

West Sussex Statement of Community Involvement

Second Review

June 2012



Executive Summary

Introduction (Section 1)

The Statement of Community Involvement (SCI) is a formal statement of West Sussex County Council's policy. The County Council is required to prepare the SCI under the Planning and Compulsory Purchase Act 2004. The SCI identifies how local communities and stakeholders can be actively, meaningfully and continuously involved in:

- the preparation of local plans and supplementary planning documents; and
- the consideration of the planning applications that the County Council is responsible for determining.

The County Council is required to consider the scope and form of community involvement, both formal and informal, over and above the minimum specifications set out in national Regulations. A judgement has been made about what can reasonably be achieved using the various methods and techniques available and to ensure that they are 'fit for purpose'. Account has been taken of the time and resources constraints facing the County Council.

SCI Process (Section 2)

The preparation of all plans and documents and the determination of planning applications have to comply with the adopted SCI. Failure to comply with the SCI may mean that an Inspector may recommend that a plan is withdrawn if they consider that its 'soundness' has been undermined.

Background (Section 3)

The County Council has a long tradition of consulting and involving local people in its decision-making processes. It is committed to making its policies, decisions, and services more accessible to comments from citizens, agencies, and major partners so that it is more responsive to local communities, and carries out these duties more effectively. A key aspect of inclusive consultation is to encourage the active involvement of the diverse communities that form the larger community including 'hard to reach' groups which may also be referred to as 'under-represented', 'socially excluded', 'disadvantaged', or 'minority groups'.

Local Plans and Other Policy Documents (Section 4)

The plans and supplementary planning documents that will be prepared are identified in the Minerals and Waste Development Scheme. Due to the site and area-specific nature of minerals planning, which relates mainly to the rural areas, community involvement and engagement will be focussed on these specific areas and sites. Although general, broad-level consultation will be undertaken across the County, resources will be focussed on the communities that are likely to be affected either directly or indirectly by minerals development. Community involvement and engagement on waste planning matters will be dealt with on a more general, broad-level basis across the County although there will be a more area and site-focussed approach when considering specific sites.

The County Council intends to exceed the minimum requirements for consultation and community involvement in plan preparation. The SCI lists the methods and

techniques that will be used at the various stages in the preparation of the various documents. A 'statement of compliance' (or similar) will be produced to accompany each document explaining how the requirements for community involvement set out in the SCI have been met.

Planning Applications (Section 5)

The County Council, as the county planning authority, is responsible for determining planning applications within West Sussex which relate to 'county matters' i.e. the winning and working of minerals and all waste developments (with the exception of those within the South Downs National Park, for which the South Downs National Park Authority are the Planning Authority). In addition, the Council, as a local authority, must also obtain planning permission for its own development proposals, such as school buildings and the construction of roads, in pursuit of its statutory and other functions (Regulation 3 applications). Such applications are determined by the County Council, mainly by officers under delegated powers.

Legislation requires consultation and publicity on planning applications to be carried out by the County Council. It is also required to consult the local community and undertake technical consultations as part of the process for determining applications for planning permission. The County Council recognise that planning applications, in particular larger proposals or those with the potential for wide ranging effects, are often controversial and subject to intense public scrutiny and examination. The County Council intends to exceed the minimum requirements for publicity and consultation and will adopt appropriate methods and techniques for consulting on planning applications, dependant upon their size and type. The SCI lists the specific methods that will be used depending upon the type of application.

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1.0 Introduction

1.1 The Planning System

1.1.1 The County Council is responsible for preparing local plans for minerals and waste. Other land-use planning issues are addressed in local plans prepared by the district and borough councils. The South Downs National Park Authority is responsible for preparing a local plan covering all planning issues within the park area.

1.1.2 The Minerals and Waste Development Scheme (MWDS) is a statutory document which sets out how local plans and other planning policy documents will be prepared over a three-year period – the latest version of the Scheme is available on the website (www.westsussex.gov.uk/mwdf). It identifies the adopted plans that form part of the statutory 'development plan' for West Sussex and the new plans that will be prepared. The Scheme includes a profile of each document (role, timescale, status, production arrangements) together with a composite timetable for all the documents.

