

SURREY HEATH BOROUGH COUNCIL

LOCAL PLAN



Statement of Community Involvement (SCI)

Revised Version
2020



Great Place • Great Community • Great Future

Foreword

This Statement of Community Involvement (SCI) sets out how the Council will involve the community and stakeholders in the preparation of the Surrey Heath Local Plan and in planning applications.

By getting involved in planning documents and proposals at the early stages, residents, businesses and other stakeholders will have the opportunity to have a better say in shaping their local area.

The Council has a legal requirement to prepare an SCI and has had regard to national planning policy and legislation in preparing this revised version. This SCI, once adopted, will be an updated version of the SCI previously adopted by the Council in 2017.

We are updating the SCI now to ensure that it reflects the most up to date national planning policy and legislation. One of the main changes is the inclusion of the neighbourhood plan process and details of the support that the Council can provide to those communities preparing neighbourhood plans.

The Council is seeking views on this Draft revised SCI.

[Consultation details to be added]

Should you have any queries regarding this document including whether you would like a copy in large print, Braille or another language, please contact the Council on 01276 707100 or alternatively e-mail planning.policy@surreyheath.gov.uk

Printed and Published by:
Planning Policy and Conservation
Surrey Heath Borough Council
Surrey Heath House
Knoll Road
Camberley
GU15 3HD

Contents

| Section | Title | Page No |
|----------|--|-----------|
| 1 | Introduction | 4 |
| | What is a Statement of Community Involvement | 4 |
| | Duty to Involve | 5 |
| | Duty to Co-Operate | 5 |
| | Purposes and Benefits of Community Involvement | 5 |
| | Who will be involved | 6 |
| | Under- represented Groups | 6 |
| 2 | Links with other Plans and Strategies | 6 |
| | Surrey Heath Five Year Strategy | 6 |
| | Links with Other Documents | 7 |
| 3 | The Local Plan | 7 |
| | The Local Plan | 7 |
| | Table 1 Local Development Documents | 8 |
| | Table 2 Local Plan Documents | 9 |
| | Table 3 Supplementary Planning Documents | 11 |
| | Table 4 Public Consultation procedures and Methods for Background Documents supporting the Local Plan | 13 |
| | How will Comments and Responses on the Local Plan be dealt with? | 15 |
| 4 | Neighbourhood Plans | 15 |
| | Table 5 Steps in preparing a Neighbourhood Plan | 16 |
| 5 | Planning Applications | 18 |
| | Minor Developments | 18 |
| | Small scale Major Developments | 18 |
| | Large scale Major Developments | 18 |
| | Deciding Applications | 19 |
| | Surrey County Council Planning Applications | 20 |
| | Community Involvement at the Pre- Application Stage | 20 |
| | What the Council cannot do | 21 |
| | Table 6 Suggested measures for applicants to involve the public at the pre – application stage | 21 |
| | APPENDICES | 22 |
| 1 | Consultation Bodies for a Local Plan | 23 |
| 2 | Summary Neighbourhood Plan Process | 25 |
| 3 | Glossary of Terms for Community Involvement | 26 |

1 Introduction

What is a Statement of Community Involvement?

- 1.1 Surrey Heath Borough Council as Local Planning Authority is legally required² to produce a Statement of Community Involvement (SCI) and make it available on the website for the public to access. The SCI sets out how the Council will involve the community in the preparation of the Surrey Heath Local Plan and in the determination of planning applications. It also sets out the support that the Borough Council will provide to local communities in the preparation of neighbourhood plans.
- 1.2 In producing the SCI, the Council is setting out how it will promote effective public participation in the planning system. This will ensure that all sections of the community (local residents, businesses, landowners, interest groups, organisations) and stakeholders (national and regional organisations) have an opportunity to be actively involved at an early stage of the planning process. This involvement will continue through the preparation and revision of Local Plan documents and in significant development management decisions.

National Planning Policy and Legislation

- 1.3 In preparing the SCI, and in preparing planning documents and making planning decisions, the Council must have regard to national policy and legislation. These include:

The **National Planning Policy Framework** (NPPF), 2019

The key aims of national planning policy are to:

- Make sure a local plan, produced by communities, is the cornerstone of the planning system;
- Make planning more accessible for everyone;
- Raise design standards;
- Protect the natural and historic environment;
- Create a presumption in favour of sustainable development;
- Ensure that planning is as simple and as quick as possible, meaning that approval processes are simplified and thus supporting economic growth.

The **Localism Act** 2011.

The Act brought in the following:

- Community right to challenge – allowing local community groups the chance to procure important local services and deliver them for the borough;
- Neighbourhood Planning - allowing local communities to prepare plans to guide the planning of their local areas;
- Community right to bid – allowing local groups the opportunity to bid for buildings that the local authority has placed on a list of community assets;
- Abolition of Regional Strategies;
- Duty to co-operate – local authorities must work together, and with other prescribed bodies to co-operate on planning issues to provide outcomes.

² Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended).

The ***Duty to Involve***³

Imposes a duty on all local authorities to involve local representatives when carrying out "any of its functions" by providing information, consulting or "involving in another way". The duty is wide ranging and applies to the delivery of services, policy, and decision making.

The ***Duty to Co-Operate***⁴

Imposes a duty on a local authority to co-operate with specific bodies in relation to planning of sustainable development and strategic matters. A 'strategic matter' is defined as:

- a) sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas, and
- b) sustainable development or use of land in a two-tier area if the development or use
 - i. is a county matter,
 - ii. has or would have a significant impact on a county matter.

