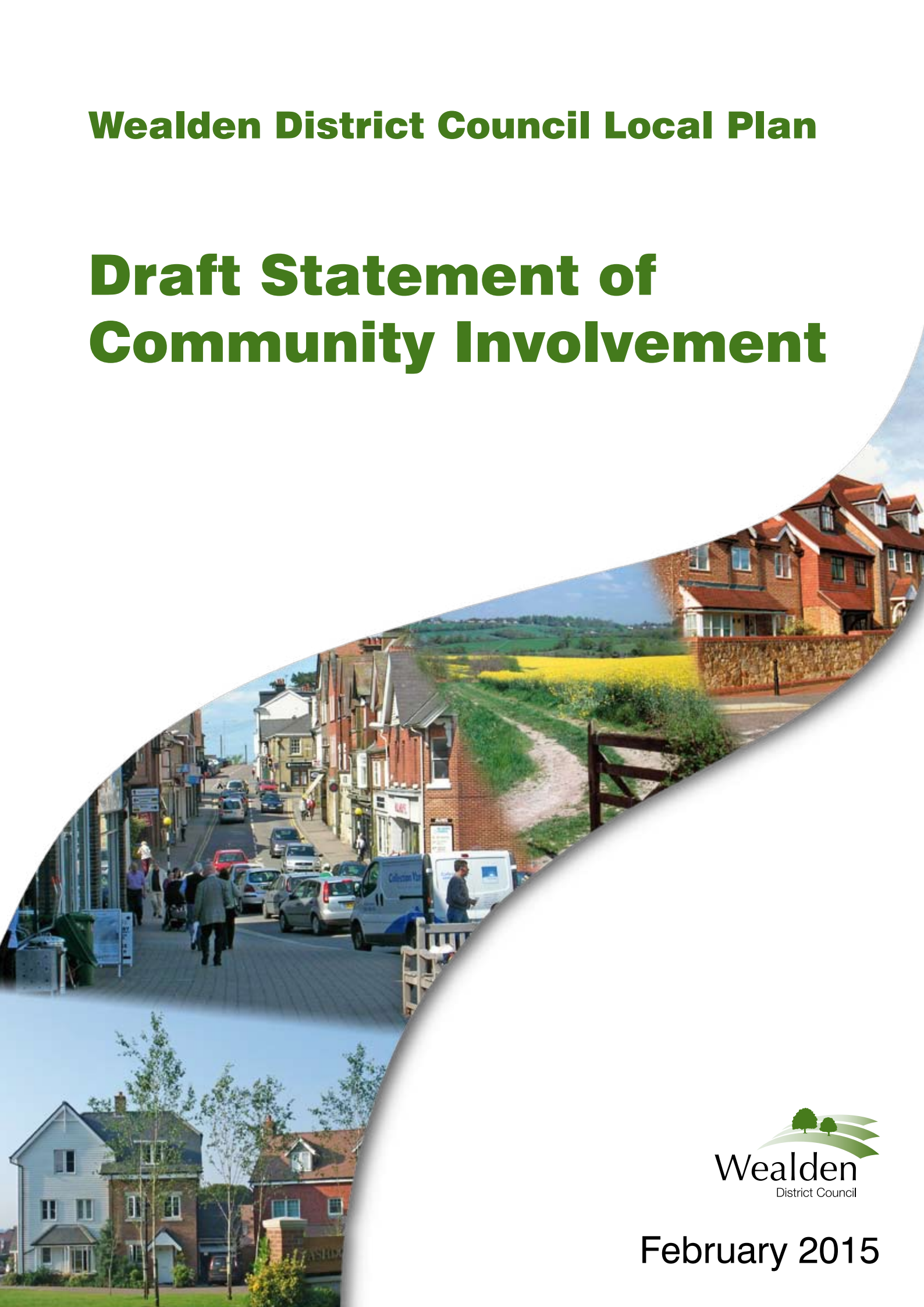
Wealden District Council Local Plan

Draft Statement of Community Involvement



Wealden
District Council

February 2015

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You may also visit the offices Monday to Friday, to view other Local Plan documents.

A copy of the Draft Statement of Community Involvement and associated documents can be downloaded from the Planning Policy pages of the Wealden website, www.wealden.gov.uk/planningpolicy or scan the QR code below with your smart phone.

If you, or somebody you know, would like the information contained in this document in large print, Braille, audio tape/CD or in another language please contact Wealden District Council on 01323 443322 or info@wealden.gov.uk

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Contents

1 Introduction

What is the Statement of Community Involvement?

1.1 This Statement of Community Involvement (SCI) outlines how Wealden District Council will involve the community and other stakeholders in the preparation and revision of local development documents (including the Local Plan) and the determination of planning applications.

1.2 The current SCI for Wealden District Council was adopted in February 2007. In view of significant legislative changes, the SCI now requires review.

Local Development Documents

1.3 The preparation of planning policy documents directly impacts on local communities therefore those interested in and potentially affected by planning process outcomes should have an opportunity to be effectively involved. By enabling the local community, businesses and service providers to be involved in the planning process the District Council can ensure the delivery and implementation of a development strategy that meets the aspirations and needs of the widest possible range of people, communities, organisations and business interests.

1.4 The SCI provides a flexible framework for future consultation and community engagement in the plan making process. Certain consultation requirements are mandatory in respect of plan making. The SCI sets out the minimum requirements and how and when, within the scope of available resources, further engagement will take place. It is important to note that resource availability will influence the form and scope of consultation and engagement.

1.5 It is important to note that whilst the Council will always consider appropriately made comments in response to a local development document, it may not always be possible or appropriate to determine the matter in accordance with the comments received. There may be other material considerations, such as legislative requirements, or national or local policies, which the Council must also consider, and of course differing views may be presented in response to the matter subject to consultation.

Planning Applications

1.6 The general term for the process of determining planning applications and other related applications is Development Management. This SCI sets outs the standards of consultation to be achieved by the Council in making decisions of planning applications and other related notifications.

What is the status of the SCI?

1.7 Producing the SCI is a legal requirement set out in Section 18 of the Planning and Compulsory Purchase Act 2004 and , once finalised, its provisions in relation to plan making become binding on the Local Planning Authority.

Consultation of the SCI Review

1.8 The adoption of the revised SCI will follow a formal six week consultation period. During the consultation period, comments on the SCI are invited from anyone with an interest in the document. The Council will register and then carefully consider all comments received. The SCI will, if necessary, be amended prior to adoption by the Council. There is no requirement for SCIs to be independently examined.

1.9 The Council is seeking views on the content of this draft document. Consultation will take place between 2nd February and 16th March 2015.

Data Protection Act 1998 and Freedom of Information Act 2000

Representations cannot be treated in confidence and copies of all representations will be made publicly available. The Council will also provide names and associated representations on its website but will not publish personal information such as telephone numbers, emails or private addresses. By submitting your views on the document you confirm that you agree to this and accept responsibility for your comments.

