

**Statement of Community Involvement
Adopted 2007**



**PENWITH DISTRICT COUNCIL
STATEMENT OF COMMUNITY INVOLVEMENT**

ADOPTED 7th FEBRUARY 2007

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Statement of Community Involvement

Local Development Framework (LDF)

Foreword

Our present Local Plan has been developed over the years with full consultation at a local level fitting in with the County Structure Plan. Penwith District Council has to meet the needs of an ever changing economic, environmental and social society which is part of a national picture.

Nationally, regions have been created to identify and develop structures that will deliver, through a Regional Development Framework, investment in a targeted manner.

To manage population, environmental and economic changes, reduce disparities, peripherality and identify where key economic investment for jobs, homes and transport infrastructure should occur, a Regional Spatial Strategy is being developed for the South West.

Sitting below this, and fitting in with the Regional Spatial Strategy at a local level, is the Local Development Framework (LDF) which is to involve local people, organisations and business in the preparation of new planning policies.

This is the first document to be prepared and demonstrates the Council's commitment to community consultation, provides information on the new developments and how and when local people, organisations and businesses can be involved early in the process of planning for their community. It sets out the standards to be met by the authority in terms of involvement, building on the minimum requirements set out in the regulations, thereby demonstrating a stronger evidence base for plans, strategies and planning decisions to deliver homes and jobs balanced with the environment.

It commits the community to the future development of Penwith, promoting regeneration, investment and fostering ownership and strengthening delivery.



Councillor Hudson Smith
Chairman
Social, Economic and Environment Committee.

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1. Introduction

What is a Statement of Community Involvement?

- 1.1 The Planning and Compulsory Purchase Act, which came into effect in September 2004, introduced fundamental changes to the planning system. A **Regional Spatial Strategy (RSS)** will be produced by the South West Regional Assembly (as Regional Planning Body) which will replace the existing Cornwall Structure Plan, whilst **Local Development Frameworks (LDF)** will replace District Local Plans.
- 1.2 The LDF will consist of several **Local Development Documents (LDDs)**, one of which will be the **Statement of Community Involvement (SCI)**. (See diagram on page 6). A key objective in the new Act is the encouragement of more meaningful community involvement and the making of a more efficient planning service. **The purpose of the SCI is to set out when and how local community groups and individuals, as well as other consultees, can be involved in the planning process.** The SCI relates to involvement and consultation on planning applications as well as the preparation of new policy documents.

How have we involved the community in formulating the SCI?

- 1.3 In April 2005, the Council commissioned an independent consultancy firm, Hannah Reynolds Associates (HRA), to undertake selected consultation with residents, community groups, including 'hard to reach' groups, and town and parish councils, to learn from them which methods of community consultation would best suit their needs. The purpose of the survey was to:
- identify the key community groups who should be targeted in any consultation about planning process and strategy
 - ask community groups' views about which methods of consultation would best suit them
 - recommend to the Council how it could increase and promote access to information by community groups
 - recommend innovative and effective consultation techniques which are also realistic and achievable by the Sustainable Development and Improvement Service
 - produce a consultation matrix for the Local Development Framework
 - identify links between Penwith District Council departments
- 1.4 The results of the survey informed the draft Statement of Community Involvement which was published for public consultation for a six week period during October and November 2005. (See Section 3 to see how these results have been incorporated into the Statement of Community Involvement.)
- 1.5 We received comments on the draft Statement from 33 different organisations and individuals. These comments were then reported to the Council's Social, Economic & Environment Committee on 25th January 2006 and changes to the document were agreed. After being updated with these changes, the Statement was submitted to the Secretary of State, for approval, on 27th April 2006 and was published for a further six week period of public consultation.
- 1.6 An examination in public was held on 2nd November 2006 by an independent inspector, Inspector David Robins BA PhD FRTRI, to hear outstanding objections and to test whether the SCI was 'sound'. Upon receipt of the Inspector's binding report, the SCI was formally adopted by the Council on 7th February 2007. Now that the SCI is adopted, the Council has to comply with the requirements for consultation as set out within it.

The Benefits of Community Involvement

1.7 The main benefits of community involvement are:-

- a stronger evidence base for developing policies and making decisions;
- commitment to future development;
- the promotion of regeneration and investment; and
- encouraging 'ownership' and improving delivery.

The benefits relate to individuals and organisations, and the wider community, as well as to the District Council.

Benefits to the wider Penwith community include:

- greater public ownership and sense of democracy
- improved community cohesion and sense of inclusion
- having local services that are better able to meet community needs
- more attention given to public priorities
- obtaining better value for money
- an enhanced sense of contributing to the community
- increased understanding of how planning policies are developed and linked to each other
- increased support for local planning policies

Benefits to Penwith District Council include:

- broader sharing of responsibilities
- more contribution to problem solving
- more opportunity to work collaboratively
- greater potential for effective, efficient use of resources, public involvement and public ownership.

Benefits to individuals and organisations include:

- an ability to influence the decision making process
- an enhanced sense of contributing to the community
- better experiences when using services
- greater sense of ownership of local services
- a better understanding of the way services and Penwith District Council work.

Links with the Council Vision and Community Strategy

- 1.8 The Council has for a number of years been actively involving the community in developing its services around community priorities. A key area of this process has been the compiling of a long term Vision and community strategy to provide clear aims and objectives for the period to 2025.
- 1.9 In compiling the Vision, the Council identified the key priorities and actions for the area through a series of community events and stakeholder conferences. This helped to develop a co-ordinated approach between the Council, the public, businesses and the voluntary and community organisations which operate in Penwith, in order to deliver these priorities. It has also played a part in focussing and shaping existing and future service delivery of those organisations so that they effectively meet local needs and aspirations.
- 1.10 In addition to the work being done by the Council in this respect, local organisations and individuals are involved in a number of community planning initiatives across the District. The Hayle, St. Ives, St. Just and Penzance areas are progressing Market and Coastal Town initiatives (MCTis) while the remaining parishes are developing parish plans. The Council is supportive of the local community engaging more actively with Town and Parish Councils in general and also in pursuing options such as Quality and Charter Mark status.
- 1.11 These processes will help identify issues and individual community plans for each area. In turn the issues and proposals identified will inform the preparation of Local Development Documents within the overall context of national and regional policy guidance. It is proposed that the issues identified in, and the plans coming out of, the MCTis and Parish Plans, which relate to the use and development of land, will feed into the 'Issues and Options' stage in the preparation of relevant Local Development Documents.
- 1.12 Links between the community planning process and the preparation of planning policy documents will help to strengthen community involvement and consultation methods, contacts and initiatives will be shared wherever appropriate. In turn these links provide the opportunity to better inform the local community and stakeholders about the national and regional policy framework within which planning policies must be developed if they are to be accepted as 'sound' by a planning Inspector, through the Public Examination process, and the Secretary of State.
- 1.13 Officers from the community strategy, community regeneration and planning policy teams are actively working together to achieve this co-ordinated approach.

2. The Local Development Framework (LDF)

2.1 The Local Development Framework is made up of several **Local Development Documents** that set out the planning framework and policies for the District.

Local Development Documents comprise:-

- Development Plan Documents (DPDs);
- Supplementary Planning Documents (SPDs);
- The Statement of Community Involvement (SCI) and
- The Annual Monitoring Report (AMR).

2.2 **Development Plan Documents** will replace the Penwith Local Plan as they are adopted. DPDs will include a Core Strategy, which will provide the central vision, objectives and key policies for development in the district and Site Specific Allocations of land. Other documents could relate to themes, such as housing, employment or retail for example, or to Area Action Plans where appropriate. Development Plan Documents will be subject to independent examination and will have statutory development plan status in the determination of planning applications.