- 1.4 The duty to co-operate bodies and other key stakeholders and community groups to be consulted are set out in Appendix 1 of this document.

Purposes and Benefits of Community Involvement

- 1.5 Community involvement should be a continuous process which enables the local community to say what sort of place it wants to live in, at a stage when this can make a difference. The benefits of involving a wide range of people and organisations throughout the planning process include:

- Increased focus on the priorities identified by the local community;
- Increased understanding of the process;
- Consensus and ownership of the process;
- Influencing site specific proposals.

- 1.6 In coming to a view as to what should be included in the SCI, the Council has had regard to certain principles. The principles underpinning community involvement in planning are as follows:

- Arrangements should be built on an understanding of local needs and be fit for the purpose;
- The community and stakeholders should be involved as early as possible to provide people with a chance to discuss issues and options and the potential to make a difference;
- Use of methods which encourage engagement and are relevant;
- Providing feedback on decisions and an opportunity to see how ideas have developed through the process;

³ Imposed by Section 138 of the Local Government and Public Involvement in Health Act 2007

⁴ Imposed by Section 33A of the Planning and Compulsory Purchase Act 2004 (local development)

- Clear processes and rules on engagement so that people understand when they can participate and the rules for doing so;
- Building community involvement into the process from the start and links to other community involvement processes.

Who will be involved

- 1.7 The legal requirements for community involvement and public participation are set out in the Town and Country Planning (Local Development) (England) Regulations 2012⁵. The Borough Council will meet the legal requirements for involving the community in the preparation of the Local Plan and in determining planning applications. Further detail in relation to community involvement and public participation are set out in the relevant sections below.

Under Represented Groups

- 1.8 Under-represented groups are those that are traditionally under-represented in formal consultation. In Surrey Heath the following groups are considered particularly hard to reach:

- Black and Minority Ethnic (BME) Groups including Gypsies and Travellers
- Disabled People
- Young people
- Older People
- Lesbian, Gay, Bi-Sexual and Transgender (LGBT) groups
- Low income groups
- Members of the public who do not have access to, or the means to use the Internet

- 1.9 The Council will work with these groups to see how to best involve them in the Local Plan consultation process.

2 Links with other Plans and Strategies

Surrey Heath Five Year Strategy

- 2.1 The Surrey Heath Five Year Strategy sets out the vision, corporate objectives and key priorities of the Borough Council. The Local Plan has particular relevance to the following corporate objectives:

- Making Surrey Heath an even better place where people are happy to live
- Sustaining and promoting our local economy so that our people can work and do business across Surrey Heath
- Building and encouraging communities where people can live happily and healthily

⁵ Available at <http://www.legislation.gov.uk/uksi/2012/767/contents/made>

Links with other documents

- 2.2 Wherever possible regard will also be had to other documents which reflect the aspirations of local communities. Such documents could include Neighbourhood Plans, Parish Plans and Village Design Statements. These documents help to build links within the community, strengthen the evidence base and gather opinion. The factual information, views, opinions and priorities for action that these documents provide can inform the development plan process. Community led plans are an inclusive approach to planning at a local level and require minimal officer support.

3 The Local Plan

The Local Plan

- 3.1 Local Planning Authorities are required to produce a Local Plan. Local Plans set out the long term planning policies for an area against which planning applications are determined. Surrey Heath's 'Local Plan' currently consists of the Core Strategy and Development Management Policies Document (2012), the Camberley Town Centre Area Action Plan (AAP) (2014) and saved policies in the Local Plan 2000. In addition, the Windlesham Neighbourhood Plan has been "made" and therefore forms part of the Development Plan, against which planning applications are determined. Work on a new Local Plan has commenced and consultation on an Issues and Options/Preferred Options document took place in 2018.
- 3.2 The legal requirements for community involvement and public participation for the Local Plan are set out in the Town and Country Planning (Local Development) (England) Regulations 2012. Community involvement will be inclusive seeking to reach either all of those most affected or an appropriately chosen representative group. The organisations that the Council must consult comprise 'specific' and 'general' consultation bodies. These include statutory consultees, key stakeholders and general community groups and are listed in Appendix 1. The Council also retains a list of those groups/individuals which the Borough Council will also seek to involve in the Local Plan process as appropriate to their interests.
- 3.3 Tables 1 – 4 set out the stages at which community involvement will occur, who will be consulted, when it will occur and how organisations and individuals will be involved. With the growth in digital technology, the Council will explore how this can best be used to engage with the local community in planning consultations. Paragraphs 3.4 – 3.6 below explain how representations will be considered in the process.

Table 1 Procedures and Methods for Public Involvement in Local Development Documents that are not a Local Plan/SPD

| Document | Consultation & Notification What we will do | When will you be involved? | How will you be involved? |
|---|--|--|---|
| Local Development Scheme (LDS) | There is no legal requirement for consultation or notification. | | The LDS will be monitored on an annual basis and reviewed as required. The Council will accept representations seeking changes to the LDS at any time. These will be considered at the time of the LDS review. |
| Statement of Community Involvement (SCI) | There is no legal requirement for consultation or notification, however the Council will consult on revised versions of the SCI prior to adoption. | Consultation on draft revised versions of the SCI. | <p>The SCI will be monitored on an annual basis and subject to review as deemed appropriate by the Local Authority.</p> <p>All statutory consultees and identified stakeholders will be consulted in writing, e-mail and other forms of communication on draft revised versions of the SCI.</p> |
| Authority Monitoring Report (AMR) | The AMR will be produced on an annual basis (typically December). Following the enactment of the Localism Act 2011, the provision to consult the Secretary of State has been repealed. | | The AMR will be reviewed annually. The AMR will be published on the Council website and copies made available for inspection at local libraries and for purchase on request. |

