



SUNDERLAND CITY COUNCIL

STATEMENT OF COMMUNITY INVOLVEMENT

February 2015

Janet Johnson
Deputy Chief Executive
Sunderland City Council
P.O. Box 102
Civic Centre
Sunderland
SR2 7DN

Tel (0191) 5611537

email: planningpolicy@sunderland.gov.uk

Introduction

The purpose of this document is to set out how the council will engage with local communities and stakeholders in the preparation of development plan documents and in carrying out our development management function for the determination of planning applications within the city. Sunderland City Council aims to maximise involvement in the planning process to encourage ownership of the policies and development management decisions that will shape future development in the city.

The council's first Statement of Community Involvement (SCI) was adopted in November 2006. This current document is the first amendment to the SCI and reflects recent changes to the planning legislative context and new ways of engaging with the public and other stakeholders including the growth of information technology and social media.

The council is required to produce an SCI in order to meet the requirement of the Planning and Compulsory Purchase Act 2004 (as amended). The SCI explains the statutory requirements that the council must meet at certain stages of planning policy document production and determination of planning applications, and what other consultation or engagement processes may be undertaken in addition to these minimum requirements. This will allow the community to know how and when they will be involved in the planning process. The SCI therefore sets the framework for planning related consultations which will enable the council to demonstrate how it has met the requirements of the planning regulations.

The Statement of Community Involvement is arranged over three parts:

1. background and context for the SCI
2. the council's obligations as they relate to engaging the community in the plan making process
3. the consultation and publicity procedures to inform the decision making process through the determination of planning applications.

Part 1

Background

Importance of engagement and consultation

Consulting and engaging with local communities has been a long established and important part of the planning process with opportunities provided to make representations in the development plan system and the decision making process. The National Planning Policy Framework's emphasis on the plan led decision making system (whereby planning applications which are in accordance with the development plan should be approved without delay unless there are good reasons for not doing so), means that it is very important that there is effective and widespread involvement of communities in the making of planning policy and drafting of development plans.

Policies must be made with a presumption in favour of social, environmental and economically sustainable development and be based on objectively assessed evidence. One of the main principles of sustainable development is involving communities in developing a vision for their area. In order to develop a vision, communities need to be given the opportunity to participate in drawing up plans or policies and be consulted on planning applications/notifications.

For community involvement to be successful, a clear understanding must be gained of the make-up of communities, their interests and needs. Sunderland contains a wide range of communities and an inclusive approach should be taken so that all groups irrespective of circumstance or background, are able to fully participate in the planning process, with a particular need to involve under-represented groups, people protected by equality legislation, and those who find it difficult to engage in the process.

Community involvement is not simply a matter of ticking a box in response to a question or targeting those groups familiar with the planning process but requires genuine participation that will help shape the future of Sunderland. Therefore the council will seek the most effective ways to engage stakeholders and all sections of the community in the planning process. The council firmly believes in the importance of an intelligence-led approach: consultation and involvement is an essential part of this. An intelligence-led approach enables:

- Maximum impact from the use of public resources
- Better outcomes
- Prioritisation of needs and better targeting of resource
- Residents being supported to develop solutions
- Greater understanding of the issues facing individuals, families and communities
- Greater understanding of the impact and influence of what we do

The council is committed to the Sunderland Compact which contains an Involvement and Consultation Code of Practice (<http://www.sunderlandpartnership.org.uk/compact.html>). This outlines principles that

include proportionate consultation, a commitment to reach those likely to be excluded and maximum participation.

The Statement of Community Involvement has been written to compliment this approach whilst taking into account the statutory requirements of the current planning legislation framework outlined below.

Legislative Framework

Under section 18 (Part 2) of the Planning and Compulsory Purchase Act (2004) Local Planning Authorities (LPA's) are required to produce a Statement of Community Involvement (SCI). Since the adoption of Sunderland's first SCI in 2006 there have been a number of legislative changes, which mean that the SCI is no longer a development plan document and can now be adopted without the need to undergo Examination by an Inspector. Additionally, the minimum legal requirements for consultation on development plan documents and in the determination of planning applications have been updated in order to encourage more efficient production of plans and processing applications.