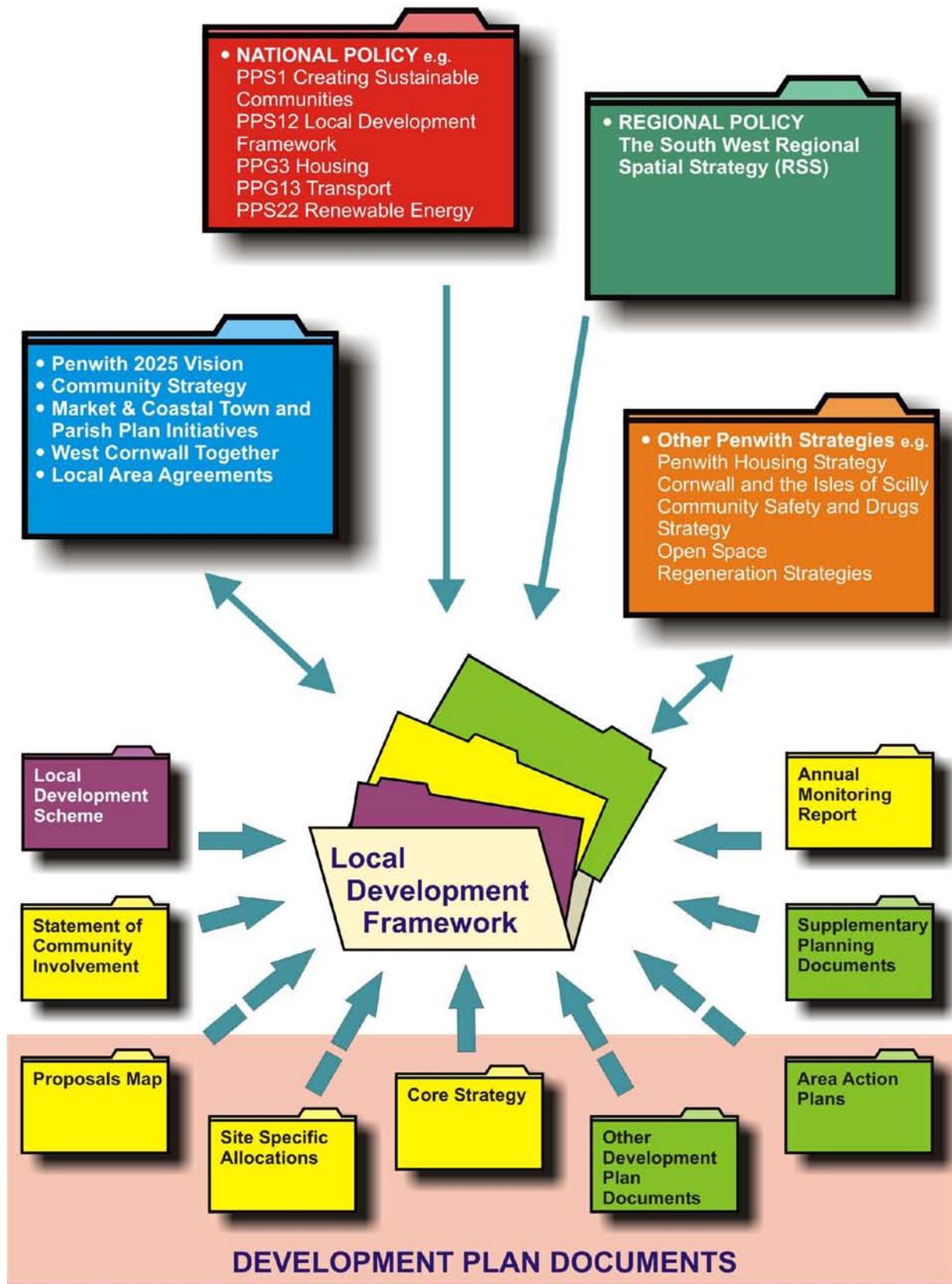
2.3 **Supplementary Planning Documents** will provide more detailed guidance on the implementation of policies already adopted in the Penwith Local Plan, while it remains in force and later, once adopted, in Development Plan Documents. They will relate to more specific issues, such as Affordable Housing or Design Guidance for example. Supplementary Planning Documents will not have development plan status, or be subject to examination, but will be a material consideration in making planning decisions.

2.4 As part of the process of producing the Local Development Framework, Development Plan Documents and Supplementary Planning Documents will be subject to a **Sustainability Appraisal**. This will assess the social, environmental and economic effects of the policies and incorporate the legal requirements of the Strategic Environmental Assessment Directive (SEA). Sustainability Appraisals will be carried out in parallel with the production stages of each of the various documents as set out in the Local Development Scheme.

2.5 The **Annual Monitoring Report** is covered in Section 5, paragraph 5.2.

2.6 More information can be found in the **Local Development Scheme** which includes a description and timetable for each document. The timetables include details of the different stages of preparation, involvement and consultation. The Local Development Scheme can be viewed on the Council's website www.penwith.gov.uk. In addition, **Appendix 6** contains an extract from the LDS which lists the documents to be prepared and the timescale for key stages. This list will be regularly monitored and updated to meet changing circumstances.

Creating the Local Development Framework



Key:- Project Plan Required Optional

3. Community Involvement in the preparation of Planning Policy documents

3.1 The Council recognises that it needs to constantly improve how it listens to and communicates with the community and other partners. Appropriate consultation processes must be used to engage different aspects of the community in ways which will be accessible to them. Evaluation will be needed of the methods that work, and those that do not, in order to improve representation and the balance of involvement.

Survey Results

3.2 The consultation undertaken by Hannah Reynolds Associates in 2005 with selected groups and individuals showed the following results. For both groups and individuals the most effective means of communicating information to the community was felt to be through local newspapers especially the Cornishman, with some preference for the West Briton in Hayle and the St Ives Times and Echo in St Ives.

Communication Medium preference Scored from :- 1-‘most effective’ to 7 – ‘least effective’

Groups		Individuals	
Method	Average Preference	Method	Average Preference
Newspaper articles	1.8	Newspaper articles	1.6
Presentations to Community Groups	3.6	Personal letters (or email)	3.6
Public meetings	4.2	Exhibitions / Open Days	3.9
Information in Libraries	4.5	Information in Libraries	4.0
Personal letters (or email)	4.6	Notices on Parish notice boards	4.5
Exhibitions / Open Days	4.6	Community Newsletters	4.8
Notices on Parish notice boards	5.0	Presentations to Community Groups	4.8
Community Newsletters	5.3	Penwith District Council website	5.0
Penwith District Council website	6.6	Public meetings	6.2

3.3 Based on these survey results the following consultation ‘methods’ were recommended:

- advertisements in **local newspapers**
- a regular ‘LDF diary’ in **local newspapers** informing the community of progress on plans
- a library of documents on the Penwith District Council **website**
- officer **presentations and discussions**
- officer **presentations** to key interest groups
- District Councillor **briefings**
- **summaries** of key issues, options and decisions

Appropriate standards and issues, including resource implications, have been considered as follows:-

Local Newspapers

- 3.4 Press releases and advertisements will be used to raise awareness of key stages and report on progress in addition to the publication of the formal notices required by regulations. A more frequent 'diary' would have significant resource implications, both in terms of cost and officer time and is not considered practicable at present; however, such an option will be kept under review.



Use of the Council's website

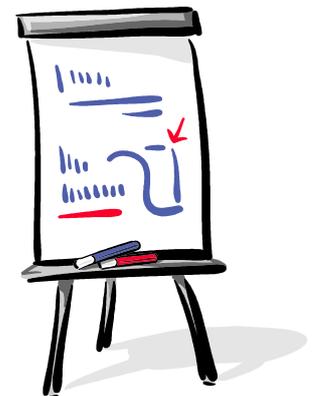
- 3.5 The Council's website provides a valuable and potentially efficient way of keeping local organisations and individuals informed and providing for consultation responses. A specific page will be regularly updated throughout the preparation process and relevant forms will be provided for the submission of representations at the key consultation stages. However, it is recognised that not everyone has easy access to, or chooses to use, the internet and so other methods will also be used to inform, raise awareness and seek views.