Table 2 Procedures and Methods for Public Involvement in Local Plans

| Activity | Involvement & Notification What we will do | When will you be involved? | How will you be involved? |
|---|--|--|---|
| Issues and Options Stage/ Pre-Submission Stage Consultation (Regulation 18) | <p>Notify specific and general consultation bodies as the local planning authority consider appropriate. Make Local Plan documentation available to view as part of the consultation.</p> <p>Dependent upon the subject matter of the Local Plan, the Local Planning Authority may employ further engagement techniques as deemed appropriate e.g.</p> <ul style="list-style-type: none"> • Workshops for key stakeholders • Presentations to parish councils • Major articles in Council's Heathscene magazine to all households • Issue press release(s) | <p>Specific and general consultation bodies will be notified of the consultation period prior to the publication of the document.</p> <p>The consultation will run for a period not less than 6 weeks.</p> | <p>Documentation to be published on the website and placed in local libraries and at parish council offices. The Council will also use social media as a means of communication.</p> <p>Dependent upon the subject matter of the Local Plan, the Local Planning Authority may employ further engagement techniques as deemed appropriate.</p> |
| Publication of a local plan (Regulation 19) and Representations relating to a local plan (Regulation 20) | <p>Make Submission Documents and statement of the representations procedure available for inspection in accordance with Regulation 35 (see appendix 1) and send to statutory consultation bodies.</p> <p>Send to general consultation bodies invited to make representations under Regulation 18:</p> <p>A statement of the representations procedure;</p> | <p>Specific and general consultation bodies will be notified of the consultation period prior to the publication of the document.</p> <p>The consultation will run for a period not less than 6 weeks.</p> | <p>Documentation to be published on the website and placed in local libraries and at parish council offices.</p> <p>Any person may make representations about a local plan which the local planning authority proposes to submit.</p> |

| Activity | Involvement & Notification What we will do | When will you be involved? | How will you be involved? |
|--|---|---|--|
| | A statement of the fact that the Submission Documents are available for inspection and of the places and times at which they can be inspected. | | |
| Independent Examination (Regulation 24) | At least 6 weeks before the examination starts, the Council will <ul style="list-style-type: none"> • Publish details on website • Notify people who made representations of the date the examination starts and name of person appointed to hold examination | All those who have submitted a representation will be notified of the dates and times of: <ul style="list-style-type: none"> - a Pre-Examination Hearing if considered necessary by the Inspector; and - the EiP. | All those who have submitted a representation will be invited to attend both the Pre-Examination Hearing (if held) and the EiP. An Independent Programme Officer appointed to oversee the Examination process will advise these individuals / organisations of the timetable on behalf of the Planning Inspector. Those that have previously stated their intent to provide oral evidence at the EiP will be asked whether they still wish to do so. |
| Adoption (Regulation 26) | As soon as is reasonably practicable after the Local Planning Authority adopt a Local Plan we will: <ul style="list-style-type: none"> • Make available the adopted document/adoption statement/sustainability appraisal report for inspection (includes web site) • Notify anyone who requested to be notified of adoption • Send an adoption statement to the Secretary of State | | All statutory consultation bodies and anyone else who submitted a representation will be notified. Electronic copies of the adopted document will be sent to specific consultation bodies and be made available to others on the website, at local libraries or for purchase. The Council will also use social media as a means of communication. |

Table 3 Procedures and Methods for Public Involvement in Supplementary Development Documents (SPD)

| Activity | Involvement & Notification What we will do | When will you be involved? | How will you be involved? |
|---|---|---|--|
| Draft SPD - Public Participation (Regulation 12)¹ | <p>Copies of SPD documents and a statement of the SPD matters will be made available for inspection at Council Offices and such other places considered appropriate (local libraries, Parish Council Offices and website).</p> <p>The Council will also notify the general public via local advertisement/press releases where deemed appropriate and carry out a targeted engagement with local residents for site specific SPD's.</p> | <p>Specific and general consultation bodies, identified by the Council as relevant to the context of the SPD, will be notified of the consultation prior to the publication of the document.</p> <p>The consultation will run for a period not less than 4 weeks. The Council will opt to consult for 6 weeks in the context of SPD's to ensure maximum opportunity for engagement.</p> | <p>For site specific SPD's, the Council will seek to engage with local residents/businesses, for example through forums such as Community Planning Events, Neighbourhood Forums and Focus Groups in the early stage of developing the SPD and continue engagement through to adoption.</p> <p>The Council will also use social media as a means of communication</p> <p>For issue based SPDs appropriate groups and organisations will be involved in developing the SPD. Dependent upon the subject matter of the SPD, the Local Planning Authority may employ further engagement techniques as deemed appropriate.</p> |
| Adoption (Regulation 14) | <p>As soon as is reasonably practicable after the Local Planning Authority adopt a SPD they must:</p> <ul style="list-style-type: none"> • Make available for inspection at Council Offices and such other places considered appropriate (local libraries, Parish Council Offices and website) the adopted document, adoption statement and a summary of issues raised during consultation and how they were addressed; | | <p>All relevant statutory/general consultation bodies and anyone else who submitted a representation will be sent the adoption statement.</p> <p>The Council will also use social media as a means of communication</p> |