1.2 Status and Purpose of the Statement of Community Involvement

1.2.1 The County Council is required to prepare the SCI under the Planning and Compulsory Purchase Act 2004 (the 2004 Act). It is a formal statement of West Sussex County Council's policy and it identifies how local communities and stakeholders can be actively, meaningfully and continuously involved in:

- the preparation of local plans and other policy documents; and
- the consideration of the planning applications that the County Council is responsible for determining.

1.2.2 All new plans must be prepared and planning applications determined in accordance with the adopted SCI.

1.3 Role of the Statement of Community Involvement

1.3.1 The SCI is fundamental to the production of new plans as it enables local-requirements and community expectations to be addressed at an early stage within the plan preparation process. Failure to comply with the SCI could mean that an Inspector may recommend that a draft plan is withdrawn if they consider that the 'soundness' of the plan has been undermined.

1.3.2 Due to the need to progress the preparation of the new plans in accordance with the Scheme and the requirement to meet key milestones, a judgement has to be made about what can reasonably be achieved. Account needs to be taken of the time and resource constraints facing the County Council. It must also be taken of the need to ensure that the engagement and involvement is meaningful and contributes positively to the preparation of the various statutory documents and development control decisions.

1.3.3 It is important, therefore, that the SCI establishes realistic and achievable community involvement in the preparation of the plans and in considering planning applications.

1.3.4 The SCI will be reviewed and updated as necessary.

1.4 **Review of the Statement of Community Involvement**

- 1.4.1 The First Review of the SCI was adopted in 2007. Since that time, changes have been made by the Government to the plan-making process and improvements made by the County Council in how it deals with planning applications. This version updates the SCI to address those changes and to capture the improvements. It does not, however, make any changes to the principles and approaches established in the adopted SCI First Review.
- 1.4.2 A draft of the SCI was made available for public comment for seven weeks from 10 October until 25 November 2011. Following consideration of the comments made on the draft document, some minor changes were made for clarification and the SCI was adopted by the County Council in June 2012.

1.5 **Contact Details**

- 1.5.1 If you require any information about the SCI, please contact Strategic Planning (01243 642118, email: mwdf@westsussex.gov.uk).

2.0 Context

2.1 Government Principles

- 2.1.1 The Government requires that the County Council demonstrates to all sections of the community that the process of community involvement is legitimate and timely, with outcomes in the public interest. Processes should be simple to follow, and delivered in a fair, transparent and efficient manner; this involves the need to identify the limits to community involvement as well as the forms it will take.
- 2.1.2 The Government emphasises that 'early and meaningful engagement' and collaboration with neighbourhoods, local organisations and businesses is an essential part of plan-making. There is an expectation that a wide section of the community will be 'proactively engaged' to ensure that Local Plans, 'as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area'. In addition all sections of the community should be involved in planning decisions.

2.2 County Council's Decision-Making Processes

- 2.2.1 The County Council has an Executive and Select Committee structure. The Executive (more commonly known as the 'Cabinet') currently has eight members selected from the Conservative Party majority. The Cabinet proposes the key policy decisions of the Council, which are subject to agreement by the full County Council of 71 members. Each Cabinet Member has a portfolio of work for which they take personal responsibility and they will make many decisions individually.
- 2.2.2 The whole County Council is the ultimate decision-making body and the principal forum for major political debate. Its 71 members meet five times a year. The County Council reserves to itself, decisions on key policy plans, questions members of the Cabinet, and debates notices of motion. It decides the composition and areas of competence of the Cabinet, to which it delegates responsibility for carrying out many of the County Council's existing policies. It also appoints the Select Committees that examine and review decisions and actions of the Cabinet and Cabinet Members.
- 2.2.3 Decisions on planning policy documents will be made by either the relevant Cabinet Member (currently the Deputy Leader and portfolio for Communities, Environment and Enterprise) or the whole County Council. The Scheme identifies where responsibility lies for each new plan or document – the key documents will be approved by full County Council. Most draft documents will be scrutinised by the Planning Committee and relevant Select Committee (currently the Environmental and Community Services Select Committee) which will make recommendations to the Cabinet Member. Proposed decisions by Cabinet Members are advertised to all Members on the Members' Information Service (MIS) which is publicly accessible from the Council's website. Decisions come into effect unless they are called-in by a Member within seven working days – further information about the call-in procedure is available on request.