The minimum requirements for community involvement in the production of planning policy documents are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012; for the determination of planning applications and notifications, the minimum requirements are set out within the Town and Country Planning (Development Management Procedure) Order 2010:-

Production of Development Plan Documents (DPD's);

Development Plan Documents set out the formal planning policies for an area. They are subject to Examination by an independent Government Inspector. The 2012 regulations identify those stages of plan production where consultation is required;

- **Preparation** of a Local Plan (Regulation 18);
- **Publication** of a Local Plan (Regulations 19 & 20); and
- **Submission** of a Local Plan to the Secretary of State (Regulation 22).

Production of Supplementary Planning Documents (SPD's);

As their title suggests, Supplementary Planning Documents provide additional information in respect of the policies contained in DPD's and tend to focus on particular issues or specific places. They do not have the same status as Development Plan Documents and can be adopted by the council without the need for an independent Examination. The Regulations set out two stages of Supplementary Planning Document production where consultation is required, these are;

- **Publication** stage (Regulation 12)
- **Adoption** (Regulation 14)

Development Management;

The nature, scale and type of planning related application or enquiry will determine how the Council will engage with the Community.

Duty to Co-operate

Section 110 of the Localism Act 2011 introduced the Duty to Co-operate which requires the local planning authority to actively engage with neighbouring Authorities and other statutory bodies and work jointly on strategic matters.

Monitoring the SCI

The SCI will be kept under careful scrutiny so as to ensure that the council meets its commitment to community involvement in the planning process. The council will monitor and review the involvement by different types of group, ensuring that people of all backgrounds are engaged, together with individuals and other stakeholders. In particular, feedback will be used to monitor the performance of techniques, the effectiveness of consultation, and used in refining the SCI.

The effectiveness of the SCI will be assessed on the basis of:-

- Feedback from representations on consultation exercises
- Ease of accessing planning documents
- Level of involvement in the planning process across all the community

As part of the local plan process the council must prepare a Local Plan Monitoring Report at least annually. This will assess the production progress and policy effectiveness of the LDF. The SCI will be assessed within the Monitoring Report which will determine when it should be formally reviewed.

Independent Advice

Planning Aid is able to offer free, independent and professional advice on Town and Country planning issues to community groups and individuals who cannot afford to pay a planning consultant. It also works with communities to help them understand and play a role in the planning process. Planning Aid produces a leaflet which can provide more details and guidance on eligibility.

http://www.rtpi.org.uk/media/1054120/info_leaflet_web.pdf

Contact Details are:

The Royal Town Planning Institute
41 Botolph Lane
London
EC3R 8DL
contact@rtpi.org.uk
tel: 02079299494
<http://www.rtpi.org.uk/planning-aid>

Part 2

Community involvement in the plan making process

Documents Subject to Consultation

Sunderland City Council is preparing a Local Plan, the new development plan for Sunderland which will set out the overall framework for the development of the city up to 2032. This will replace the current Unitary Development Plan.

The Local Plan will be brought forward in two separate documents:-

- **Core strategy** - containing city-wide strategic policies together with a suite of Development Management policies and a key diagram which shows how these policies will apply to different parts of the city
- **Allocations Plan** – taking its lead from the Core Strategy, this will identify sites and land for specific uses such as housing, employment, shopping, community facilities and greenspace.

The council is also preparing:-

- **Area Action Plan** – jointly with South Tyneside to plan comprehensively for the development of the proposed International Advanced Manufacturing Park in the vicinity of the existing Nissan site (IAMP)
- **Supplementary Planning Documents** – documents that provide further guidance where needed about how to implement policies and proposals within DPDs

Consideration is being given to:-

- **Community Infrastructure Levy (CIL) Charging Schedule** – which sets out the charging rates to be applied to new developments in the city.

The City Council must, by law, prepare and maintain what in effect will be a work programme for the Local Plan: the Local Development Scheme (LDS). This will set out what Local Plan documents the council will produce and a timetable for their preparation and review. The LDS further describes the Development Plan Documents (DPDs) that the City Council is preparing, or has prepared as part of the Local Plan and explains the purpose of the individual documents and how they relate to each other.