- Notify anyone who requested to be notified of adoption

Table 4 Procedures and Methods for Public Involvement in Evidence Base Documents supporting the Local Plan

| Activity | Involvement & Notification What we will do | When will you be involved? | How will you be involved? |
|--|---|--|--|
| Evidence Base Documents e.g. Strategic Land Availability Assessment/ Employment Land Review | <p>No statutory requirement to consult</p> <p>Depending on the subject matter, the Council will engage with local residents/organisations where deemed appropriate.</p> <p>e.g. Call for Housing sites as part of the Strategic Land Availability Assessment (SLAA)</p> | <p>As appropriate to each document at Regulation 18 and 19 stages in the context of the Local Plan.</p> <p>As appropriate to each document at Regulation 12 stage in the context of SPD's.</p> | <p>Groups and organisations appropriate to the subject matter will be invited to comment on evidence base documents where deemed appropriate.</p> <p>Documents once published will be available on the website, at libraries and on request. Documents will be publicised and comments invited as part of the work on the relevant Local Plan.</p> |
| Strategic Environmental Assessment/ Sustainability Appraisal (SA/SEA) | <p>As required by the Environmental Assessment of Plans and Programmes Regulation 2004, the Council will:</p> <ul style="list-style-type: none"> • Produce a Scoping Report at Regulation 12³ stage for statutory consultation bodies to comment prior to undertaking the Options Consultation on Local Plans • Produce an Initial Sustainability Report for statutory consultation bodies and the public to comment on. This will be produced at the same time as the Options consultation for Local Plans <p>For the Environmental Report (Reg 13)³ the Council will:</p> | <p>As appropriate to each document at Regulation 18 and 19 stages.</p> | <p>Appropriate groups and organisations will be invited to participate in the Scoping process, in particular this will include: Historic England, Natural England and the Environment Agency.</p> <p>Draft versions of final documents will be sent to appropriate statutory consultees for comment before final publication.</p> <p>Documents once published will be available on the website, at libraries and on request. Publication will be publicised and comments invited as part of the work on the relevant Local Plan.</p> |

³ See The Environmental Assessment of Plans and Programmes Regulations 2004

| Activity | Involvement & Notification What we will do | When will you be involved? | How will you be involved? |
|----------|---|----------------------------|--|
| | <ul style="list-style-type: none"> • Send a copy to each statutory consultation body • Publicise the Report to all those having an interest in or likely to be affected by the plan or programme being assessed. • Advise where the document can be viewed or purchased. • Invite comments • Any person may make representations during the 6 weeks from the date of notice. • We must consider those representations <p>At the adoption of the Local Plan the Council will as soon as reasonably practicable (Reg 16)³:</p> <ul style="list-style-type: none"> • Make copies of the final Environmental report available to view or purchase. • Publicise the Report • Advise consultees of adoption <p><i>In addition, the Council will:</i></p> <ul style="list-style-type: none"> • <i>Publish summary of comments received on website</i> | | <p>Where the SA/SEA is the subject of an objection through the Local Plan process, all those who have submitted a representation of objection will be invited to attend the Examination. The Programme Officer will advise these individuals / organisations of the timetable on behalf of the Inspector.</p> <p>At adoption all statutory consultation bodies and anyone else who submitted a representation will be notified. Electronic copies of the adopted document will be sent to specific consultation bodies and be made available to others on the website, at local libraries or for purchase.</p> |

How will Comments and Responses on Local Plan Documents be dealt with?

- 3.4 In the early stages of drawing up ideas and options for the Local Development Documents including Local Plans, the Local Planning Authority will aim to acknowledge receipt of relevant representations on the day they are received. On occasions where a significant number of representations are received, all representations will be acknowledged within 2-3 working days. A summary of comments received will be produced and published on the website.
- 3.5 At the Pre-Submission public participation stage (Regulation 19) a standard response form will be produced which those wishing to comment will be encouraged to use. The Local Planning Authority will aim to acknowledge receipt of representations on the day received. All representations will be acknowledged within 2-3 working days. A summary of comments received will be produced and made available on the Council's website at the time of submission to the Secretary of State.
- 3.6 All representations⁵ received will be made available to the public with relevant personal information redacted. At each stage of consultation a report to the Executive will be produced listing a summary of all representations received, and if appropriate, an Officer Response to representations. The report will also carry a recommendation as to what change if any should be made. The results of any such consultation will be reported and taken into account in decisions made by, and on behalf of, the Council.

4 Neighbourhood Plans

- 4.1 Neighbourhood plans were introduced in the Localism Act 2011 and are prepared by communities to inform the planning of their local areas. These plans can be prepared by Parish or Town Councils, Neighbourhood Forums or community organisations that meet the criteria for qualifying bodies. Neighbourhood plans set out policies for the development and use of land in a local area or neighbourhood. They are required to be in general conformity with strategic policies in the development plan. Once adopted, a neighbourhood plan forms part of the development plan and has the same status as a local plan.
- 4.2 As adopted neighbourhood plans form part of the Development Plan for Surrey Heath, it is important that work is co-ordinated between the preparation of the Surrey Heath Local Plan and neighbourhood plans. Neighbourhood plans must follow legal requirements for consultation to ensure the views of the local community have informed the plans preparation. Plans are also subject to independent examination and local referendum as part of the preparation process.
- 4.3 Local planning authorities are required to help communities in the process of preparing a neighbourhood development plan, but the plan-making process itself must be community led. Appendix 2 sets out a summary of the neighbourhood plan process and responsibilities. The Council has a statutory role in the preparation of neighbourhood plans as follows:
- Designating the neighbourhood area and neighbourhood forum;
 - Publicising the submitted neighbourhood plan;

⁵ Some consultation responses may be deemed 'inappropriate' for publication i.e. libellous or threatening comments and will not be made public at the discretion of the Council.