1.10 All comments on the draft SCI should be made either:

- By email to: ldf@wealden.gov.uk
- Through our online planning consultation portal at: http://wealden.objective.co.uk/portal
- In writing to: Planning Policy, Wealden District Council, Vicarage Lane, Hailsham, BN27 2AX

Relationship to other Council Communication and Consultation Strategies

1.11 Local authorities need to have regard to the Public Sector Equalities Duty, as referred to in the Equalities Act 2010, in respect of engaging with people with 'protective characteristics'. Ensuring the SCI is up to date will ensure that Planning Policy has due regard to this statutory duty in terms of public consultation on emerging planning documents.

1.12 The SCI follows the principles of the Councils Equality Scheme 2011-2014, which sets out the Council's commitment to equality, making services responsive and increasing participation. This requires steps to be taken to ensure that appropriate consideration is given to the views of 'hard to reach' groups who do not take part in consultation through choice, circumstance or lack of opportunity. Traditionally these groups have been based around age, disability, gender, sexual orientation, faith/ belief and ethnicity. The Council, together with Rother District Council has set out equality objectives to align with both Council's Corporate objectives;

- **Maintaining the quality of life and increasing prosperity**

  Equalities Objectives:

  - Embed the equality objectives through the procurement & contract life cycle process.
  - Complete equality impact assessments on new projects and consultation and engagement with identified groups.
  - Supporting others in reducing rural isolation by developing local transport solutions with partners and by improving access to the Internet across the districts.
  - Ensure all residents; particularly those who are vulnerable are able to access state benefits and financial support provided by the Councils.
  - Ensure residents affected by Welfare Reforms have access to support and sources of advice.
  - We will continue to monitor reports of hate crime and deliver the councils responsibilities.
  - Following consultation and engagement with local communities to facilitate the delivery of economic and housing growth to assist in reducing economic disparities to meet the needs of all who live or wish to live in the Districts by providing greater opportunities for residents to access suitable housing, local jobs, services, facilities and leisure and recreational facilities.

- **Enhancing our surroundings**

  Equalities Objectives:

  - Ensure that all council services, information, communications consultation activities and events are as accessible as is reasonably practicable to provide.
  - Ensure that where refurbishment works are carried out to the councils' own buildings consideration is given to improving accessibility inside and out.
  - Promote healthy lifestyles and encourage more people to take up sport or active recreation regardless of their personal characteristics.
  - Protect and improve the Districts' urban and rural landscape and protect, enhance and improve accessibility to green infrastructure (including the landscape, countryside, leisure and recreation provision) to benefit all members of the local community and visitors to the Districts.

- **Ensuring value for money**

  Equalities Objectives:

  - Ensure a programme is in place for customers' access needs to be recorded at first point of contact by Customer Services.

- There should be equality principles in all service level agreements and community grant applications
- All actions in the Equality Objectives should be included in each service plan.
- All staff and Councillors to undertake equality and diversity training to ensure they are aware of their responsibilities in relation to equalities service delivery and the workplace.
- Capture updated customer equality data on relevant systems within the Councils and tailored to services as appropriate.

1.13 The Council must also comply with both the Data Protection Act 1998 and the Freedom of Information Act 2000, which protects the privacy of personal data and is concerned with the openness of public information, respectively. The challenge for local authorities is to comply with both Acts, which will require careful handling of requests for information and consultation responses. Details of the Council's policies under both Acts can be inspected on the Council's website.

Duty to Co- operate and the National Planning Policy Framework

1.14 Section 110 of the Localism Act 2011 amended the Planning and Compulsory Purchase Act 2004 to introduce a "Duty to Co- operate" for local planning authorities and other public bodies. As a result, local planning authorities are required to work with neighbouring authorities and other prescribed bodies (including: the Environment Agency, English Heritage, Natural England, the Civil Aviation Authority, the Homes and Communities Agency, Primary Care Trusts, the Office of the Rail Regulator and the Highways Agency) when preparing their local plan documents for 'strategic matters'. In particular the duty:

- Relates to sustainable development or use of land that would have a significant impact on at least two local planning areas or on a planning matter that falls within the remit of a County Council;
- Requires that Councils set out planning policies to address such issues;
- Requires that Councils and public bodies to engage constructively, actively and on an ongoing basis to develop strategic policies; and
- Requires Councils to consider joint approaches to plan making.

1.15 Government guidance issued in March 2012 and more recently in March 2014, reinforced the duty to co operate requirement on planning issues that cross administrative boundaries, particularly those which relate to 'strategic priorities'. Subsequently, local planning authorities are required to work collaboratively with other bodies to ensure that strategic priorities across administrative boundaries are properly co ordinated and reflected in planning documents. The National Planning Policy Framework adds that local planning authorities will be expected to demonstrate evidence of having effectively co operated to plan for issues with cross boundary impacts when their local plans are submitted for examination.

1.16 Operational details in relation to the legislative and national guidance provisions are discussed later in the document.

What level of Community Involvement will we aim for?

1.17 The International Association for Public Participation has developed a Public Participation Spectrum (see Table 1) that shows different levels of public participation and the impact on both the community at large and on the practitioner promoting the participation. The Council has made use of the Spectrum to develop its approach to effective consultation and engagement. This spectrum is also adopted in the Council's adopted Community Engagement Strategy which sets out a set of principles to help guide the way the Council undertakes engagement activities and identifies key objectives to help direct and further improve our engagement practises.

Table 1: Public Participation Spectrum

Level of Community Involvement	Objective	Promise to the Public	Example Tools
INFORM	To provide the public with balanced and objective information to assist them in understanding the issues, alternatives and/ or solution.	We will keep you informed	Fact sheets Website Newspaper advert
CONSULT	To obtain public feedback on analysis, alternatives, and/ or decisions	We will keep you informed, listen to and acknowledge concerns, and provide feedback on how public input influenced the decision	Public comment Focus groups Surveys Public meetings
INVOLVE	To work directly with the public throughout the process to ensure that public issues and concerns are consistently understood and considered.	We will work with you to ensure that your concerns and issues are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	Workshops Deliberate polling
COLLABORATE	To partner with the public in each aspect of the decision including	We will look to you for direct advice and innovation in formulating	Citizen advisory committees

Level of Community Involvement	Objective	Promise to the Public	Example Tools
	the development of alternatives and the identification of the preferred solution	solutions and incorporate your advice and recommendations into the decisions to the maximum possible extent	Consensus building Participatory decision making
EMPOWER	To place the final decision making in the hands of the public	We will implement what you decide	Citizen juries Ballots Delegated decisions

2 The profile of the community and key issues

2.1 Wealden is the largest District in East Sussex and covers 323 square miles. It is diverse rural district, encompassing a wide range of settlements and communities. It contains five relatively small market towns and a large number of villages – many of which are picturesque, have high conservation and heritage status and are particularly popular with visitors. Each town is different and its role varies according to its location. The proximity of larger towns outside the District has a major impact on the area as many people travel outside Wealden to work, shop or use other facilities.