Officer presentations and briefings

- 3.6 While this approach could have implications for officer resources, and will need to be effectively managed, it can provide better communication between the Council and the wider community through the following:

- to District Councillors, through the Informal Members Working Group (Development Plan) as well as through formal reports to committee at key stages;
- to Town and Parish Councils where requested;
- to meetings of key groups by invitation.

This approach will be particularly relevant in the early stages when involvement in evidence gathering, contributing ideas and identifying issues and options will be important.



Officer summaries of key issues, options and decisions

- 3.7 This approach will be adopted to assist communication with, and within, organisations and will be relevant at key stages and other opportunities for involvement. Ways of maximising the officer time involved for other purposes will be fully considered where summaries are provided, access to complete documents will also be available, whether electronically or in printed versions.

Target Groups

3.8 In preparing Local Development Documents, it is important that a broad range of groups are targeted for consultation. Some consultees are 'statutory', which means that we are obliged by law to consult them. These are the consultees set out in **Appendix 1**. Other types of consultee are 'relevant' which means that they are particularly relevant to be contacted for certain types of documents in which they would have a particular interest and yet other consultees are 'non-statutory' which are mainly community groups and other interested parties. These are the consultees set out in **Appendix 3**. The main types of community group to be consulted are:

- the general public (including “hard to reach” groups and those representing racial, national, ethnic or religious groups)
- businesses and business organisations
- voluntary bodies
- community and residents' groups
- environmental and 'amenity' groups
- those representing disabled people
- those representing youth groups
- those representing older people
- West Cornwall Together (Local Strategic Partnership)
- central, regional and local government
- national and regional government agencies
- Town and Parish Councils
- local Primary Care Trust
- other statutory bodies and groups
- developers /agents
- interested parties
- Councillors
- the media



Courtesy of Golowan - Kids Parade

It should be noted that the lists at Appendix 3 are not exhaustive and also relate to successor bodies when reorganisations occur.

See the **Consultation matrix** on page 19

Database

3.9 The Sustainable Development Policy Team will maintain an electronic database containing the contact details of all statutory consultees and groups who are to be involved and consulted during the policy preparation process. Details of individuals making representations will also be recorded in order to keep them informed of

progress. The database has been developed by reference to previous consultation contacts, national guidance and other community consultation processes, for example the Local Strategic Partnership, and it will be updated as and when required.

Hard to Reach Groups

- 3.10 The Council recognises that there are particular sections of the community that are 'hard to reach' due to their specific needs and/or because traditionally they have been under-represented in the planning process. The Sustainable Development Policy Team will work closely with other Council Officers, including the Customer Relations and Diversity Officer, the Social Inclusion Officer and the Community Safety and Young Persons Manager to ensure that 'hard to reach' groups are informed and involved throughout the Local Development Framework Process. Consultation with specific 'umbrella' organisations, such as the West Cornwall Community Network, will also be used in this respect. Involvement of hard to reach groups can also include Officer presentations where requested. All literature will be made available in large print or audio version for those with visual impairment. The Council will make every endeavour to meet the requirements of the Disability Discrimination Act 1995 and the Race Relations Act 2000.

Access to Information

- 3.11 Information about the preparation of Local Development Documents will be made widely available through a variety of methods:-
- wherever possible, information will be made available in paper and electronic formats
 - copies of documents will be made available to view at local libraries as well as at the Council's offices and at other relevant locations. The availability of documents will be identified on the Council's website and in the local press.
 - formal notices as required by regulations will be placed in The Cornishman and the St. Ives Times & Echo newspapers and
 - documents and formal notices will be placed on the Council's website www.penwith.gov.uk at relevant stages
 - additional information will be published in local newspapers and on the website to raise awareness and update on progress.

Forms for Response

- 3.12 At each consultation stage for the documents identified in the Local Development Scheme comments should be made on a standard representation form. This can be submitted either by a paper copy, or electronically via the Council website. Use of the form will assist Council officers in subsequent analysis of representations and help to clarify the points being made.



What Happens to the Comments Received?

- 3.13 As has been the Council's practice during preparation of Local Plans all written comments will be acknowledged in writing, or electronically where that has been agreed.

Anyone making comments will be notified of subsequent stages in the process. The comments received will be made available for public inspection.

At the end of each consultation period the Council will analyse the responses and decide whether the substance of the comments should be incorporated into the proposed Document. A report summarising the representations received, and setting out the proposed response, will be considered by the Council's Social, Economic and Environment Committee, and those making representations will be advised of the Council's decision.

The role of Planning Aid

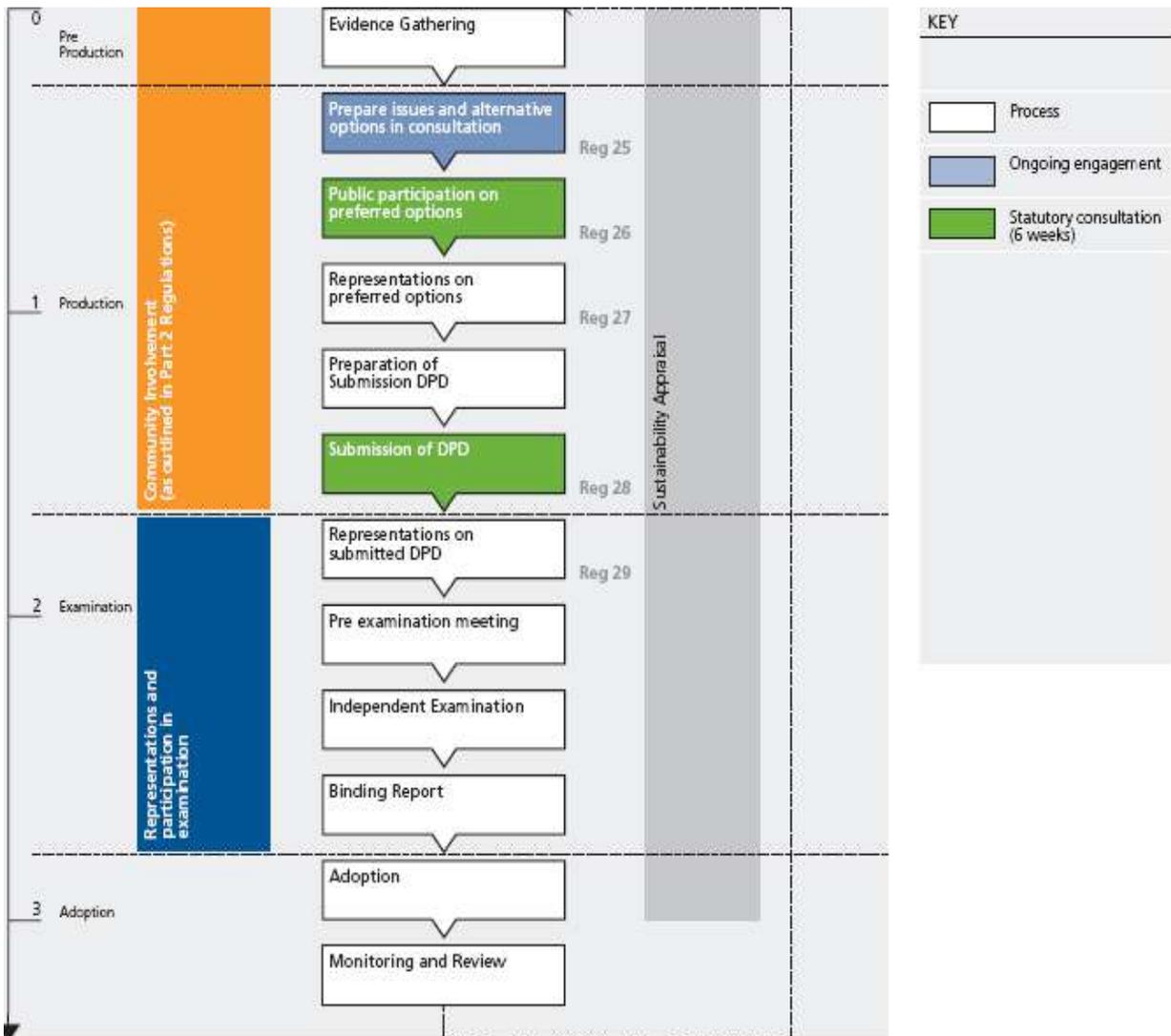
- 3.14 Planning Aid is a voluntary service linked to the Royal Town Planning Institute, offering free, independent and professional advice on town planning matters to community groups and individuals who cannot afford to employ a planning consultant. Planning Aid is a vital part of the planning system. It enables local communities, particularly those with limited resources, to participate effectively in planning matters.