- Arranging and funding the examination;
- Publicising the examiner's report and plan proposal decision;
- Arranging and funding the referendum;
- Adopting the Plan.

4.4 Table 5 below sets out the support that the Borough Council can provide at different stages in the preparation process.

Table 5 Steps in preparing a Neighbourhood Plan

| Stage | Borough Council support |
|--|---|
| Designation as a Neighbourhood Area/Neighbourhood Forum | <ul style="list-style-type: none"> • Advise as to the information required to submit an application for designation as a Neighbourhood Area or Neighbourhood Forum; • Carry out any relevant consultation; • Determine the outcome of the application and advise the Qualifying Body accordingly. |
| Evidence to support the neighbourhood plan | <ul style="list-style-type: none"> • Advise on evidence available to support the Local Plan and other planning documents and sources of information which may be relevant to the neighbourhood plans |
| Strategic Environmental Assessment (SEA) and Habitat Regulation Assessment (HRA) | <ul style="list-style-type: none"> • Undertake an SEA and HRA Screening for the neighbourhood plan. If full assessments are required this is the responsibility of the Qualifying body. |
| Pre-submission preparation and consultation | <ul style="list-style-type: none"> • Provide a list of Strategic development policies • Advise on the statutory process for pre-submission • Provide a contact list for statutory consultees as defined in Schedule 1 of The • Neighbourhood Planning (General) Regulations 2012 (as amended); • Provide comments and advice on specific issues proposed within a NP where officer resources are available, where there is a direct link with the emerging Local Plan, and where there are issues likely to affect meeting the Basic Conditions; • Provide a high level review of a fully drafted (or close to fully drafted) Plan prior to • formal consultation where officer resources are available; and, • Provide a formal response to the Pre-Submission Consultation. |
| Submission and Examination | <p>Upon Submission to Surrey Heath, the Council will:</p> <ul style="list-style-type: none"> • Undertake a review to ensure that the Submitted Neighbourhood Plan complies with • all the statutory requirements; • Confirm in writing to the Qualifying Body whether the Plan meets these requirements; |

| | |
|------------|---|
| | <ul style="list-style-type: none"> • Undertake statutory consultation on the Submission NP for a minimum of 6 weeks; • Notify consultation bodies identified in the Consultation Statement; and, • Provide a formal response to the Submission Plan as part of the consultation process. <p>In relation to independent Examination of the Plan, the Council will:</p> <ul style="list-style-type: none"> • Appoint, and fund an Examiner for the Plan in discussion with the relevant Qualifying Body; • Produce a summary of representations from the Submission consultation to be sent to the Examiner and to the Qualifying Body and placed on the website; • Communicate examination timetables and progress with the Qualifying Body; • Discuss the independent Examiners Report on the NP with the Qualifying Body; • Consider at Executive the Examiners recommendations and make a decision as to whether to proceed to referendum; • Amend the Plan in line with the Examiners Report in conjunction with the Qualifying Body; and, • Issue a Decision Statement setting out its reasons for accepting or otherwise the Examiners modifications. |
| Referendum | <ul style="list-style-type: none"> • Liaise with the Qualifying Body on the Referendum date (which will be subject to resources and workloads of the Elections team); • Organise, fund and run the local referendum. |

5 Planning Applications

- 5.1 The Council has a duty to consider all valid planning applications it receives, regardless of whether or not they reflect adopted policies. Most people become involved in planning as a result of commenting on or submitting a planning application. The majority of planning applications received are minor developments for which meeting the statutory minimum requirement on consultation is sufficient.

Minor Developments

- 5.2 Planning applications falling within this category include:

- Dwellings schemes of 1-9 units or less than 0.5hectares (including Gypsy and Traveller pitches);
- For all other uses Office/light industrial, general industrial, retail), a minor development is one where the floorspace to be built is less than 1,000 square metres or where the site area is less than 1 hectare;

Major Developments

- 5.3 A major development includes the following:

- Dwellings schemes of 10 units or above and sites over 0.5 hectares(including Gypsy and Traveller pitches);
- For all other uses, a major development is one where the floorspace is 1,000 square metres or above or where the site area is above 1 hectare.

Other Development

- 5.4 Other development includes the following:

- Householder applications
- Change of Use (no operational development)
- Advertisements
- Listed Building extensions/alterations
- Listed Building demolition
- Application for relevant demolition of an unlisted building within a Conservation Area
- Certificate of Lawfulness (191)

- 5.5 The Council will consult in accordance with the statutory requirements of the Town and Country Planning (General Development Procedure) Order 2015 as follows: to consult with the Parish Council, to notify adjoining owners or occupiers⁶ by letter or by display of a site notice, consult with statutory bodies as appropriate and for some applications advertise in a local newspaper (e.g. listed building consent). Site notices may be displayed for some applications. Departures from the Development Plan are advertised by a site notice and in a local newspaper. In addition, applications are publicised on a Weekly List which is available on the Council's website. Following the case officer

⁶ Adjoining owner or occupier means any owner or occupier of any land adjoining the land to which the application relates. Typically this is any property adjoining the red line of the application site.

site visit a wider neighbour notification can be undertaken if deemed appropriate. Neighbours are given 21 days to respond to the first notification and typically either 14 or 7 days for subsequent notifications of amended plans. Additional time will be afforded for any bank holidays falling within the consultation period.