2.2 Half of the District's population of around 150,000 live in the rural areas, often remote from services including from public transport. The remainder of the population predominantly live in the five main towns of Crowborough, Hailsham, Heathfield, Polegate and Uckfield with a population density of 1.8 persons per hectare. This dispersed settlement pattern creates particular challenges for local service provision, but helps to give the District its spatial and environmental character. The scattered settlement pattern makes an efficient and viable public transport system more difficult to provide. The need to improve accessibility, integrate public transport and provide alternatives to car use in this rural community is a key challenge for policy development. Existing networks of main roads and railways, which are in themselves limited, tend to focus on routes to London and large towns outside the District – rather than between the towns themselves. This has restricted investment in the local economy, and impacted on access to employment and leisure opportunities for residents within the District. Around 46,500 people work in the District.

2.3 One of Wealden's most highly prized assets is the quality of its environment. The High Weald Area of Outstanding Natural Beauty and South Downs National Park cover more than two thirds of the District. In addition Wealden has 37 conservation areas, 32 sites of special scientific interest and more than 2593 listed buildings. There is a high coverage of European and internationally important areas of conservation including Ashdown Forest and the Pevensey Levels. Although a small proportion of Wealden District is within the South Downs National Park, the relevant Local Planning Authority for this area is the South Downs National Park Authority not Wealden District Council.

2.4 Overall the nature of the dispersed settlement pattern and high quality countryside environment is the key to understanding Wealden. The richness and diversity of its landscape and heritage are significant factors in making the District such a desirable place in which to live. However, a particular challenge is the limited legacy of brownfield land, which means any significant amount of new growth will require the development of Greenfield sites. This inevitably makes it more difficult to balance future growth with the equally legitimate requirement of protecting designated land and places and the protection of highly valued open countryside.

2.5 Planning in the Wealden therefore balances the need to protect the natural environment with making adequate provision for new housing and infrastructure whilst promoting and maintaining a healthy economy. Any meaningful and practical programme

of community engagement must have regard to its physical and development characteristics as well as reflecting on the areas population characteristics.

2.6 The part of the District outside of the National Parks has thirty seven Parish and Town Councils and two Parish Meeting. The local councils provide an important point of contact with local communities.

2.7 Overall, the physical and social nature of the area gives rise to the following issues for effective consultation:

- The need to consider developing and using different consultation mechanisms in urban and rural locations, tailored to meet specific needs and opportunities;
- The need to consider the dispersed nature of the population, half of which live outside the main towns in the District;
- To consider the widest range of possible consultation mechanisms to deliver a meaningful response;
- Where appropriate and possible, offer decision makers options with respect to consultation measures to be undertaken, identifying the potential resource implications for each option;
- How to consult the relatively small numbers of ethnic residents, where English may not be understood;
- How to engage effectively with the socially excluded, including those people whose health or disability does not enable them to use traditional methods of involvement;
- How to engage young people in the consultation process and ensure that responses are balanced by input from the younger population;
- How to consult and involve a population that is relatively elderly and getting older; and
- Broadband is not universal in more rural locations, meaning some communities find it more difficult to access electronic information and communication.

3 Plan Making

3.1 This section sets out how, in the preparation of local development documents, the Council will involve the local community, business and stakeholders at each of the main preparation stages. The legal requirements for consultation are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012, which will subsequently be referred to as 'the 2012 Regulations". The Council may exceed these requirements where it considers this would improve engagement and where resources allow.

Who is the Local Planning Authority for Wealden District?

3.2 Wealden District covers land which is designated as the South Downs National Park. The Local Planning Authority for the South Downs National Park is the South Downs National Park Authority. The Park Authority prepares Plans for the Park area, and the authority has its own SCI in relation to Local Plan documents it is progressing. This SCI does not cover Local Development Documents being developed in Wealden District by the South Downs National Park Authority unless it is a joint Local Development Document.

What are Local Development Documents?

3.3 Local development documents is the collective term used to describe Local Plans (such as the Core Strategy) and Supplementary Planning Documents.

Local Development Scheme (LDS)

3.4 The Local Development Scheme sets out the Council's plan making timetable. A revised LDS was approved by Full Council on 26th November 2014. The LDS identifies the programme for the preparation, examination and adoption of the key planning documents.

Local Plans

3.5 Local Plans are formal plans that, together with any adopted neighbourhood development plans, make up the 'development plan' . Planning Applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The term 'Local Plan' is most often used to describe each document produced by the individual Council.

3.6 The Core Strategy Local Plan was adopted in February 2013 and together with the Strategic Sites Local Plan and the Wealden Local Plan will make up the Local Plan for Wealden District.

Other planning documents

3.7 The Community Infrastructure Levy (CIL) Charging Schedule timetable is also contained within the LDS.

Sustainability Appraisal (SA), Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment

3.8 A Sustainability Appraisal provides an assessment of the environmental, social and economic effects that would result from the implementation of the policies contained within Local Plans or the effects of not having the policies.

3.9 All Local Plans must be subject to a Sustainability Appraisal which incorporates the requirements of the Strategic Environmental Assessment Directive and associated national regulations. The Scoping Report, which sets out the methodology for the appraisals, will be updated as necessary and be the subject of consultation with relevant stakeholders each time a Local Plan is prepared to ensure that it provides for an up to date and appropriate appraisal of the document in question. The Council will publish Sustainability Appraisals for consultation alongside the relevant Local Plan at the relevant stage of the Local Plan process.

3.10 Local Plans must also be assessed in accordance with the Habitats Directive and associated national regulations. Each Local Plan will be subject to a Habitat Regulations Assessment as part of the Local Plan process, and will be subject to consultation alongside the relevant stage of the Local Plan process.

Preparing Local Plan documents

3.11 The following table outlines the key stages and associated engagements required in the preparation of a Local Plan. The example of tools that may be used for the level of community engagement identified is provided in Table 1.

Table 2: Process for producing a Local Plan (references to 'regulations' refer to the Town and Country Planning (Local Planning) (England) Regulations 2012

Level of community engagement	Stage	Process and requirements
INFORM	1. Pre – production	Collect evidence and establish wider the policy framework, this is on-going up to and including stage 4.
INFORM CONSULT INVOLVE COLLABORATIVE	2. Informal and early engagement	Informal consultations may be carried out and the nature/ extent of these will be determined by the specific requirements of evidence gathering or subject matter; Informally consider issues and alternatives; and Consult on the scope of the SA/ SEA, where relevant.