Development Plan Documents must be subject to independent Examination to determine that they are 'sound', and one 'test of soundness' is that the planning document has been prepared in accordance with the council's approved SCI (or relevant regulations if the SCI is not in place).

The council also prepares other planning related documents which will be subject to public consultation and engagement. These are not governed by regulations in the same way as those listed above and the council will use its discretion over the consultation arrangements.

Who we will consult

The 2012 Local Planning Regulations identifies the organisations which must be consulted at each stage of plan making. These are:-

Specific consultation bodies - those who must be consulted at key stages. These include:-

- *the Coal Authority*
- *the Environment Agency*
- *the Historic Buildings and Monuments Commission for England (known as English Heritage)*
- *the Marine Management Organisation*
- *Natural England*
- *Network Rail Infrastructure Limited*
- *the Highways Agency,*
- *a relevant authority any part of whose area is in or adjoins the local planning authority's area,*
- *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,*
- *If it exercises functions in any part of the local planning authority's area—*
 - (i) *a Primary Care Trust*
 - (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;*
 - (iv) *a sewerage undertaker; and*
 - (v) *a water undertaker*
- *the Homes and Communities Agency*

General consultation bodies - those who the council has the discretion to consult as appropriate. This is a wide-ranging group which comprising those organisations active within the city and includes:-

- Voluntary bodies
- Bodies which represent the interests of different racial, ethnic, religious or national groups

- Bodies which represent the interests of disabled persons
- Bodies which represent business groups

The Duty to Co-operate also requires consultation with certain bodies, many of which are already included in the specific consultation bodies list, with the addition of the Integrated Transport Authority and the Local Enterprise Partnership. The regulations contain a list of current specific and general consultees (as set out above) but these may be subject to change following changes to the legislation and regulations. In these circumstances the consultation arrangements will reflect any changes to legislation. (<http://www.legislation.gov.uk/uksi/2012/767/contents/made>).

Within the council, Elected Members and relevant Committees including the Area Committees will also be consulted on emerging development plan documents.

In addition to the above requirements, the council will seek the views of other individuals and groups from the community, and will endeavour to be as inclusive as possible. To this end, the council maintains a database of individuals, groups and organisations that have expressed a wish to be notified during the various stages of the plan making process. If you wish to be added to this list, please contact us by; -

Post:

Planning Policy Section
Sunderland City Council
PO Box 102
Civic Centre
Sunderland SR2 7DN

Email:

planningpolicy@sunderland.gov.uk

Telephone:

(0191) 5611537

Consultation material will be made publicly available so that any interested party, not just those that are contacted directly, will have the opportunity to make representations.

How we will consult

The council will strive to achieve maximum coverage, inclusiveness and accessibility balanced against resource and time constraints. With the growth of information technology and social media, together with the more traditional communication methods, there are an increasing number of potential avenues for community involvement and consultation. The minimum requirements for public involvement in the plan making process are set out in the 2012 Local Planning Regulations. The

council must notify, either by letter or email, the specific and general consultation bodies at preparation, publication and submission stages of the plan.

In addition, the council may carry out additional consultation and engagement exercises as appropriate at certain other stages of plan preparation. This may include staffed public exhibitions, public meetings, press releases, and publicity on the council's website and social media pages; this is not an exhaustive list and the methods used will be tailored to the status of the particular document/stage.

Further, there may be occasions whereby specific proposals may directly affect a specific geographical area, community or group and therefore requires more intensely focused publicity. This could, for instance, involve notifying individual households by letter, concentrating publicity material within the locality and embarking upon a more localised programme of public engagement events.

Responses may be submitted via the council's website, and this route is encouraged as the fastest and most cost-effective. However, response forms supplied by the council may also be returned by email, post or in person. Documents will be available to view online and master copies will be kept at the Civic Centre, Customer Contact Centres and libraries. Additionally, other locations may hold copies of certain documents if appropriate. Paper copies and documents in other formats, such as Braille, audio and large print, can also be made available by arrangement on request.