- 5.6 In addition the Council will consult other non-statutory bodies and organisations which represent specialist interest groups, such as the Surrey Wildlife Trust. Where a major planning application has implications for a service provider such as the Health Service these will be consulted at an early stage in the process.
- 5.7 Comments supporting or objecting to a proposal may be made by anyone regardless of whether they have received a letter or been individually notified. However, the Council can only take into account material planning considerations.
- 5.8 Comments should be submitted as soon as possible, although the Council will take into account any representations received up to the date on which the decision is made. The Council will not determine any application within a period of 21 days from the date on which notification letters are sent out or within the consultation period. Occasionally, it may be necessary to write and publish reports on planning applications for the Planning Applications Committee agenda before the expiration of the 21 day period. In such cases comments received post-publication will be reported orally at the committee meeting. Comments received are made available for public inspection on the Council's website and at the Council Offices and none can be treated as confidential⁷.
- 5.9 The Council will neither acknowledge nor respond to letters commenting on applications, nor enter into correspondence on the details or merits of proposals and this is stated in notification letters, site notices and on the website.
- 5.10 The Council's practice is not to negotiate amendments to applications unless they are of a minor nature. In a few cases though, amendments may be appropriate. Where such revisions are significant and raise new issues that could lead to further comment, the Council will re-notify those who were initially notified of the application and any others who have commented upon it. 14 days are usually given for re-consultation comments. Where amendments are to take place, it is often difficult to meet the statutory determination period and so an extension of time agreement is normally sought.

Deciding Applications

- 5.11 The majority of applications are determined under authority delegated to Executive Head of Regulatory after full consideration of all the planning issues and comments received. Planning applications can also be referred to the Council's Planning Applications Committee for determination.
- 5.12 Public speaking at Planning Applications Committee meetings will be permitted in respect of a planning application and any other related consent applications to be determined by the Committee, where:

⁷ Some consultation responses may be deemed 'inappropriate' for publication i.e. libellous or threatening comments and will not be made public at the discretion of the Council.

- a) there have been 10 or more written representations from separate households, or a petition signed by more than 50 signatories with addresses, in respect of an application for development within an urban area or village settlement, as defined by the Development Plan; or
 - b) there have been 5 or more written representations from separate households, or a petition signed by more than 25 signatories with addresses, in respect of an application for development outside an urban area or village settlement, as defined by the Development Plan.
- 5.13 In order to be counted in relation to the public speaking procedure, the representations or petitions must have been received no later than 10 working days before the date of the Committee meeting.
- 5.14 Where an application triggers the public speaking procedure, all those who have submitted written representations in compliance with paragraph 5.12 above, will be notified and invited to register to speak at the Committee meeting.

Surrey County Council Planning Applications

- 5.15 Some planning applications are determined by the County Council, including proposals affecting County owned land (e.g. schools) and proposals for mineral working and waste disposal. The Borough Council is consulted on these proposals but does not make the ultimate decision. Consultation responses in respect of these applications should be sent to the County Council.

Community Involvement at the Pre –Application Stage

- 5.16 Pre-application discussions with prospective developers/applicants and/or their agents are welcomed and are treated as confidential.
- 5.17 The Council will encourage applicants and developers to discuss their proposals with their neighbours or the community before submitting their formal application. This will not affect the statutory notifications undertaken by the Council upon registration of the application. Table 6 sets out suggestions for approaches that could be adopted by applicants. The benefit of early engagement with the community is that this may reduce delays when an application is submitted. The applicant will also be able to demonstrate how the views of the local community have been incorporated or why this was not possible.
- 5.18 In reporting the outcome of any pre-planning application consultation, applicants should indicate:
- The method of consultation used
 - Who was consulted and the level of involvement
 - How the matters raised in the consultation were addressed by the applicant.
- 5.19 The level of community engagement should reflect the scale of the proposed development.
- 5.20 The Borough Council will remain impartial and not get involved with any pre-application community engagement undertaken by the applicant.

What the Council cannot do

- 5.21 The Council can only request, not require developers to involve the local community. The Council cannot refuse planning applications because a developer refuses to contact and involve the local community.

Table 6 Suggested measures for applicants to involve the public at the pre – application stage

| Development Type | Letter/ leaflet to and/or discuss with neighbour | Meeting or other event to discuss proposals with neighbours and community/ amenity groups | Exhibition and/or public meeting with neighbours, local businesses and community/ amenity groups and consultation bodies | Publicise proposal on a website | Design exercise or similar. Event should be publicised in local media |
|-------------------------------|--|---|--|---------------------------------|---|
| Minor Development | Yes | Yes | | | |
| Small scale Major Development | Yes | Yes | Yes | Yes | |
| Large scale Major Development | Yes | Yes | Yes | Yes | Yes |

6 Data Protection

6.1 In order to register comments on applications and local plan documents, the Council requires contact details which will help us to contact you in regard to the comments made. There are also statutory requirements requiring copies of comments to be made publically available.

6.2 The Council will publish names and associated representations on its website but will not publish personal information such as telephone numbers, or email addresses.