Level of community engagement	Stage	Process and requirements
INFORM CONSULT INVOLVE COLLABORATIVE	3. Consultation “Issues and Options and recommendations”	Regulation 18 is a statutory stage that requires participants be notified of the subject of the local plan and representations invited about what a local plan with that subject ought to contain; Prepare document and consult over a six week period in line with Regulation 18; and Council to consider the comments made and combine with evidence to prepare a proposed submission Local Plan.
INFORM CONSULT INVOLVE COLLABORATIVE	4. Publication “Proposed Submission Local Plan”	Statutory stage where a minimum of six weeks consultation is provided to make ‘representations’ on the plan, its SA/SEA and supporting evidence (Regulations 19 and 20); and The Inspector at the Examination will consider these ‘representations’
INFORM CONSULT INVOLVE	5. Examination “Submission of the Plan for Independent Examination”	Main issues raised in the representations at Regulation 19/20 summarised by the Council and made publicly available; Plan submitted to Secretary of State for independent examination in line with Regulation 22; Independent Examination (notice given six weeks in advance to people who have requested to appear (Regulation 24)); Examination likely to involve public hearing sessions; and Planning Inspector issues report.
INFORM	6. Main modifications	Optional State – subject to Council agreement, the Inspector can propose changes or ‘main modifications’ to the Local

Level of community engagement	Stage	Process and requirements
		Plan to avoid the Local Plan being found 'unsound'; Inspector considers representations on main modifications and the hearings may be re opened.
INFORM	7. Adoption	Plan adopted by the Council if agreed as 'sound' by the Inspector (Regulation 26).
INFORM	8. Monitor and Review	Monitor Plan to make sure it is achieving its aims; Plan to be reviewed where and when necessary.

The preparation stages in more detail:

Stage 1. Pre – production

3.12 This is the evidence gathering stage where the Council will collect relevant social, economic and environmental data and review the national planning policy framework and its requirements. There may be informal meetings and discussions with consultees and stakeholders at this stage to consider any specific issues arising during the evidence gathering process. This stage will often be informed by issues identified by the monitoring and review of previous Local Plans.

Stage 2. The Informal Consultation Stage

3.13 At this stage consultation will be informal. This will normally involve informal meetings to discuss issues and options with relevant groups and public sector bodies. The aim of this stage is to front load the process of community and stakeholder involvement to allow such interests to participate in developing the document. Papers or leaflets may additionally be produced to introduce wider public engagement. Public consultation events may also take place during this stage.

3.14 At this stage, the outcomes of any previous relevant consultations will be taken into consideration in the development of the draft Local Plan.

Stage 3. Consultation on Issues and Options and Recommendations

3.15 This stage includes a formal six week consultation period on the subject of the local plan and representations invited about what a local plan with that subject ought to contain. The availability of the document and how to get involved in the process will be advertised, and promotional material prepared to encourage participation and displays and exhibitions may also be undertaken. Notification of the consultation exercise, including how to participate and by when will be provided to relevant consultees and others who have requested to be informed at key stages of the documents progression.

3.16 The Council will consider all the comments received in response to this public consultation and refine the document in the light of these, as appropriate. It is important to note that any comments made at this stage, or earlier stages, will not be carried forward to the Independent Examination (stage 5). If any one is not satisfied that their comments have been taken into account, they must comment again at the Publication stage (stage 4) in order to have their comments considered by the Inspector.

Stage 4. Publication of Proposed Submission Document

3.17 The Local Plan now called the 'Proposed Submission Document', will be published and subject to a further formal six week consultation. During the advertised dates final representations can be made to the Local Plan. The Sustainability Appraisal and a Consultation Statement will be published alongside the Local Plan.

3.18 Following this six week period, the Council will submit the Proposed Submission Document together with all other relevant reports, the representations received and a Statement of Representations to the Secretary of State.

Stage 5. Examination

3.19 The Council will send the following documents to the Inspector in electronic and paper form as part of the submission of the Document:

- The Submission Document;
- The Sustainability Apprasial Report;
- A submission Policies Map, if the adoption of the Local Plan would result in changes to the adopted Policies map;
- A statement setting out:
    - The Councils compliance with the Duty to Co-operate provisions found in Section 33A of the Planning and Compulsory Purchase Act 2004 (PCPA) (inserted by section 110 of the Localism Act 2011);
    - Which bodies and persons were invited to make representation on the content of the plan (preparation stage)
    - How those bodies were invited to make representations;
    - How any of those representations have been taken into account;
    - If representations were made at the publication stage, the number of representations made and a summary of the main issues raised;

- If no representations were received a statement that none were received;
- Copies of any representations made at the publication stage; and
- Any supporting documents the local planning authority consider relevant.

3.20 All representations will be considered by an Independent Inspector appointed by the Secretary of State, who will conduct an Examination into the 'soundness' of the Local Plan. The Inspector will consider most comments by way of written submissions and these will carry equal weight as appearances in person at an oral Hearing.

3.21 At least six weeks before the opening of the hearing the Programme Officer will notify all interested parties who have not withdrawn a representation (made at Stage 4) to the Local Plan of the date, time and place at which the Hearing is to be held and the name and details of the person appointed to carry out the independent examination.

3.22 There may be a Pre Hearing Meeting (PHM) conducted by the Inspector at which the management of the Examination will be outlined. Alternatively the Inspector may disseminate much information in a Guidance Note. An Exploratory meeting may also be called by the Inspector prior to the PHM to address or clarify any outstanding issues and explore how best to proceed with the examination.

Stage 6. Main Modifications

3.23 During the Examination, the Inspector may ask the Council to allow him/ her to propose changes, known as main modifications, to address issues of soundness or legal compliance. The Council will consult on any such main modifications for a time period agreed with the Inspector as well as the Sustainability Appraisal and Habitat Regulations Assessment if required. Any further representations received would then be considered by the Inspector who may decide to reopen the Hearing sessions if he/ she thinks this is necessary. Minor changes, such as typographical corrections, factual updates or other changes which taken together do not materially affect the policies of the Local Plan do not require further consultation.

Stage 7. Adoption

3.24 Following the Examination, the Council will receive an Inspectors report. Should the Council wish to adopt the Local Plan they must follow the Inspectors recommendation and if any main modifications are proposed, amend the Local Plan accordingly. There is a short period during which the Council can seek to clarify factual matters. Following consideration of the Inspectors report by the Full Council, the final Local Plan can be adopted. There will then be a six week period for the submission of any legal challenge to its adoption. The Council must publish details of where these can be inspected, in accordance with Regulation 26 of the 2012 Regulations.

Producing a Supplementary Planning Document (SPD)

3.25 The procedure for preparing and adopting Supplementary Planning Documents is shorter than for Local Plans. SPDs are not subject to Independent Examination on the

basis that they supplement policies in Local Plans which have been subject to examination. Table 3 provides the process for producing an SPD and example of tools that may be used for the level of community engagement identified is provided in Table 1.

3.26 Initial consultation on SPDs will be targeted at groups and individuals depending on the subject matter or location dealt with by the SPD. Consultation techniques will vary depending on the nature of the SPD. This informal consultation will seek to influence the scope and content of the SPD. At this stage, any previous relevant consultation outcomes will be taken into account.