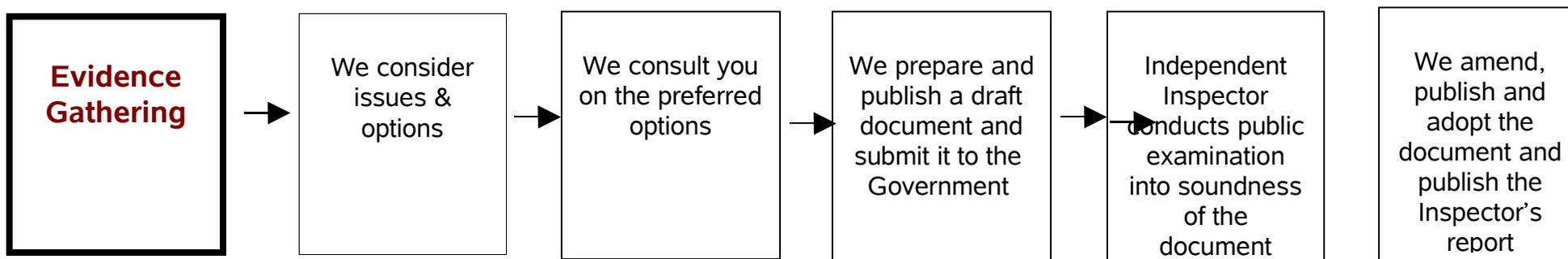
Every effort will be made to seek to ensure that members of the community are aware of the advice and support that may be available from this source. A summary of the service and web link is provided on the Council's website, or it can be accessed directly at www.planningaid.rtpi.org.uk.



The Development Plan Document Process

3.15 The principal actions to be taken at different stages in the preparation of Development Plan Documents, together with appropriate standards, are set out in the following diagrams. References to Regulations relate to the Town and Country Planning (Local Development) (England) Regulations 2004.

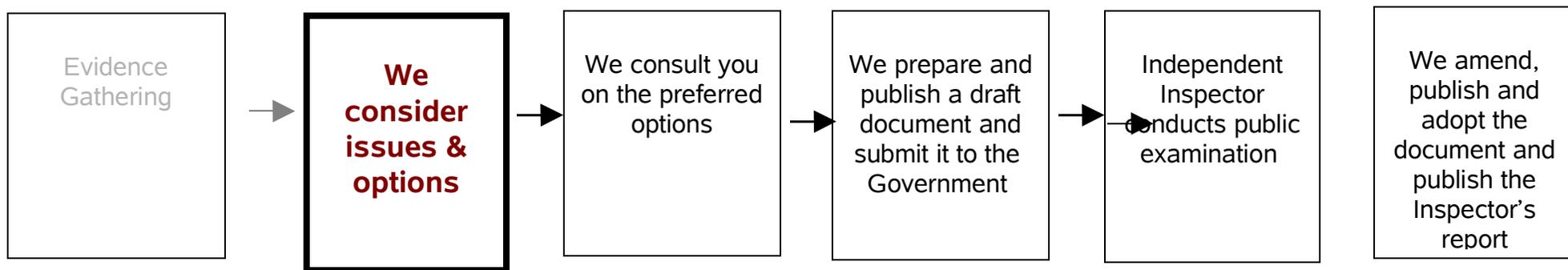




Stage 1- Evidence gathering

A robust evidence base is an important element in developing policies and community organisations, as well as local authority and other service providers, will be involved in providing information and contributing ideas at the earliest possible stage. Identifying and contacting key groups and raising awareness will be given priority through the following:-

- informal Members group – briefing and discussion
- key groups, including hard to reach groups, to be identified and briefed
- press release(s) and advertisements to raise awareness
- website page to be established
- posters and leaflets to be produced relating to the document to be prepared
- sources of evidence to be identified and contacted, including community groups
- workshops to be arranged where relevant – key groups and general public
- topic reports to be prepared

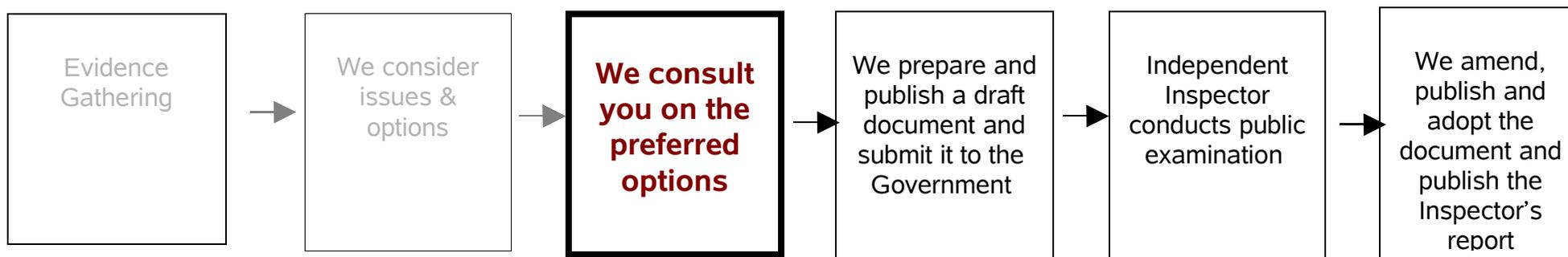


Stage 2 - Issues and Options (Regulation 25)

Preparation of issues and alternative options reports, taking into account national and regional planning policy, deliverability and local acceptability. The initial sustainability appraisal report will also be prepared at this stage.

Involvement will be:

- Involvement of government agencies, service providers, local groups and the general public through informal discussions, presentations, workshops and raising awareness.



Stage 3 - Preferred Options (Regulations 26 and 27)

Preparation of the Preferred Options document and formal Sustainability Appraisal report.

Involvement will be:

- statutory public consultation (6 weeks)
- analysis and report to Committee, including changes where appropriate
- inform those making representations of the Council's response and any changes made
- relevant reports on the website

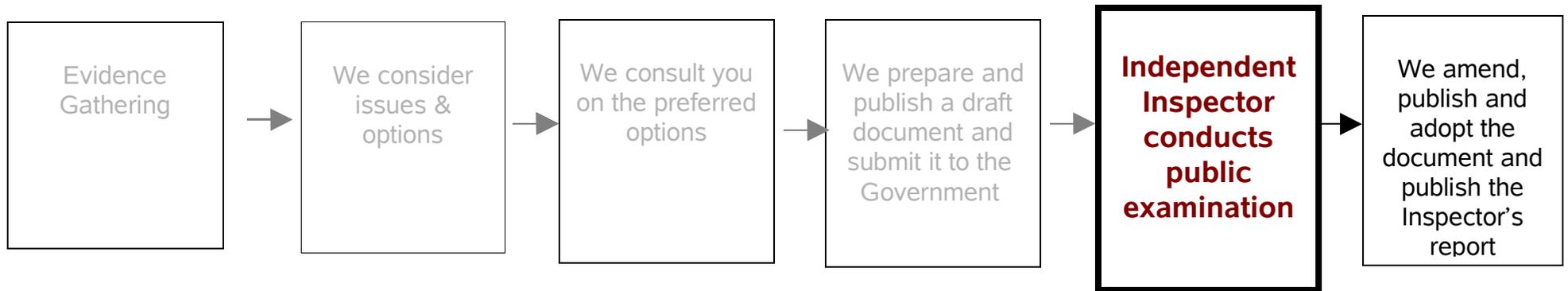


Stage 4 - Preparation of Submission Document & Submission to Secretary of State (Regulations 28 and 29)

Submission document to be developed from the Preferred Options report, incorporating changes agreed following formal consultation and any corresponding changes to the sustainability report; to include the rationale for the proposed policies, supported by robust evidence to ensure that they will be considered “sound” through independent examination. See **Appendix 4** for the criteria on soundness.