6.3 In accordance with the General Data Protection Regulations (GDPR) and the Data Protection Act 2018 personal information will only be used for appropriate purposes, as agreed when originally provided. The information will only be kept for the necessary period of time required. The Council has an updated privacy policy which can be viewed on the website <https://www.surreyheath.gov.uk/council/information-governance/how-we-use-your-data>

APPENDICES

Appendix 1: Consultation bodies for the Local Plan

Specific Consultation Bodies⁹

- (a) the Coal Authority,
- (b) the Environment Agency,
- (c) Historic England (formerly part of English Heritage),
- (d) the Marine Management Organisation,
- (e) Natural England,
- (f) Network Rail Infrastructure Limited (company number 2904587),
- (g) Highways England (formerly the Highways Agency)
- (h) a relevant authority any part of whose area is in or adjoins the local planning authority's area,
- (i) any person—
 - (i) to whom the electronic communications code applies by virtue of a direction given under section 106(3)(a) of the Communications Act 2003, and
 - (ii) who owns or controls electronic communications apparatus situated in any part of the local planning authority's area,
- (j) if it exercises functions in any part of the local planning authority's area—
 - (i) a Clinical Commissioning Group;
 - (ii) a person to whom a licence has been granted under section 6(1)(b) or (c) of the Electricity Act 1989;
 - (iii) a person to whom a licence has been granted under section 7(2) of the Gas Act 1986(a);
 - (iv) a sewerage undertaker; and
 - (v) a water undertaker;
- (k) the Homes and Communities Agency; and
- (l) where the local planning authority are a London borough council, the Mayor of London;
- (m) Civil Aviation Authority
- (n) Transport for London
- (o) Enterprise M3 Local Enterprise Partnership
- (n) Office of Rail regulation

General Consultation Bodies⁹

- (a) voluntary bodies some or all of whose activities benefit any part of the local planning authority's area,

⁹ As specified in Part 1(2) of The Town and Country Planning (Local Planning) (England) Regulations 2012: http://www.legislation.gov.uk/ukxi/2012/767/pdfs/ukxi_20120767_en.pdf

- (b) bodies which represent the interests of different racial, ethnic or national groups in the local planning authority's area,
- (c) bodies which represent the interests of different religious groups in the local planning authority's area,
- (d) bodies which represent the interests of disabled persons in the local planning authority's area,
- (e) bodies which represent the interests of persons carrying on business in the local planning authority's area (including the Council's Economic Development Team);

Where deemed appropriate, the Council will also consult with relevant Equalities Groups, whose activities benefit the whole or part of the Authority's area.

Local Equality Groups in Surrey Heath

| |
|---|
| Religious/Ethnic Minority Leaders in Surrey Heath |
| Churches Together in Camberley and Churches @ GU16 for Frimley |
| Bengali Welfare Association (Muslim representative) |
| Chairman of Nepalese Buddhist Community UK |
| The Buddhist Community Centre UK (BCCUK) Youth Association |
| SH Sikh Association |
| BME Development Manager |
| Surrey Faith Links Advisor |
| Older People Groups |
| Tringhams West End Day Centre |
| Surrey Heath Age Concern |
| University of 3 rd Age |
| Young People Groups |
| Tomlinscote School Students Representatives |
| Kings International College Student Representatives |
| Collingwood College Student Representatives |
| Surrey Heath Youth Council |
| Disability Groups |
| Delivering Empowerment Coordinator |
| Disability Initiative |
| Disability Access Surrey Heath (DASH) |
| Surrey Deaf Forum |
| Gender Groups |
| Your Sanctuary |
| Bagshot Women's Association and Trustee of the Surrey Federation of Women's Institutes (SFWI) |
| Sexual Orientation Groups |
| Gay Surrey (registered charity for all gay, lesbian, bisexual, and trans people in Surrey) |
| OutlineSurrey (support service for people with their sexuality and gender identity) |
| Voluntary Services Groups |
| Blackwater Valley Countryside Trust |
| Blackwater Valley Alzheimer's Society |
| Gypsy and Traveller Groups |
| Surrey Gypsy and Traveller Communities Forum |

Appendix 2: Summary of Neighbourhood Plan Process

| Stage | Task | Who |
|--|--|--|
| Step 1 Neighbourhood Area | <ul style="list-style-type: none"> Make application to SHBC for designation as a Neighbourhood Area | Qualifying body submits application SHBC determines |
| Step 2 Preparing a Draft Plan | <ul style="list-style-type: none"> Gather baseline information and evidence Engage and consult those living and working in the neighbourhood area and other stakeholders Identify a vision and objectives Identify and assess options Determine whether the Plan is likely to have significant environmental effect (and therefore whether a Strategic Environmental Assessment(SEA) and/or Habitat Regulation Assessment (HRA)is required) Start to prepare proposals documents | Qualifying body (SHBC can provide a screening opinion in relation to SEA and HRA) |
| Step 3 Pre-submission publicity and consultation | <ul style="list-style-type: none"> Prepare and Publicise the draft Plan and invite representations (statutory 6 weeks) Ensure compliance with any Environmental obligations (as Step 2) Consider consultation responses and amend plan if appropriate Prepare Consultation Statement and other submission documents | Qualifying body |
| Step 4 Submission of the Plan to Surrey Heath Borough Council | <ul style="list-style-type: none"> Submit the Plan (and supporting documents) to SHBC Check the submitted Plan and documents comply with relevant legislation Publicise the Plan for 6 weeks Appoint an independent examiner | Qualifying body SHBC SHBC (with Qualifying body) |
| Step 5 Independent Examination | <ul style="list-style-type: none"> Send Plan, representations and supporting documents to Examiner Examination takes place (usually by written representation) Examiner issues a report to SHBC and Qualifying body Publish Examiners report Considers report recommendations and makes changes to the Plan Decide whether to send the plan to referendum (Executive) | SHBC Examiner Examiner SHBC SHBC (with QB) SHBC |
| Step 6 Referendum | <ul style="list-style-type: none"> Publicise forthcoming referendum (28 working days notice) Undertake referendum | SHBC |
| Step 7 Make the Plan | <ul style="list-style-type: none"> Providing the Plan is compatible with EU obligations make the Plan part of the Surrey Heath Development Plan (Executive and Council) | SHBC |