3.27 Following initial consultation, a draft SPD will be prepared and this will then be the subject of formal public consultation, as required by Regulation 12 of the 2012 Regulations. Parish and town councils, charitable and voluntary bodies who may have a particular interest in the SPD and all others who have requested to be notified, will be advised of the availability of the draft document and the means by which comment on the document can be made.

3.28 The draft SPD will be made available through the Council's website. This publicly will offer an opportunity for individuals and bodies to contribute their views. Depending on the nature of the SPD the consultation may be further publicised through local exhibitions and/ or displays, and meetings may be held to discuss the draft document.

3.29 All comments received will be considered and the SPD amended in the light of these comments from which the final document will be adopted.

Table 3: Process for producing a Supplementary Planning Document

Stage/ Level of Community Involvement	**Process and requirements**
INVOLVE	Collect evidence. Informal consultations may be carried out and the nature/ extent of this will be determined by the subject matter of the document; Work with relevant groups and organisation; Consider issues and alternatives in the production of a draft SPD; Screen to determine whether a SEA or HRA is required; and Report on the consultation undertaken is summarised within a Consultation Statement (Regulation 12).

Stage/ Level of Community Involvement	Process and requirements
CONSULT	Statutory stage where a minimum of 6 weeks will be provided to comment on draft SPD and any supporting evidence, including the Consultation Statement (Regulation 13); Documents made available for inspection including on the Council's website; Notifications will be sent to relevant groups and organisations and all those who have requested to be notified; Parish and town councils will be notified; and Comments considered by officers and SPD amended.
ADOPT	Amended SPD (and summaries of consultation responses received) presented to LDF Sub Committee for adoption under Regulation 14; and Adoption statement produced and relevant people notified.
MONITOR	Final SPD is monitored to make sure it is achieving its aims; and SPD may be reviewed, where and when necessary.

Neighbourhood planning

3.30 Communities (usually Parish/ Town Councils) with the support of the Council can take Neighbourhood Development Plans forward. Neighbourhood Development Plans can allocate land or establish local policies for the development of land in a neighbourhood if the majority of persons voting in the associated referendum indicate approval. The plans must be in conformity with the strategic policies in the Local Plan and have regard to national planning policy. Once adopted the Neighbourhood Development Plan will form part of the statutory development plan.

3.31 Consultation procedures for Neighbourhood Development Plans and Development Orders are set out in the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012. Further information on neighbourhood planning is available on the Council's website.

4 The scope and methods of consultation

4.1 This section sets out who will be consulted, how they will be consulted and how the Council will accept and respond to the comments received.

Who will be consulted?

4.2 The minimum legal requirements for consultation and public participation for local development documents are set down in the Town and Country (Local Planning) (England) Regulations 2012. Specified bodies must be consulted where the Council considers that the body may be affected by what is proposed. These 'specific consultation bodies' are defined as:

- East Sussex County Council;
- Parish and Town Councils (within the plan area);
- Adjoining Local Planning Authorities and Councils (County, District, National Park, Unitary and Parish/Town);
- The Police and Crime Commissioners;
- The Coal Authority;
- The Environment Agency;
- English Heritage (Historic Buildings and Monuments Commission for England);
- Marine Management Organisation;
- Natural England;
- Network Rail Infrastructure Limited;
- The Highways Agency;
- Relevant telecommunications companies;
- Relevant Clinical Commissioning Group(s);
- NHS Commissioning Board;
- Relevant electricity and gas companies;
- Relevant water and sewerage companies; and
- The Homes and Communities Agency.

4.3 The Council will also consult other bodies it believes may be affected by what is proposed in its Local Plan that are not identified by the Town and Country Planning (Local Planning) (England) Regulations 2012, these include:

- The South East Local Enterprise Partnership;
- The High Weald AONB;
- Sport England; and
- Local Nature Partnership.

4.4 The Regulations also require consultation with other interest groups, which cover a whole range of voluntary, community, special interest, amenity and business interests, referred to as 'general consultee bodies'. These are defined as:

- Voluntary bodies some or all of whose activities benefit any part of the authorities area; and

- Other bodies who represent in the authority's area, the interests of different racial, ethnic or national groups; different religious groups; disabled persons; and persons carrying on business in the authorities area.

4.5 Natural England, English Heritage and the Environment Agency area also 'SEA Consultation bodies' that will be specifically consulted on the requirement for and on the scope of any Strategic Environmental Assessment (SEAs).

4.6 In addition to the above, the Council maintains a commitment to both formal consultation and informal discussions with other local authorities and non governmental organisations. The Council maintains a database of contact details or organisations and individuals who have requested to be kept informed of planning policy documents in the District. This is kept up to date and can be amended subject to a written (including emailed) request from the individual, business or organisation to which the existing or new record related.

4.7 If you want to be added to this database, or alternatively no longer wish to receive consultations, please let us know.

Consulting everyone

4.8 Consultation documents will be made available in electronic and hard copy format for inspection, with all associated material accessible through the Council's website. Copies of the document will be made available at the Council's offices, selected local libraries and selected town and parish council offices throughout the District. Copies will also be made available at East Sussex County Council's offices at County Hall, Lewes.

4.9 Where ever possible the Council will direct comments to be made online, which will assist administration and analysis. Consultation letters and emails may be accompanied by specially designed comments forms to assist people with their responses, and to ensure necessary information is provided. Officers will be able throughout the consultation process to provide guidance and assistance.

Receipt of representations

4.10 The Council is able and wiling to receive written representations and comments by email or letter, or at certain key stages, through its online consultation portal. At the formal stages of the process, those making representations will be encouraged to use the online planning consultation portal, although written comments will still be registered. Representations made by telephone, text or other social media will not be registered.

Dealing with your comments

4.11 All representations together with respondents contact details will be entered into the Council's Local Plan database. At early and informal consultation stages the Council will not acknowledge receipt of comments other than through automated responses to emails or through the online planning consultation portal confirming receipt.

4.12 All duly made comments will be analysed and carefully considered. How they are considered and reported will depend on the stage the document has reached. Individual written responses to the comments received will not normally be sent. Those who have commented will be able to see how their comments have been addressed, as set out below.

4.13 At early and informal stages, comments will be reported to the LDF Sub Committee and/ or relevant committees, as summaries or as a summary report. All comments will be made available online via the online planning consultation portal. Other than names and postal addresses, representors contact details will not be published on the Council's website.

4.14 At the Issues, Options and Recommendations stage, or following consultation on a draft SPD, comments will be reported to the LDF Sub Committee as summaries or as a summary report. These summaries or summary reports will be considered alongside the report and recommendations, which will be made available through the Council's website. Other than names and postal addresses, representors contact details will not be published on the Council's website.

4.15 For Local Plans, the Council is required to prepare a Consultation Statement for publication alongside the Proposed Submission Local Plan. The Statement provides a summary of the consultation that has been undertaken in connection with the preparation of the Local Plan.