- 2.2.4 The Environmental and Community Services Select Committee is cross-party and all Members of the Council can attend and receive the papers. The Committee meets on a regular basis and the meetings are open to the public. As the meeting is public, it provides the community with an early opportunity to listen to the debate and discussion before the decisions on planning documents are taken by either the Cabinet Member or full Council.
- 2.2.5 In accordance with Government guidance, the majority of planning applications, i.e. those that are not contentious, will be determined by officers under delegated powers (see Section 4.6). The cross-party Planning Committee will determine the remainder.
- 2.2.6 Members take part in decision-making through meetings of the full County Council, scrutinising Cabinet Member decisions, membership of County Local Committees and possibly contributing through membership of the Planning and Select Committees. In addition, all Members have an important role to play in alerting local communities to the plan-making and planning application processes and encouraging involvement at a local level. They also attend local meetings organised by officers and other meetings arranged by parish councils and community groups. In addition, Members may attend training sessions and seminars and hold informal discussions with officers to discuss specific issues.

2.3 **County Council's Consultation Strategy**

- 2.3.1 The County Council has a long tradition of consulting and involving local people in its decision-making processes. Over a long period of time, many service areas have developed considerable expertise in engaging communities and customers in the development and delivery of their services. West Sussex County Council is committed to making its policies, decisions, and services more accessible to comments from citizens, agencies, and major partners so that it is more responsive to local communities, and carries out these duties more effectively.
- 2.3.2 The Strategy can be summarised as follows: West Sussex County Council is committed to making its policies, decisions and services more accessible to comments from citizens, agencies and major partners so that it is more responsive to local communities, and carries out these duties more effectively. Two main aims underpin this strategy: to enhance the relevance, appropriateness and usefulness of research and consultation to West Sussex County Council, partners, agencies, and interest groups; and to promote participatory forms of consultation and research that contribute effectively to the policy-making process, from formulation through to the implementation, monitoring and review of policy. This will be achieved by developing structures that:
- build on existing good practice in research and consultation;
 - extend the nature and range of consultation undertaken with interested groups and agencies;
 - enhance and support any processes that require consultation as a result of central government policy or other agencies;
 - bring together other stakeholders and representative groups as consultative partners;

- link with other corporate activities in West Sussex County Council;
- contribute to the development of Business Unit plans and activities;
- provide direct support for research and consultation activities and co-ordinate this support;
- allow resources to be shared and issues in relation to research and consultation to be co-ordinated.

2.4 **Inclusive Consultation**

2.4.1 A key aspect of inclusive consultation is to encourage the active involvement of the diverse communities that form the larger community. In order to do this, the County Council will engage with 'hard to reach' groups which may also be referred to as 'under-represented', 'socially excluded', 'disadvantaged', or 'minority groups'. There is no one definition of the term 'hard to reach' because groups which have traditionally been under-represented in formal consultation vary considerably across geographical areas.

2.4.2 In some situations, it might be necessary to include geographical groups, for example those living in areas of deprivation or in remote rural areas. However, as 'hard to reach' groups are made up of individuals who may not have anything in common with others identified under this heading, different approaches to consultation and involvement may be required. As regards this area of consultation, the County Council will be guided by the standards set out in the corporate Consultation Strategy and the views of the parish councils, and local community and interest groups (see paragraphs 3.3.5 and 4.3.3).

2.5 **Sustainable Community Strategy**

2.5.1 Account will be taken of the county-wide Sustainable Community Strategy (SCS) prepared by the County Council and its partners and the SCS prepared by the seven district and borough councils.