We then Submit the final Draft document to the Secretary of State for independent examination followed by:

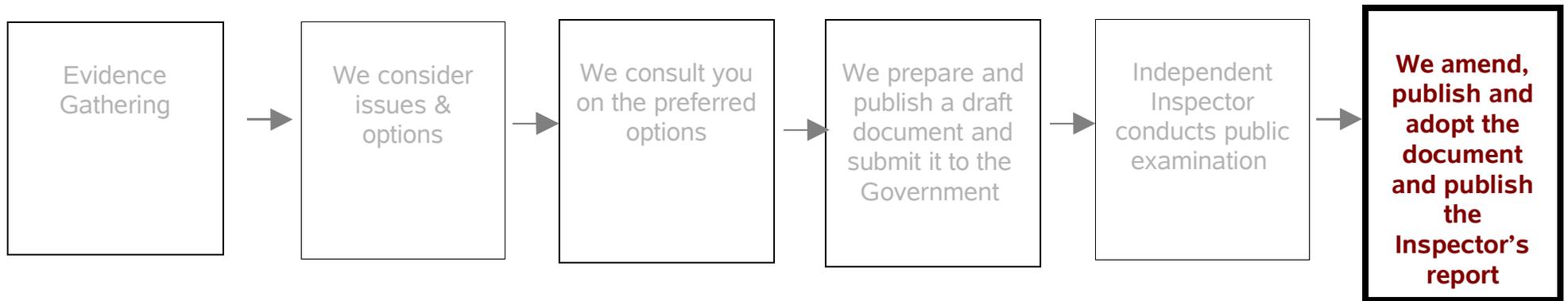
- statutory public consultation (6 weeks)
- analysis of representations (in accordance with **Regulation 31**) and
- report to Committee, including any further changes agreed to be incorporated.



Stage 5 – Independent Examination of the document (Regulation 34)

- Consultees, community groups, interested parties and the general public to be notified of the pre-examination meeting and arrangements for the Examination.
- Objectors may appear in person at the Public Examination if they wish to do so.
- A programme officer will be appointed to manage the Examination, including communication with those involved, and liaise with the appointed Inspector.

Note: The public examination is the most formal part of the preparation for documents. Opportunities to be involved or appear at the examination are governed by the Town and Country Planning (Local Development) (England) Regulations (2004).



Stage 6 – Amendment, publication and adoption of the document (Regulations 35 and 36)

Publication of documents: Promptly publish and make available copies of all adopted planning documents and reports on our web site and in paper form at our offices and appropriate public venues. These documents will include:

- Feedback reports;
- Sustainability Appraisal;
- Inspector’s Report;
- Annual Monitoring Report.

Notification of interested parties: Notify by e-mail or post all those who made comments regarding the specific area concerned, to give feedback to those who have an interest in particular planning matters

Adoption process: Give notice of the Council’s intention to adopt a planning document through an advertisement in the local press and notices displayed at our offices and other appropriate public venues. Publish a Community Involvement and Responses Statement saying:

- Who has been consulted;
- How they were consulted;
- The main issues arising;
- How the revised document addresses those issues.

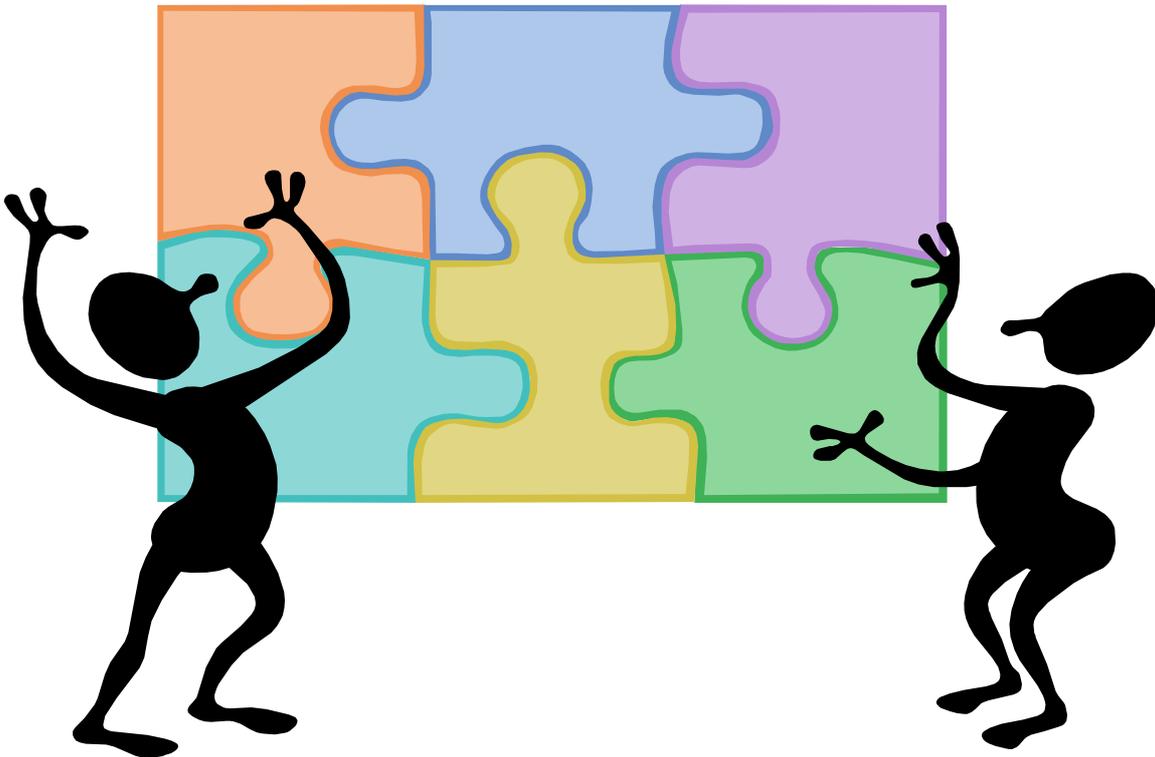
Consultation Matrix

Parties to be Involved	Statement of Community Involvement	Core Strategy	Development Plan Documents	Supplementary Planning Documents	Sustainability Appraisals
Specific Consultation Bodies (Appendix 1)	✓	✓	✓	✓	✓
Other Consultees (Appendix 3) including:-					
→ General public (including “hard to reach” groups)	✓	✓	✓	✓*	✓
→ Businesses and business organisations	✓	✓	✓	✓*	✓
→ Voluntary bodies	✓	✓	✓	✓*	✓
→ Community and residents' groups	✓	✓	✓	✓*	✓
→ Environmental and 'amenity' groups	✓	✓	✓	✓*	✓
→ Those representing disabled people / youth groups / older people	✓	✓	✓	✓*	✓
→ West Cornwall Together (Local Strategic Partnership)	✓	✓	✓	✓*	✓
→ Local Primary Care Trust	✓	✓	✓	✓*	✓
→ Developers /agents	✓	✓	✓	✓*	✓
Other interested parties	✓	✓	✓	✓*	✓

* Depending on relevant area of interest

The Supplementary Planning Documents Process

- 3.16 The different stages involved in preparing Supplementary Planning Documents are less formal than those set out above for Development Plan Documents. However, involvement and consultation in the early stage (Evidence Gathering and Issues and Options) will follow similar principles to the extent that is considered appropriate to the scope of the document. Formal consultation will be carried out on the Draft documents for a period of 6 weeks and will, again, follow the same principles as the statutory consultations on Development Plan Documents, in line with **Regulations 17 to 19**.
- 3.17 Supplementary Planning Documents will be adopted by the Council after:
- consideration of the representations received;
 - a summary has been prepared and made publicly available of the main issues raised, together with an explanation of how those issues have been addressed.
- 3.18 Supplementary Planning Documents are not required to be formally submitted to the Secretary of State and are not subject to independent Examination.