Appendix 3: Glossary of Terms for Community Involvement

Throughout this document a number of abbreviations and specific terms have been used as follows:

| | |
|---------------------------------------|---|
| AAP Area Action Plan. | A Development Plan Document Plan for a specific area, such as the Camberley Town Centre AAP. |
| Amenity Bodies | These are groups that operate within Surrey Heath such as local village societies, historic trusts, preservation societies, open space societies etc. |
| AMR Authorities Monitoring Report. | An annual report which includes an update of how Local Plan policies are being delivered. |
| BME's | Stands for Black and Minority Ethnic groups whose needs should be recognised and addressed |
| Citizens Panel | Local residents who have volunteered to provide information and input to the Council on issues and problems in the Borough and comments on proposed policies and documents. |
| DPD Development Plan Document. | The Town and Country Planning (Local Planning) (England) Regulations 2012 refers to these as the Local Plan. It is the main planning policy document produced by the Council and forms the statutory development plan for the area. |
| Focus Groups | These would be set up to discuss local issues or options for development and would comprise a cross section of individuals representing the local community |
| Key Stakeholders | These are the organisations whose input into the community or the issue being considered is particularly important. For example for health issues the local Clinical Commissioning Group would be a key stakeholder. |
| Large scale Major Developments | A large scale major development is one where the number of residential units to be constructed is 200 or more or where the floor space to be built is 10,000 square metres or more, or where the site area is 2 hectares or more. Where the number of residential units or floor area proposed to be constructed is not given in the application a site area of 4 hectares or more should be used as the definition of a major development. |
| LDD Local Development Document. | This is a document or documents prepared by a local planning authority individually or in cooperation with one or more other local planning authorities, which contains statements regarding : (i) the development and use of land which the local planning authority wish to encourage during any specified period; (ii) the allocation of sites for a particular type of development or use. The Local Plan Development Plan Document is a Local Development Document. |

| | |
|--|---|
| LDS Local Development Scheme. | The Local Development Scheme (LDS) sets out Surrey Heath Borough Council's programme for preparing future planning documents. It outlines what documents the Council will be working on and a timetable for the production of these documents. |
| Local Plan | A Local Plan document sets out the policies and site allocations which will form the basis for future land use planning and be used to determine planning applications. These documents are statutory documents accorded legal status under the Planning and Compulsory Purchase Act 2012. |
| Major Development | As defined in the Town and Country Planning (Development Management Procedure)(England) Order 2015 "major development" means development involving any one or more of the following— (a) the winning and working of minerals or the use of land for mineral-working deposits; (b) waste development; (c) the provision of dwellinghouses where— (i) the number of dwellinghouses to be provided is 10 or more; or (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within subparagraph (c)(i); (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or (e) development carried out on a site having an area of 1 hectare or more; "mining operations" means the winning and working of minerals in, on or under land, whether by surface or underground working. |
| Neighbourhood Forums | Groups set up to represent their neighbourhood input into the planning process who could meet regularly to discuss planning issues affecting the local area and provide an opportunity for community involvement. Such groups could be formed in response to a single issue or large scale planning application or meet regularly as a recognised community group involved with the Borough Council in planning matters. |
| Neighbourhood Plans | Prepared by communities to inform the planning of their local areas. Plans can be prepared by Town or Parish Councils or by Neighbourhood Forums. Once adopted they form part of the Development Plan for the Borough. |
| SA/SEA Sustainability Appraisal incorporating a Strategic Environmental Assessment. | A Sustainability Appraisal (SA) is a tool used to appraise planning policy documents in order to promote sustainable development. Social, environmental and economic aspects are all taken into consideration. Sustainability Appraisal (SA) is a compulsory requirement under the 2004 Planning and Compulsory Purchase Act and the 2001/42/EEC European Directive. |

| | |
|--|---|
| SCI Statement of Community Involvement. | The Statement of Community Involvement (SCI) sets out the Council's approach for involving the community in the preparation and revision of local development documents and planning applications. |
| SEA Strategic Environmental Assessment. | Strategic Environmental Assessment (SEA) is the process by which environmental considerations are required to be fully integrated into the preparation of plans and programmes. In plan making it is usually incorporated into the Sustainability Appraisal document. |
| SHBC Surrey Heath Borough Council. | Surrey Heath Borough Council is the Local Planning Authority. |
| Small scale Major Developments | A small scale major development is one where the number of residential units to be constructed is between 10 and 199 (inclusive) and where the floor space to be built is 1,000 square metres and up to 9,999 square metres or where the site area is 1 hectare and less than 2 hectares. Where the number of dwellings to be constructed or floor area proposed is not given in the application a site area of 0.5 hectare and less than 4 hectares should be used as the definition of a small scale major development. |
| SPD Supplementary Planning Document | These are documents that provide further information and additional detail to the policies within the Local Plan. |
| Stakeholders | Those organisations and individuals having a particular interest in an issue or proposal by virtue of residency, ownership, service provision or statutory responsibility etc. |