SPD)** – A planning policy document that provides more detailed information in respect of the policies in Development Plan Documents. They do not form part of the Development Plan and are not subject to independent examination.

**Sustainability Appraisal (SA)** - A tool for appraising DPDs and policies to ensure they reflect sustainable development objectives (i.e. social, environmental and economic factors) and required in the Act to be undertaken for all local development documents.