4. Community Involvement in the consideration of Planning Applications

4.1 The involvement of individuals and organisations in considering proposals for new development is essential, as such proposals can have a significant influence on the environment and the wider community. Legislation already requires and allows for a wide range of consultation on planning applications. For the purpose of this document the term 'planning application' also embraces the following types of application:-

- Applications for planning permission;
- Listed Building consent;
- Conservation Area consent;
- Advertisement consent.

The statutory publicity requirements for planning applications are set out in Article 8 of the Town and Country Planning (General Development Procedure) order (as amended). This requires authorities to publicise applications either by a site notice or notification to neighbours. In addition, local advertisements may be required as defined in the order. Similar arrangements exist for applications requiring listed building or conservation area consent which are set out in the relevant legislation.

4.2 Concerns about development have raised the public profile of planning, with more interest in the environment and quality of life resulting from greater public involvement. The Council already exceeds the minimum requirements in respect of public consultation, nevertheless a balance must be provided which acknowledges the resource issues of the Council, and the need to provide a cost effective Planning Service. The focus for community involvement in the planning application process is on the objective of achieving effective, efficient, timely and cost effective involvement to make the best use of the opportunities for the local community and other interested parties to help shape decisions on applications. Such bodies as Natural England will be allowed a longer period of time to comment on applications where this is prescribed by legislation.

4.3 Planning applications are processed by the Council's Sustainable Development and Design team, formerly known as Development Control. A case officer is assigned to each application who will be the point of contact throughout the process.

Pre-Application discussions & consultation

4.4 The Council encourages and recommends that developers undertake pre-application discussions and early community consultation, although it cannot prescribe that this must take place. The Council's Sustainable Development

Officers undertake a wide range of pre-application discussions, with those proposing a development. Such discussions can range from a householder thinking about providing an additional bedroom, to a developer considering a large scale housing proposal. Irrespective of the scale of the development, the Council will suggest an appropriate level of consultation with the community, as follows:-

- **Minor Developments, Changes of Use and Householder Developments**

(these include household extensions, and single dwellings)

- the applicant will be advised to discuss the proposals with immediate neighbours prior to finalising any plans to submit as a planning application.

- **Major Developments**

(these include larger developments, where 10 or more dwellings are proposed, or where the site area is 0.5 hectares or more, or where the proposed floorspace is 1,000 sq. m. or more)

- developers will be encouraged to undertake pre-application discussions and early community consultation. By 'front loading' the process, the community are able to participate in identifying issues and debating options from the start. Methods for early community consultation could include carrying out 'planning for real' exercises, (see **Appendix 5: Glossary** for explanation); holding public exhibitions and consulting local residents. Developers will be encouraged to consult with Town and Parish Councils at a pre-application stage, to provide the opportunity for the local community to be engaged early on in the process.

The details of how public involvement should take place will vary according to the scale, location and nature of the development proposals.

- 4.5 Pre-application community consultation is advantageous for developers as it provides the opportunity to revise plans at an early stage and be aware of potential concerns, thus saving time and expense later in the process. It is also recommended that applicants gather all relevant environmental information and discuss any rights of way issues early in the application process. In the case of major developments, developers should submit with the application for planning permission a report of any consultations with the community.

How are communities involved when an application is received?

- 4.6 The Council is already committed to consultation on planning applications, which is regulated by statutory requirements, and as previously stated the Council goes beyond the statutory minimum. The Council will undertake the following range of consultation:-

- on applications of more than local significance the Council will consult the County Planning Authority and in some cases the Regional Planning Body. Where such strategic planning issues are raised, the Council will seek early engagement with the County Council and South West Regional Assembly as appropriate - the types of proposals requiring such consideration will be kept

under review and agreed with the strategic authorities.

- the relevant Parish or Town Council is consulted and receives a copy of the application for consideration. They are given 21 days in which to send their comments on the application. This exceeds the minimum statutory requirement, which only provides for 14 days for the parishes to be notified. Penwith District Council recognises the importance of seeking the views of the Parish and Town Councils and feels that the current approach is justified. In addition, the advertisement of planning applications also suggests sending copies of representations to the relevant Parish and Town Council, which aids their consideration of applications.
- at least one site notice is posted on or near to the application site which advertises the application and provides for 21 days to make representations.
- a weekly list of all planning applications is advertised in 'The Cornishman' newspaper;
- neighbour notification letters are posted to individual properties which, in the opinion of the case officer, could be materially affected by the proposed development;
- a weekly list of all planning applications is posted on the Council's website or can be emailed on request;
- a system will be set up over the next 12 months so that all application documentation for **major** applications will be available to view on the Council's website. In the meantime, these and any other applications can be emailed on request.

In all cases **21 days** are provided in which to make representations.

- 4.7 The Council requires that representations are submitted in writing to the Head of Sustainable Development & Improvement and there is an online representation form available on the Council's website for those wishing to send their response electronically.

How are communities involved during the processing of applications?

- 4.8 The Council undertakes community involvement by:-
- negotiating with the applicant for minor changes to improve the application. Amendments are made available for public inspection. However, if significant revisions are required it is normal practice that a new application is submitted and duly publicised.
 - during this time the Council's Sustainable Development Officer dealing with the case or a customer care officer will respond to letters, telephone calls and other means of communication seeking information and advice on applications and the planning process.

How are communities involved when an application is determined?

- 4.9 The Sustainable Development & Design Manager under delegated authority can determine applications, a number of which are determined in consultation with the Chairman and Vice Chairman of the Planning Committee. This amounts to approximately 90% of all applications received by the service. The remainder are referred to the Planning Committee for decision.

Public speaking at Planning Committee meetings

- 4.10 The Council's protocol provides the opportunity for members of the public to speak either in favour or against planning applications being considered by the Planning Committee. If a person wishes to make representation at a Planning Committee it is necessary for them to contact Corporate Services at Penwith District Council, prior to the meeting, to inform the Chairman of who wishes to speak. If a number of people wish to make representation on the same application they will be asked to appoint a spokesperson as only one person may speak for or against an application. They will be invited to address the meeting when the relevant application is considered and each person may speak for no longer than 3 minutes, after which the applicant will have the right to reply. Distribution of documents or photographs at the meeting is not allowed.
- 4.11 The Council has published a separate guidance leaflet on public speaking at Committees, which is available from Corporate Services.

Public speaking at Planning Sites Viewing Panels

- 4.12 Sometimes it is necessary for the Planning Committee to visit an application site in order to assess the impact of the scheme. Town and Parish Councillors are invited to attend to represent the views of residents. There is currently no opportunity for the public to make representations at these meetings although they are welcome to attend, both on site and at the formal meeting which takes place afterwards. The formal meeting will take place on the same day as the site visit and the final decision on the planning application will be made at this meeting. Those who have made representations will be advised of the time and location of the formal meeting, at which public speaking will be allowed in line with Planning Committee meetings.

How are communities involved after applications are determined?

- 4.13 All those who have either supported or objected to a planning application in writing are informed of the outcome by letter. The Council (in accordance with the Town and Country Planning General Development Order 1995) gives reasons for all decisions made on planning applications to provide transparency and accountability.