4.16 For SPDs the Council will also prepare a Consultation Statement for publication alongside the Draft SPD.

4.17 For Local Plans at the Proposed Submission stage, representations will be assessed and a summary of the key issues raised presented in a Statement of Representations. All comments, as submitted will be sent to the Inspector when the Plan is submitted for Examination and will be published through the Council's website in full. Signatures, private telephone numbers and email addresses will be redacted from material made available through the Council's website. All comments will however be available to inspect in full on request.

What are 'duly made' comments?

4.18 For comments to be considered 'duly made' they must:

- Be received within the timescales set out;
- Relate to the document, its content, or its preparation;
- Not be anonymous; and
- Not be offensive, libellous or otherwise breach the law (i.e. inadmissible)

4.19 If comments are not duly made the Council will respond explaining why such a judgment has been made and if there is an opportunity to resolve the issue. Late submission cannot however be resolved, comments must be received within the prescribed time period.

4.20 Whilst all duly made comments will be welcomed and considered, not all comments may be able to be taken on board and at the Examination, only soundness or legal compliance issues can be addressed by the Inspector.

Publicity and availability of documents

4.21 All formal draft and final documents will be available through the Council's website and for inspection at the Council's main offices at Vicarage Lane, Hailsham. Documents will also be available for purchase in hard copy form or in large print, Braille, audio tape/ CD or in another language on request.

4.22 Notification of each stage of consultation is also publicised through the Council's Twitter and Facebook feeds, on the 'Latest News' section of the Council's main web page and articles in the Parish Newsletter, Members Newsletter and the Development Management Bulletin.

Charges for documents

4.23 All consultees and interested parties are encouraged to use the Councils website for viewing or downloading documents, although it is appreciated that this is not appropriate for everyone.

4.24 Consultation notifications will normally be sent by email with a link to the relevant document(s) on the Council's website. Where access to email is not available or suitable as the means of communication, a letter will be sent.

4.25 Local development documents and other associated material will be available as printed documents. The estimated cost for documents will be published on the Council's website and will be subject to periodic review.

5 Development Management

5.1 Involvement of the community and stakeholders at an early stage is more likely to deliver development that meets their needs and aspirations, whilst ensuring the statutory function of the local planning authority is adhered to. The SCI is an important tool for involving the wider community in the planning process, particularly in the decision making process for significant planning applications.

5.2 The SCI sets out standards of consultation to be achieved by the Council in making decisions on planning applications. Planning applications can range from modest house extensions to major schemes for settlement extensions. East Sussex County Council is the planning authority in respect of development involving mineral extraction and waste disposal and its own SCI will set out arrangements for the processing of such applications.

5.3 Planning legislation sets out a minimum standard of publicity and notification of applications depending on the nature of the application. The Council will meet or exceed the minimum requirements associated with statutory requirements, as set out in Table 4 below.

Table 4: Standards of publicity and notification of applications

Nature of development	Statutory provisions	Publicity and Timescales	
		Min. statutory requirements	Wealden Requirements
Applications accompanied by an Environmental Statement	Article 13, Part 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2010	Site notice on/near land related to the application for at least 21 days; and Notice in a locally circulated newspaper; and Publication on the website.	Display site notice on/ near land related to the application for at least 21 days; and Notice in a locally circulated newspaper; and Publication on the website; and neighbour notification.
Proposal departs from the Development Plan			
Development affecting a Public Right of Way			
Major development		Display site notice on/near land related to the application for at least 21 days; or serving the notice on	Display site notice on/near land related to the application for at least 21 days; and

Nature of development	Statutory provisions	Publicity and Timescales	
		Min. statutory requirements	Wealden Requirements
		any adjoining owner or occupier; and Notice in a locally circulated newspaper; and Publication on the website.	Notice in a locally circulated newspaper; and Publication on the website; and neighbour notification.
Minor development		Display site notice on/ near the land subject to the application (for at least 21 days); or By serving notice on any adjoining owner or occupier.	Publication on the website; and Display site notice on/near the land subject to the application (for at least 21 days); and Neighbour notification.
Applications for the approval of reserved matters	Article 13, Part 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2010	As per 'major and 'minor' development categories.	As per 'major' and 'minor' development categories.
Development affecting the setting of a listed building	Regulation 5A (3) of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)	Notice in a locally circulated newspaper; and For not less than 21 days display a site notice on or near the subject building	Notice in a locally circulated newspaper; and Display site notice on/ near land related to the application for at least 21 days; and Publication on the website; and

Nature of development	Statutory provisions	Publicity and Timescales	
		Min. statutory requirements	Wealden Requirements
			Neighbour notification.
Development affecting the character or appearance of a Conservation Area	Regulation 5A (3) of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)	Notice in a locally circulated newspaper; and For not less than 21 days display a site notice on or near the subject building	Notice in a locally circulated newspaper; and Display site notice on/ near land related to the application for at least 21 days; and Publication on the website; and Neighbour notification.
Applications for listed buildings consent	Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)	Notice in a locally circulated newspaper; and For not less than 21 days display a site notice on or near the subject building.	Notice in a locally circulated newspaper; and Display site notice; providing at least 21 days for comment; and Publication on the website.
Applications for certificates of lawfulness or existing use development	No statutory requirement	None, as applications are determined purely on factual evidence rather than planning merits	Publication on the website
Applications for certificates of lawfulness of Proposed Use or Development	No statutory requirement	None, as applications are determined purely on factual evidence rather than planning merits	Publication on the website
Applications for discharge of	No statutory requirement	No statutory requirement	Publication on the website (under the

Nature of development	Statutory provisions	Publicity and Timescales	
		Min. statutory requirements	Wealden Requirements
details required by a planning condition			original planning application reference).
Prior approval applications – tele communications	Class A, Part 24, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended)	Press advert required by legislation in certain circumstances	Display site notice for at least 21 days; and Neighbour notification; and Publication on the website.
Prior approval- larger house extensions	Class A, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended)	Adjoining neighbour notification providing at least 21 days for comment	Adjoining neighbour notification; and Publication on the website
Where any prior approval for change of use requires notification under Part N(6) of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by SI 2010 No 1101 and 2014 No. 564	Class J, K and M of Town and Country Planning (General Permitted Development) Order 2013 and Class CA, IA, MA and MB of the GPDO 2014.	For not less than 21 days display a site notice on or near the subject building or, Adjoining neighbour notification providing at least 21 days for comment.	Display site notice for 21 days; and Where appropriate, adjoining neighbour notification providing at least 21 days for comment; Publication on the website.