When we will consult

The 2012 regulations identify specific stages of planning policy document production where consultation is required. As a minimum this will be at the following stages: -

Development Plan Documents (Core Strategy, Allocations Plan, Area Action Plan);

- **Preparation** - a process of evidence gathering and initial public participation on the scope of the plan (eg. Issues and Options);
- **Publication** – whereby the draft local plan produced after taking into account early consultation responses is made available for comment and possible change (statutory minimum consultation period of 6 weeks)
- **Submission** – prior to the draft local plan being formally submitted to the Secretary of State (statutory minimum consultation period of 6 weeks)
- **Modification** – proposed modifications which have been identified by the Inspector during the Examination

Supplementary Planning Documents (Design Guides, Masterplans);

- **Publication of Draft Supplementary Planning Document**– whereby the proposed document produced after evidence gathering is made available for

inspection and representations are invited (statutory minimum consultation period of 4 weeks)

The council will endeavour to make allowances for holiday periods or where more complex issues are involved, whereby the consultation period will be extended as appropriate. The council may also consider it appropriate to consult at additional stages of DPD production, such as the preparation of Growth Options, to encourage participation and to help the council identify the issues and options available to address them.

Part 3

Community involvement in the decision making process

Development Management - Community involvement in the decision making process

There are a number of planning related permissions and consents regulated by the Development Management service. Most are subject to a mandatory process of community involvement and consultation, but a discretionary process of consultation and publicity will be applied to others. These include pre-application enquiries, planning applications, appeals, enforcement procedures, consent to carry out works to trees, advertisement consent, prior notifications, listed building consent and relevant demolition in a conservation area.

Whilst there are a number of permissions and consents regulated by the Development Management team, the primary role of Development Management relates to the determination of planning applications.

All planning applications received by the council are currently publicised in accordance with statutory requirements (Town and Country Planning (Development Management Procedure) Order 2010). This is contained in the council's Development Management Good Practice on Publicity for Applications (See Appendix 1).

Involvement in planning applications engages individuals, communities and stakeholders in the process. The council in meeting its statutory obligations to publicise and consult has to balance its discretionary measures with cost, speed of decision and fairness. The discretionary level of consultation varies as will be explained later.

Pre-application enquiries

The council will encourage early dialogue to examine potential development proposals. This approach becomes more important for larger scale or particularly significant proposals. The Government advises that for such proposals wider community consultation may be required in addition to the statutory requirements. Early discussion by applicants with the council will identify whether there is a need for the applicant to consult the community and other bodies at the pre-application stage. Detailed guidance is being prepared on this aspect.

The purposes of this approach are:

- Wider understanding of proposals
- Community ownership in the process and transparency of procedure
- Feedback to shape initial proposals towards a well-designed proposal
- Early identification of issues
- Avoid unnecessary objections later on in the application process, which can extend the determination period and be expensive to resolve

Suggested methods of community involvement may include:

- Public exhibitions

- Public meetings
- Workshops

The council will welcome early discussion with prospective applicants, particularly on major or controversial proposals to agree whether or not it would be appropriate to undertake such a consultation exercise. The results of consultation exercises will be reported and considered as part of the application process.

The council cannot insist that such community consultation is undertaken. However, it is considered that such engagement early in the application process can be beneficial to all parties in creating a partnership approach towards development.

Small applications, such as domestic extensions and other minor proposals will not undergo this pre-application community consultation exercise.

Receipt of a planning application

Consultations will be carried out and information disseminated on planning applications in the following ways:

- **Weekly list and register** – This is held electronically and is available to view at www.sunderland.gov.uk/online-applications.

The planning application register, which includes all current applications and those which have been decided, is also available for public inspection at the Customer Service Network during office hours. The council holds all planning records in a textual format online. All planning applications from April 2007 are held only in an electronic format.

- **Neighbour notification** – Occupiers of neighbouring properties most likely to be affected by an application will be notified by letter, and invited to make comments on the application usually within 21 days.
- **Advertisements** - The council has a statutory obligation to publish details in the local press (Sunderland Echo) of specified applications, and how to make representations.
- **Site Notices** – These are displayed on or near the application site as appropriate to inform the wider community and give details on how and when to make representations.
- **Consultees** – Statutory and non-statutory consultees will be consulted in accordance with the Town and Country Planning (Development Management Procedure) Order 2010. Consultees will be notified by letter having 21 days, or 28 days in the case of a planning application potentially affecting a SSSI or in a SSSI consultation area¹, in which to comment.