- 4.14 Sustainable Development Officers respond to letters, telephone calls and other means of communication seeking clarification as to why a particular decision was made. On request officers will also attend meetings of the Town and Parish Councils if they have concerns about any decisions, in order to clarify the situation.

Public involvement in Major planning applications

- 4.15 The Council offers a development team approach to major applications. This consists of a multi-disciplinary team of experts within, and where appropriate outside, the Council to deal with major applications. The team is assembled as appropriate to the nature of the application.
- 4.16 Pre-application discussions are particularly important as some major applications will be of such significance that the Secretary of State will designate them as a major infrastructure project. In such cases additional consultation is required by legislation, with regional and national bodies where appropriate. The Council carries out the same range of publicity on major applications as detailed above, with the exception that they are specifically identified as Major Applications in the published list.

How are communities involved if an appeal is received on an application?

- 4.17 Appeals against the Council's decision may be lodged with the Planning Inspectorate; however, only applicants have the right of appeal, there is no third party right of appeal. When notice of an appeal is received, the Council will inform all those who made representations on the original planning application and advise how to make representations. The Council forwards copies of letters previously submitted to the Planning Inspectorate.

5. Implementation and Monitoring

How will the Council implement and monitor the Statement of Community Involvement? (Regulation 48)

- 5.1 Penwith District Council will need to ensure that all documents are prepared, and planning applications are considered, in accordance with the adopted Statement of Community Involvement. A 'Statement of Compliance' will have to be submitted to the Secretary of State with each Development Plan Document to be prepared. This statement will be considered by the Inspector when the document is tested for 'soundness' at the examination stage. (See **Appendix 4** for the criteria on soundness).
- 5.2 As part of the Local Development Framework, the Council will produce an **Annual Monitoring Report (AMR)** which will show, amongst other things, how it has consulted the public and considered their views in the formulation of Local Development Documents. The Report will also review the performance of the SCI and recommend any changes needed. The Annual Monitoring Report will be presented to the Council's Social, Economic & Environment Committee for consideration and submitted to the Secretary of State. Any agreed changes will be incorporated into the SCI.
- 5.3 The effectiveness of consultation and community involvement in determining planning applications will also be regularly reviewed and procedures will be adjusted where appropriate.

How will the Council resource Community Involvement?

- 5.4 The Statement of Community Involvement identifies that the Council proposes to exceed the minimum statutory requirements for consultation in Regulations and it will be necessary to balance the demands of greater community involvement with the need to deliver the planning service efficiently and achieve performance targets. Resources and effort will be focussed, therefore, on efficient, effective and timely consultations with local groups and key stakeholders during plan-making and planning application decision making processes.
- 5.5 In selecting approaches for community involvement the Council will assess the main benefits for the planning process and will monitor actual achievements. The Council will be realistic about expected outcomes and will direct effort and resources towards effective community involvement early in the preparation of Local Development Documents and by encouraging more pre-application discussion with applicants and pre-application consultation by potential developers with local communities.
- 5.6 As the policy document, or planning application, is progressed officers will negotiate with those making representations in order to promote better understanding and seek to achieve consensus, although consensus is not always achievable.

Appendices

Appendix 1

List of Specific Consultation Bodies for development plans

Government Office for the South West (GOSW)
South West Regional Assembly (SWRA) as Regional Planning Body
Regional Development Agency (SWRDA)
Department for Education and Skills (through Government Offices)
Department for Environment, Food and Rural Affairs (DEFRA)
Department for Transport (through Government Offices)
Department of Health
Department of Trade and Industry (through Government Offices)
Ministry of Defence
Department of Work and Pensions
Department for Culture, Media and Sport
Cornwall County Council
Kerrier District Council
Isles of Scilly Council
Penzance Town Council
Hayle Town Council
St Ives Town Council
St Just Town Council
Marazion Town Council
Gwinear-Gwithian Parish Council
Ludgvan Parish Council
Madron Parish Council
Morvah Parish Council
Paul Parish Council
Perranuthnoe Parish Council
Sancreed Parish Council
Sennen Parish Council
St Buryan Parish Council
St Erth Parish Council
St Hilary Parish Council
St Levan Parish Council
St Michael's Mount Parish Council
Towednack Parish Council
Zennor Parish Council
Breage Parish Council
Camborne Town Council
Crowan Parish Council
Germoe Parish Council
The Environment Agency (EA)
Natural England
Historic Buildings and Monuments Commission for England
Network Rail

Highways Agency
Relevant telecommunications companies
Strategic Health Authority
Relevant electricity and gas companies
Relevant sewerage and water undertakers
Equal Opportunities Commission
Local airport operators

List of Specific Consultation Bodies for planning applications

Cornwall County Council (*including Education Department, Highways Department, Spatial Planning and Waste Disposal*)
Cornwall Wildlife Trust (CWT)
Council for the Protection of Rural England (CPRE)
Department of the Environment, Food and Rural Affairs (DEFRA)
Environment Agency (EA)
English Heritage (EH)
Forestry Commission
Health and Safety Executive (HSE)
Highways Agency
Historic Buildings and Monuments Commission for England
Kerrier District Council
National Trust
Natural England
Police Liaison Officer
Residents Associations
South West Electricity
South West of England Regional Development Agency (SWRDA)
South West Water
Sport England
Town & Parish Councils
Transco

Those consulted on any one application will vary depending on the location and nature of the proposal

Other Consultees for development plans

1. Consultees specifically mentioned in PPS12 Annexe E3

Annexe E3 of Planning Policy Statement 12 2004 suggests additional bodies for consultation, the most relevant to Penwith being:-

Age Concern in Cornwall;
British Geological Survey;
Chambers of Commerce;
Church Commissioners;
Civic Societies;
Civil Aviation Authority;
Commission for Architecture and the Built Environment (CABE);
Commission for Racial Equality;
Community Groups;
Cornwall Wildlife Trust
Council for the Protection of Rural England;
Disability Rights Commission;
Disabled Persons Transport Advisory Committee;
Equal Opportunities Commission;
Fire and Rescue Services;
Forestry Commission;
Freight Transport Association;
Friends of the Earth;
Gypsy Council;
Health and Safety Executive;
Help the Aged;
Housing Corporation;
Learning and Skills Councils;
Local Race Equality Councils and other local equality groups;
Local Transport Authorities;
Local Transport Operators;
National Playing Fields Association;
Navigation authorities;
Passenger Transport Authorities;
Passenger Transport Executives;
Police Architectural Liaison Officers/Crime Prevention Design Advisors;
Port Operators;
Post Office Property Holdings;
Rail Companies and the Rail Freight Group;
Regional Housing Boards;
Regional Sports Boards;
Road Haulage Association
Royal Society for the Protection of Birds;
Sport England;

The House Builders Federation;
Traveller Law Reform Coalition.

2. Other groups of consultees on the Council's consultation database include:-

Business organisations

- retail
- local businesses
- local employers
- business advice groups
- tourism
- economic fora
- restaurants/ hotel associations
- agricultural
- fishing

Community groups

- Cornish Society
- Rights of Way groups
- recreation/ leisure
- disability
- youth
- elderly
- MCTIs
- local fora
- health
- education
- residents/ village associations
- religious
- travellers/ gypsies
- 'umbrella' groups representing specific interests

Environmental organisations and amenity groups

- townscape/ built environment
- countryside
- biodiversity
- geodiversity
- heritage

Development interests

- agents
- architects
- developers/ builders
- Housing Associations
- Registered Social Landlords and their agents

- property services
- solicitors
- estate agents/ valuers
- consultants

Transport/Service Providers

- rail
- coach
- Isles of Scilly ferry

Note: Individuals or groups making representations at any stage in the process will be notified of subsequent stages and the opportunity to make further representations.