Nature of development	Statutory provisions	Publicity and Timescales	
		Min. statutory requirements	Wealden Requirements
Prior approval applications -demolition	Class A Part 31, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended)	The applicant is required to display a site notice providing at least 21 days for comment.	The applicant is required to display a site notice providing at least 21 days for comment.
Prior approval applications – agriculture	Class A, Part 6, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended)	Where the LPA requires the prior approval of details the applicant is required to display a site notice providing for not less than 21 days in the period of 28 days from the date on which the local planning authority gave the notice to the applicant	Publication on the website Where the LPA requires the prior approval of details, the applicant is required to display a site notice, on or near the land, providing at least 21 days for comment
Prior approval applications – Forestry Building and Operations	Class A, Part 7, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended)	Where the LPA requires the prior approval of details the applicant is required to display a site notice providing for not less than 21 days in the period of 28 days from the date on which the local planning authority gave the notice to the applicant.	Publication on the website. Where the LPA requires the prior approval of details, the applicant is required to display a site notice, on or near the land, providing at least 21 days for comment.
Applications for advertisement consent	The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)	No statutory requirement.	Neighbour notification; and Display site notice if located within conservation area (providing at least 21 days for comment); and

Nature of development	Statutory provisions	Publicity and Timescales	
		Min. statutory requirements	Wealden Requirements
			Press Advert (if site in a conservation area) Publication on the website.

5.4 The Council encourages any person contemplating development to undertake informal discussion in advance of submitting a planning application. Such discussions can assist in better quality applications and are more likely to have a better chance of a successful outcome.

5.5 In June 2014 the Council's Development Management team published updated guidance on the detail of the pre application service provided by the Council. This includes planning advice surgeries. This advice is available on the Council's website.

5.6 The Council also operates a Duty Planning Officer service between 9.30 am and 12.30 pm, five days a week, where general planning and procedural advice can be obtained.

5.7 The chargeable pre application service is intended to provide applicants with an understanding of how policies and guidance will be applied to the development, the general acceptance or not of the proposed development, with potential obstacles to a positive outcome being highlighted together with information that will be required to support a future planning application.

5.8 The Council recognises that applicants may wish to keep pre application discussion confidential and this position will normally be secure. However, under the provisions of the Freedom of Information Act 2000, the Council may have to make public any information it retains unless exemption applies, such as personal or commercially sensitive information. Similarly, requests for environmental information held by the Council can be requested under the Environmental Information Regulations. This is a complementary, but separate piece of legislation to the Freedom of Information Act.

5.9 Additionally, to support the pre application process information may be provided to key consultees to enable specialist advice to contribute to the Council's initial response to emerging proposals.

Giving local communities a say before applications are submitted

5.10 Whatever the scale of development proposed prospective applicants or developers are advised to discuss the proposals with the owners/occupiers of neighbouring land/premises prior to making an application. Pre application discussion, undertaken by

the applicant/ developer should also include key consultees such as the Highways Agency and the Environment Agency. Such informal discussion can help allay fears within the community on the nature and consequence of the development. An applicant, informed by pre application discussions and engagement will have the opportunity to positively respond to concerns or advice that may avoid objection at the formal application stage.

5.11 For development proposals that are considered 'significant development', the Council will expect applicants and developers to have carried out initial consultation with the local community. This is in line with Section 122 of the Localism Act 2011, which introduced a statutory requirement for prospective developers to consult local communities before submitting planning applications for very large scale developments. As guided by the RTPI's consideration of future requirements, the Council will expect applicants/ developers to undertake pre application consultation on the following basis:

- The type of developments to which this applies;
- Publicity associated with the consultation;
- The form of consultation to be undertaken;
- Collaboration between the developer and others on design; and
- The timetable for any consultation carried out under the measure.

5.12 Pre application community consultation will give local people an opportunity to comment on and influence proposed developments before they are submitted.

5.13 Engagement should be proportionate to the scale and impacts of the draft proposal, but as a minimum should include locally held public exhibition of the proposals that is advertised on site and in the local press. The local town or parish council should also be consulted. Planning officers will normally be able to advise on any local community groups or user groups that should be involved. This approach should be proportionate to the scale of development. Generally, the Council recognises that over and above the legal requirements of the Localism Act 2011 pre application with the local community cannot be enforced, nor can an application be rejected in the absence of a supporting statement.

5.14 However, the Council recognises 2013 No. 2932 amendment of the Town and Country Planning (Development Management Procedure) (England) Order 2010 requires the applicant to carry out consultation on a proposed application for planning permission for any development involving an installation for harnessing of wind power for energy production where:

- The development involves the installation of more than 2 turbines; or
- The hub height of any turbine exceeds 15 meters.

5.15 Furthermore, the additional notification and consultation that the Council will have to further undertake as the result of no pre application consultation may as a result delay the consideration of the application.

Notification and consultation arrangements for applications

5.16 As soon as a planning application has been submitted and validated, the Council will undertake notification and consultation with the local community (other than for applications considered by the County Council). The nature and type of publicity and consultation will be dependent on the nature of the proposal.

5.17 The Council's procedures for notification of the public are in excess of the minimum requirements (Table 4) laid down in the planning regulations and comprise of the following:

- The listing of the application details and plans on the Council's website and a facility to enable people to comment online through www.planning.wealden.gov.uk;
- A letter to the owners or occupiers of property adjoining an application site advising of an application and the time period to make comments. The Council uses the Development Management Order, which sets out the standards for notification of different types of development and in different locations such as built up or rural areas;
- Where the proposal is 'major' development as defined in the regulations, the application will be advertised in the local press and by means of a site notice displayed by the Council. For applications where development has off site implications, such as wind turbines, consideration will be given to wider display of site notices within the area likely to be affected;
- Where applicable, the Council will display or request that the applicant displays a site notice explaining the nature of the proposal and the period for comments; and
- In the case of certain types of development, such as that affecting a Conservation Area, a Public Right of Way or a Listed Building, the application will be advertised in the local press and by means of a site notice displayed by the Council.

5.18 The Council will also undertake consultation with statutory and appropriate bodies, the Highway Authority and the Environment Agency. The consultation arrangements for all application types are shown in Table 4.

How to make your comments

5.19 Councillors together with the general public have full access to all comments made in response to an application as they are published on the website. Respondents are encouraged to provide comments within a 21 day period from the point of notification. Comments received after the 21 day period will be taken into account prior to determination, including the reporting of such at the Planning Committee of comments received following report preparation. The latter does not apply if the decision has been delegated to an Officer.

5.20 Comments made by individuals and groups, the local community and specialist technical bodies will be taken into account before a decision is made. An initial assessment will be made by the application case officer prior to a formal recommendation or decision being made. Comments made up until the date a decision is formally issued will be taken into account in so far as they are material to the determination of the application. Comments

will be balanced with all other material considerations in relation to the provisions of the Development Plan, where relevant, when a formal decision is made on an application. Application determination will be achieved either by the Council's Planning Committees or through delegated determination, to the Head of Planning and Environmental Services, as directed by the Council's adopted Scheme of Delegation.

5.21 Comments on planning and related applications will be published on the Council's website so that they are publicly available. Where an application is reported to the Planning Committees, comments will be summarised in the committee report. Every attempt will be made to ensure the intent of the comment is not diluted.

Public speaking at Committee

5.22 Where applications are reported to Committee, the Council operates a public speaking scheme where applicants, supporters and objectors can address the Committee for a specified time, details of which can be found on the Council's website. Where people have commented on the application, the Council will write to inform them when and where the application will be considered and the arrangements for public speaking. Please note a request to address the Planning Committee is required prior to the meeting.