¹ In accordance with Section 28 of the Wildlife and Countryside Act 1981 as amended by the Countryside and Rights of Way Act 2000.

Consideration of a planning application

The assessment of a planning application can involve a considerable amount of negotiation, particularly the larger and more complex applications. The council encourages negotiation between applicants and officers, which may result in amendments to proposals being made to bring them into line with planning policies or in response to representations received. Where an amended proposal is submitted a further round of consultations may be undertaken. Whilst there is no statutory obligation to re-consult on amended plans the Council will re-consult on changes of a significant nature, on a case by case basis.

Determination of a planning application

All representations received during the relevant statutory consultation period will be considered in determining the application and reported in the officer's recommendation. There may be an occasion when responses will be submitted outside of the statutory time period, for example if further information is required. Representations received outside of the prescribed time period will be considered at the discretion of the council if timescales allow and bearing in mind circumstances leading to this situation. Site inspection to view matters raised in representations received may also involve case officers calling at objectors' properties to discuss the representation.

Representations made in writing will not be acknowledged but will be available to view online. Representations may also be made online at www.sunderland.gov.uk/online-applications.

It should be noted that only comments relating to planning issues can be taken into account.

Around 90% of planning applications are determined by the Deputy Chief Executive under the council's delegation scheme. This assists the council in meeting performance targets for speed of decision of planning applications. Other applications are reported to one of three Development Management Area Sub-Committees or the Planning and Highways Committee. Members of the public have the opportunity to address the Committees, subject to rules on advance notification and procedure.

When a planning decision is issued the council will inform the applicant/agent and those who made written representations of the decision. If the decision was made at committee, the minutes of the meeting will be made available on the council's web site www.sunderland.gov.uk within the Committee Management Information System pages. All decision notices can be viewed on the council's website through the planning applications pages.

Appeals against the outcome of a planning application

Statute allows applicants the right to appeal within set timescales of the decision. There is no provision for third parties to appeal against a decision on an application.

When an appeal is received anyone who was notified or consulted about the application and anyone who made representations on the application within the time allowed prior to determination is notified of the appeal and supplied with written

details on how to make their views known. If the Planning Inspectorate decides the appeal will be determined by written representations then the objectors/supporters would be invited to re-state any of their representations to the Inspectorate. If the appeal is to be decided by an informal hearing or inquiry then the Inspector also has the discretion to allow third parties to speak. All representations made during the planning application stage are public records and are forwarded to the Planning Inspectorate.

Appeals relating to householder, advertisements and minor commercial development are subject to a 'fast-track' appeal procedure. In these cases, third parties will be informed that an appeal has been made and that any representations they have already made at application stage will be forwarded to the Planning Inspectorate. Representations that have already been made can be withdrawn, but there will be no further opportunity to make representations at appeal stage.

There is a set of "Guide to taking part in a planning appeal" documents available on the Planning Portal:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidanceontheappealprocess>

The council will also publicise by means of site notices and on its web site details of any informal hearing or public inquiry. In addition, a press notice may also be published.

Enforcement issues

A dedicated team is responsible for the enforcement of planning matters which includes investigation of possible breaches and instigating any enforcement action in respect to unauthorised development. All enforcement cases will be treated in confidence by the council unless the complainant requests otherwise.

Appeals against Enforcement Action

Should the council decide to take enforcement action against a breach of planning control, there is a right of appeal against the decision similar to that for planning decisions, although detailed procedure will be different. The procedure for taking part in an enforcement appeal is similar to that for planning appeals and detailed guidance can be found at;

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidanceontheappealprocess>

More detailed information on enforcement procedures, including all outstanding Enforcement Notices, is available on the Planning Enforcement pages on the council's website (www.sunderland.gov.uk/online-applications).

Appendix 1

Development Management good practice on publicity for applications

Introduction

This note seeks to outline the council's practice on publicity for planning applications. It outlines the legislative requirements and advice set out in the Town and Country Planning (Development Management Procedure) Order 2010 and the National Planning Practice Guidance (NPPG). It also sets out the procedures and practice on the appropriate form of publicity that should be undertaken for different types of applications.