Anyone wishing to view the full consultation database may contact the Sustainable Development Policy Team, Penwith District Council
Tel. 01736 336760 or email policyteam@penwith.gov.uk

Criteria for testing soundness of the Statement of Community Involvement

In assessing whether the Statement of Community Involvement is sound, Penwith District Council will need to demonstrate that they have considered the following criteria:-

Whether the:

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

Glossary of terms

Annual Monitoring Report – (AMR)

Formal report on progress in preparing Local Development Documents and implementing policies. It also shows what action is needed if targets are not being met or if policies need to be replaced due to changes in national or regional guidance.

Area Action Plans – (AAP)

These are Development Plan Documents covering distinct areas of a District. They focus on implementation, providing an important method for ensuring development of an appropriate scale, mix and quality for key areas of opportunity, change and conservation. AAPs could be relevant to a range of circumstances, such as:

- Growth Areas;
- Areas where development is desirable but not forthcoming;
- Areas particularly sensitive to change;
- Areas in multiple ownership subject to development pressure;
- Areas in multiple ownership subject to particular change such as area based regeneration initiatives.

Community Strategy

A Community Strategy is a wide-ranging strategy that focuses on the needs and priorities of local communities setting them within a strategic framework for sustainable development throughout the district. The intention is that Local Development Frameworks will provide the spatial expression to those elements of the Community Strategy that relate to the use and development of land.

Development Plan Document – (DPD)

Planning documents that the District Council must prepare and which have to be subject to rigorous procedures of community involvement, consultation and independent examination. DPDs can include:-

- Core Strategy
- Core Policies
- Area Action Plans
- Site Specific Allocations

Independent Examination

The Council must arrange for an independent examination of the submitted development plan document, to consider the “soundness of the plan”. An independent inspector will be appointed by the Secretary of State to conduct the examination and it is his/her role to consider the development plan document as a whole and to determine its soundness. In assessing its soundness, the inspector will consider all representations made on the submitted document and the changes that have been suggested.

Local Development Documents – (LDD)

Local Development Documents are those documents that together make up the Local Development Framework. They comprise: Development Plan Documents; Supplementary Planning Documents; the Statement of Community Involvement and the Annual Monitoring

Report.

Local Development Framework – (LDF)

A group of Local Development Documents which will collectively provide Penwith's policies for meeting the community's economic, environmental, and social aims for the future of their area where this affects the development and use of land.

Local Development Scheme – (LDS)

This is the project plan for producing all the documents that make up the Local Development Framework. It identifies each Local Development Document and establishes a timetable for preparing each one.

Local Strategic Partnership (LSP)

Non statutory, non-executive body bringing together representatives of the public, private and voluntary sectors. The LSP is responsible for preparing and monitoring the implementation of the Community Strategy.

Planning for Real Exercises

Planning for Real uses simple models for people to put forward and sort ideas on how their area can be improved. It is a highly visible, hands-on community development tool, which people of all abilities and backgrounds find easy and enjoyable to use. It involves making a large 3-dimensional model of a neighbourhood, preferably by local people, using cardboard cut-outs for buildings pasted onto a base plan fixed to polystyrene or cardboard. Participants place suggestion cards on the model indicating what they want to see happen and where (for example: playground, parking, tree, shopping). The cards are sorted to establish an action plan that can be followed up by working groups.

Planning Policy Statement (PPS)

These are statements of national Planning Policy and must be considered by local authorities when preparing the Local Development framework. They will replace Planning Policy Guidance (PPG).

Proposals Map

This will be an Ordnance Survey based map which shows the policies and proposals in the Development Plan Documents.

Regional Spatial Strategy (RSS)

Prepared by the South West Regional Assembly, as regional planning body, the RSS will set out the policies relating to the development and use of land in the region and will form part of the Development Plan for the district.

Spatial Planning

Spatial planning brings together policies for the development and use of land with policies and programmes that influence the nature of places and how they function. They set a clear vision for the future pattern of development, considering the needs and problems of the community and how they relate to the use and development of land.

Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA)

Strategic Environmental Appraisal is a term used internationally to describe environmental

assessment as applied to policies and programmes. The European SEA directive does not use the term 'strategic environmental assessment' but requires a formal environmental assessment of certain plans and programmes that are likely to have significant effects on the environment. The directive will apply to Local Development documents.

Local Authorities should undertake an integrated approach towards sustainability appraisal and the SEA directive to avoid unnecessary duplication and confusion. Sustainability Appraisal and strategic environmental assessment will play an important part in testing the soundness of local development documents by ensuring that they reflect sustainable development objectives, as well as being consistent with each other in terms of their objectives and policies.

Supplementary Planning Documents (SPD)

Supplementary Planning Documents will provide more detailed guidance on the implementation of policies already adopted in the Penwith Local Plan, while it remains in force and when adopted, in Development Plan Documents. They will not form part of the Development Plan or be subject to independent examination.

Sustainable Development

The ability of development to meet the needs of the present without compromising the ability of future generations to meet their needs. This takes into account the resources used in development, ongoing resource requirements (i.e. transport to the development, energy required to run the development) and the way that development fits with the existing development and infrastructure of the district.

Appendix 6

Schedule of Documents (extract from the Local Development Scheme, Penwith District Council)

Document Title	Status	Role and Content	Geographic Coverage	Chain of Conformity ¹	Key Dates			
					Pre-Submission Consultation	Public participation (preferred options) ²	Submission to Secretary of State ²	Adoption
P/LDD/1 Statement of Community Involvement	LDD	To set out how and when the community and other consultees will be involved in the preparation of planning policy documents. The consultation procedures for all subsequent LDDs must be in accordance with the SCI	Penwith District	Regulations 2004	Feb. – May 2005	Oct. – Nov. 2005	April 2006	March 2007
P/LDD/2 Core Strategy	DPD	To set out the spatial vision, objectives and strategy for development in the area over the next 20 years, including review and replacement of relevant policies in the saved Penwith Local Plan, following from preparation of the Regional Spatial Strategy.	Penwith District	Consistent with national planning policy & emerging RSS	April 2006-March 2007	July -August 2007	January 2008	February 2009
P/LDD/3 Penzance/ Newlyn Area Action Plan	DPD	Contains detailed policies and allocations in relation to the Core Strategy.	Penzance/ Newlyn	Core Strategy & RSS	October 2006 - July 2007	October - November 2007	April 2008	August 2009
P/LDD/4 Hayle Area Action Plan	DPD	Contains detailed policies and allocations in relation to the Core Strategy.	Hayle	Core Strategy & RSS	December 2006 – July 2007	October - November 2007	April 2008	August 2009

Document Title	Status	Role and Content	Geographic Coverage	Chain of Conformity ¹	Key Dates			
					Pre-Submission Consultation	Public participation (preferred options) ²	Submission to Secretary of State ²	Adoption
P/LDD/5 Development Control Policies	DPD	To provide the general framework for development control, including replacement of saved Local Plan proposals and policies.	Penwith District	Core Strategy & RSS	May – October 2007	Feb. – March 2008	August 2008	January 2010
P/LDD/6 Rural Area Action Plan	DPD	Contains detailed policies and allocations in relation to the Core Strategy.	Penwith District	Core Strategy & RSS	Jan. – June 2008	September - October 2008	March 2009	July 2010
P/LDD/7 St Ives & Carbis Bay Area Action Plan	DPD	Contains detailed policies and allocations in relation to the Core Strategy.	St Ives / Carbis Bay	Core Strategy, Core Policies & RSS	March - July 2008	September – October 2008	March 2009	July 2010
P/LDD/8 Planning Obligations	SPD	To provide guidance for the delivery of infrastructure and community facilities.	Penwith District	Core Strategy & Core Policies	n/a	May - June 2008	n/a	Sept. 2008
P/LDD/9 Penwith Design Guide	SPD	To provide information and guidance on the interpretation of relevant Local Plan policies	Penwith District	Core Strategy & Core Policies	n/a	May - June 2008	n/a	Sept. 2008

¹ Conformity with national and regional planning policy and inter-relationships between LDDs. ² Includes initial, and formal, Sustainability Appraisal reports (except for SCI).

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