The role of District Councillors

5.23 District Councillors are an important source of local knowledge and advice on local issues. However, on planning matters, District Councillors must adhere to a code of conduct that directs that they do not have, or appear to have had, a determined position on a proposal which they may need to consider formally at a later stage. Therefore, whilst lobbying of Councillors can be appropriate, their main role in planning application discussions is providing information on procedures/ policies and sign posting to the community to sources of advice within the Council.

What happens after a decision is made?

5.24 As soon as a formal decision is made on an application, the decision notice will be published on the Council's website and anyone who has commented on the application will be notified of the decision. Notification of any subsequent appeal will also be provided to any interested party who commented on the application.

Applications that cross parish and district boundaries

5.25 If a planning application straddles parish boundaries, the relevant adjoining parish councils will be consulted. Where applications are received near to or adjoining the local planning authority boundary, the relevant neighbouring local planning authority will be consulted if the proposed development is likely to affect land in its area. The neighbouring authority will be given 21 days to make representations.

5.26 In some cases, an application site may fall within the boundary of more than one local planning authority. In such cases the applicant must submit the application to all planning authorities concerned. However, the fee is payable only to the authority in which

the largest part of the site is located, in line with the Town and Country Planning Fees Regulations 2012. Local planning authorities have discretion as to how to determine cross boundary applications, and as such, each one will need to be considered on a case by case basis.

5.27 Government guidance encourages joint working between local planning authorities in relation to the use of their planning powers, it may be appropriate in certain cases to set up a joint decision making committee, or alternatively, to devolve decision making powers to the authority receiving the fee. Any such arrangements will need to be formally approved by the relevant councils.

6 Monitoring and further advice

6.1 In order to monitor the effectiveness of the SCI, the Council intends to develop a range of indicators through the Annual Monitoring Report (AMR) that will have regard to outputs such as the number of people engaged in planning consultations.

6.2 It is proposed not to establish a formal review period for the SCI. However, a review will be undertaken if the AMR indicates that there is a substantial level of dissatisfaction amongst parish/ town councils and 'hard to reach' groups on the nature of involvement in the preparation of local development documents. A review will also be triggered by material changes in government policy or advice, which affect the principles of the SCI as adopted.

6.3 The Planning Portal is the Government's website that offers guidance on the planning system and can be viewed at www.planningportal.gov.uk

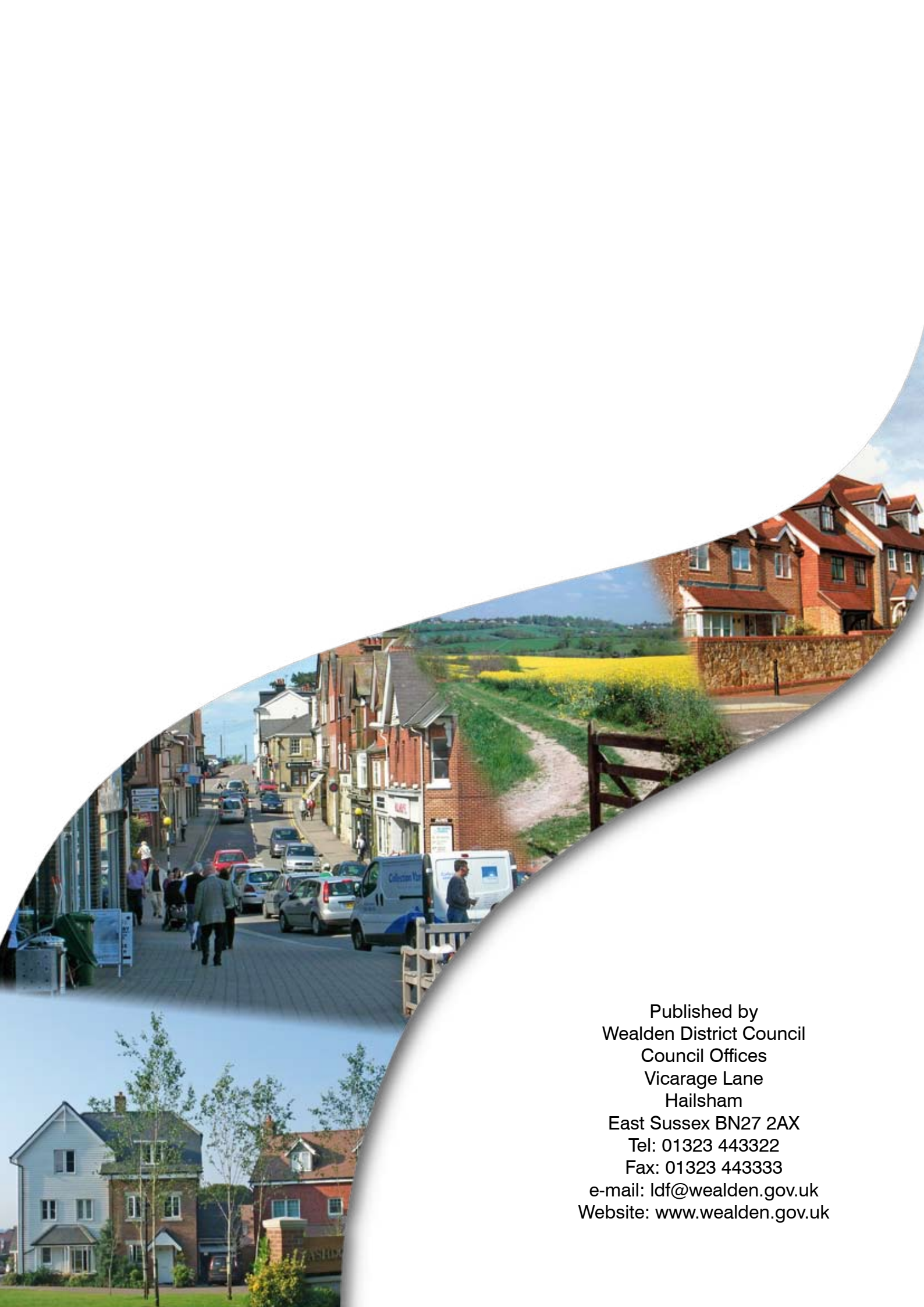
6.4 In addition, Planning Aid England provides free, independent and professional planning advice to communities and individuals who cannot afford to pay professional fees. Planning Aid England's advice is available via 0330 123 9511 and their website is available to view at www.rtpi.org.uk/planningaid. Planning Aid England can help you to:-

- Understand and take part in the planning system;
- Take part in the preparation of plans;

6.5 Key contacts and addresses are set out on the front page of this document. During consultation exercises, the relevant contact addresses for responses and queries will be clearly stated:

- For queries on the Wealden SCI, once adopted, please contact the Council directly;
- For queries on the Local Plan please contact the Planning Policy Team at Wealden District Council.

6 Monitoring and further advice



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