The responsibility for publicising applications falls to the Local Planning Authority (LPA) and the Town and Country Planning (Development Management Procedure) Order 2010 makes provision for 3 basic types of publicity:

- Letters to occupiers of adjacent properties.
- Posting site notices visible to the general public
- Publishing a notice in a newspaper circulating in the locality.

The Town and Country Planning (Development Management Procedure Order) 2010 also requires the local authority to publish information about the application on the council's website (www.sunderland.gov.uk/online-applications).

The following seeks to give advice on the most appropriate form of notification for different types of applications, and is summarised at Annex 1.

The relevant Ward Councillors, and if appropriate, the Chairperson and Vice Chairperson of the appropriate Development Control Sub- Committee's are consulted.

1. Major development

Major development is defined in the Town and Country Planning (Development Management Procedure) Order 2010.

The 5 categories are:-

- the winning and working of minerals or the use of land for mineral-working deposits;
- waste development;
- the provision of dwellinghouses where the number of dwellinghouses to be provided is 10 or more; or if this is not known where the site area is 0.5hectares or more

- 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
- development carried out on a site having an area of 1 hectare or more

For all major applications the Town and Country Planning (Development Management Procedure) Order 2010 requires that publicity must take the form of site notices and newspaper advertisement. The council will also use the standard neighbour letters where appropriate i.e. for nearby occupiers that may be affected by the development.

2. Other (minor) development

The type of publicity required for applications other than those specified above are site notices and/or neighbour letters and publicity on the council's website.

In addition to the statutory requirements, the council may in some cases carry out wider publicity on certain applications that may have the potential to have significant impacts or impacts over a wider area. This is a discretionary exercise and it is up to the LPA to decide when further publicity would be appropriate. The following list, whilst not exhaustive, indicates the types of likely development:

- Those affecting nearby properties by causing noise, smell, dust or other nuisance.
- Attracting crowds, traffic or noise into a generally quiet area.
- Causing activity and noise during unsocial hours.
- Introducing significant change, eg. a tall building
- Those affecting the setting of an ancient monument or archaeological site
- Proposals affecting trees subject to a TPO
- Any significant change of use or new building to accommodate a commercial use in a residential area
- All proposals for change of use or new build for class A3, A4 and A5 (restaurant, pub, café or hot food takeaway.)
- Proposals for hotels, Houses in Multi Occupation, intensive use housing/care homes
- Proposals for D2 uses, eg. cinemas, gyms, sports/leisure uses

Wider publicity shall take the form of a site notice and letters to nearby occupiers. The extent of the consultation of nearby occupiers will be at the discretion of the case officer.

3. 'Special' applications

The Town and Country Planning (Development Management Procedure) Order 2010 requires that publicity must take the form of a notice on or near to the site and a notice in the local newspaper for the types of applications listed below. It is the council's practice to also consult nearby occupiers by way of neighbour letters.

An application for planning permission for development which:-

- is an EIA application accompanied by an environmental statement;
- does not accord with the provisions of the development plan in force in the area in which the land to which the application relates is situated ('departure'); or
- would affect a right of way to which Part 3 of the Wildlife and Countryside Act 1981 (public rights of way)(a) applies ('stopping up order')
- potentially affecting a SSSI or in a SSSI consultation area (28 days)

4. General householder/ commercial applications

The LPA is required by the Town and Country Planning (Development Management Procedure) Order 2010 to consult the owners/occupiers of adjacent land by posting a site notice or by serving a notice on any adjoining owner or occupier.

It is the Development Management Section's practice to send neighbour letters to the occupiers of all properties that adjoin the site. If the site is bounded by land where the ownership is not clear a site notice should be displayed as well.

5. Larger Home Extensions: Neighbour Consultation Scheme

On receipt of a notification application, the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013 requires local authorities to serve a notice on adjoining owners or occupiers, i.e. those who share a boundary, including to the rear. This will give a minimum of 21 days for any adjoining neighbour to raise an objection.

6. Prior Notifications under the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013

Changes to permitted development rights introduced on 30 May 2013 include: the change the use of an office to a dwelling(s) (subject to specified requirements) for a temporary period of three years (class J); the change of use of a building and land to a state-funded school, from a use including business, hotels, residential institutions, secure residential institutions and assembly and leisure (subject to specified requirements) (class K); and the change the use of various agricultural buildings to flexible uses including shops, financial and professional services, restaurants and cafes, business, storage or distribution, hotels, or assembly and leisure (subject to specified requirements) (class M) all subject to a notification procedure. On receipt of a notification application, the order requires local authorities to serve a notice on adjoining owners or occupiers or display a site notice.

7. Other Prior Notification Procedure applications

These will include agricultural buildings, forestry and demolitions. There is no statutory obligation to consult on these types of applications.

8. Telecommunications Prior Notifications (TEX)

The public consultation requirements for the Local Planning Authority under the 56 day prior approval procedure are the same requirements as for applications requiring planning permission.

In addition to the statutory consultation, the development management section undertakes additional publicity that they consider necessary to give people likely to be affected by the proposed development an opportunity to make their views known.

9. Listed Building Consents /applications in Conservation Areas/applications affecting the setting of a listed building.

The Planning (Listed Buildings and Conservation Areas) Regulations 1990 requires that, with the exception of applications affecting only the interior of a Grade II listed building, any application must be publicised by way of a press notice or a site notice. It is the practice of the council to also send letters to nearby occupiers.

10. Advert applications

There is no statutory requirement to publicise applications for advertisement consent.

11. TPO applications

There is no statutory requirement to publicise applications relating to works to protected trees.

A site notice is issued to the applicant for posting before the works are carried out on the application site to notify residents of the impending works.

12. Applications for non-material amendments under section 96a of the TCPA 1990

There is no statutory requirement to publicise such applications. As the amendments are by definition non-material, it is usually considered unnecessary to consult neighbouring properties.

13. Applications to vary or remove conditions or retrospective applications made under sections 73 and 73a of the TCPA 1990.

The regulations require publicity in the same manner as if for a planning application. It is the Development Management section's practice to notify all adjacent occupiers. Wider publicity may be undertaken depending on the nature of the proposal or classification of application.

14. Notifications of changes to an original application

It is at the discretion of the Local Planning Authority to decide if further publicity is required on amended details submitted during the life of the application.

The time given for responses on re-notification is discretionary but will normally be between 7-14 days depending on the target date for the determination of the application and the significance of the changes involved.

ANNEX 1 SUMMARY OF REQUIRED PUBLICITY ON PLANNING APPLICATIONS

TYPE OF APPLICATION	CONSULTATION TYPE
Major applications	Site notice Press notice Neighbour letters Ward Councillors Website DC Chair and Vice Chair if applicable
Minor development	Site notice and/or Neighbour letters Ward Councillors Press notice if applicable Website DC Chair and Vice Chair if applicable
Departure Environmental Assessment Stopping up Affects SSSI	Site notice Press notice Neighbour letters Ward Councillors Website DC Chair and Vice Chair if applicable
General Householder/commercial	Neighbour letters (site notice where adjacent occupiers can't be identified) Ward Councillors Press notice if applicable Website DC Chair and Vice Chair if applicable
Prior notification of larger homes household extensions (Applicable between 30th May 2013 to 30th May 2016) (A.1(ea) of Schedule 2 to GPDO1995 as amended)	Neighbour letters Ward Councillors Website
Prior notification of changes of use	Site notice and/or

(Classes J,K and M of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013	Neighbour letters Ward Councillors Website
Other Prior Notifications	Neighbour letters Website Ward Councillors
Telecommunications (TEX)	Neighbour letters Ward Councillors Chair and Vice Chair of DC Committee if applicable Website
Listed Building Consent Relevant Demolition in a Conservation Area Affects setting of Listed Building	Site notice Press notice Neighbour letters Ward Councillors Website DC Chair and Vice Chair if applicable
Advert applications	Ward Councillors Website
TPC/TPA applications	Ward Councillors Website
Section 96a applications	Ward Councillors Website
Section 73/73a applications	Neighbour consultations Site notice if applicable Ward Councillors Press Notice if applicable Website DC Chair and Vice Chair if applicable
Notifications of changes to an original application	As appropriate Website