2.5.2 The County Council's SCS is based on the following four core themes:

- *A better place to live*: do more to reduce our contribution to climate change and adapt to its adverse impacts
- *Opportunity for all*: give everyone the chance to learn and develop their skills throughout their life and by helping the workforce help our companies and the economy
- *Better health for all*: reduce the difference in life expectancy in different parts of the county particularly through reducing avoidable premature deaths.
- *Staying and feeling safe*: increase everyone's safety and their feelings of security, particularly children and young people

2.5.3 Preparation of the SCS has provided an opportunity for the public, private, voluntary and community sectors to articulate their aspirations, needs and priorities and influence the actions of the County Council and other service providers and make a significant contribution towards delivering sustainable development.

3.0 Local Plans and Other Policy Documents

3.1 Introduction

3.1.1 There are many options available to the County Council for consultation and engaging with the community in the preparation of new plans and other planning policy documents. These range from those methods and techniques that only meet the minimum statutory requirements to more extensive consultation and engagement with the whole community. This section considers the type of documents to be produced under the Minerals and Waste Development Scheme (MWDS), the specific issues to be addressed, and the methods and techniques that could be used at various stages.

3.2 New Documents

Local Plans

3.2.1 This section has been revised to reflect changes made by Government to the plan preparation process since the adoption of the previous version of this SCI; the changes primarily involve combining the 'issues and options' and 'preferred options' stages.

3.2.2 There are five key stages to plan preparation that focus on 'front loading', community involvement and engagement. The latter stages involve a public examination, after which there are no opportunities for public involvement. The stages of plan preparation are set out below:

- **informal engagement stage (Regulation 18):** information gathering and development of an evidence base; the identification of the key issues to be addressed and likely options; involvement of key stakeholders (including representatives of the community) and informal public consultation on emerging strategy and policy options.
- **proposed submission stage (Regulations 19 and 20):** publication of the draft plan that the Council proposes to submit for inspection and a period of at least six weeks to allow public representations with regard to the 'soundness' of the document. This is not a consultation period.
- **submission stage (Regulation 22):** providing that no substantive issues arise from the consideration of the representations about 'soundness', the plan is submitted to the Secretary of State.
- **independent examination (Regulations 23 and 24):** an independent Inspector is appointed by the Planning Inspectorate to consider the representations received on the proposed submission draft and to test the 'soundness' of the plan; objectors to the DPD have the right to appear at the examination to present their case; the Inspector prepares a report on the soundness of the Plan. The County Council consider the Inspector's report and, as appropriate, may ask for recommendations for changes to the Plan which would make the Plan sound and make any necessary changes (Regulation 25).
- **adoption (Regulation 26):** Once the County Council have received a report from the Inspector to say that the Plan is sound, the County Council can adopt the Plan.

- 3.2.3 General, broad-level consultation on minerals and waste will be undertaken across the County. For site allocation, community involvement and engagement will be focussed on the communities that are likely to be affected either directly or indirectly by new development. This will help to ensure that the communities are informed about the issues and options available and, as a consequence, able to engage in the plan-making process in an informed manner and at an early stage.
- 3.2.4 Planning, in general, deals with emotive issues. It is recognised that concerns about 'unwanted' development, as is often the case in minerals and waste planning, may not be resolved by community engagement, regardless of the length and depth of the process. However, it is hoped that there will be an enhanced sense of community ownership of the plan and that some of the objections will be either resolved prior to the examination or that such objections will be focussed on the key issues.

Supplementary Planning Documents

- 3.2.6 Supplementary planning documents (SPD) provide support to, and must conform with, a policy or policies in an adopted plan. Accordingly, the preparation will not involve the consideration of key policy issues and they will focus on matters of detail. There are three key stages, as follows, which 'front load' community involvement and engagement:
- **evidence gathering:** information gathering and development of an evidence base; the identification of the detailed matters to be addressed and likely options; involvement of key stakeholders (including representatives of the community) prior to formal public consultation.
 - **draft document:** the identification of the preferred approach; public consultation for a four to six-week period.
 - **adoption:** following consideration of the representations on the draft document, the County Council makes any necessary changes and adopts the SPD.

Sustainability Appraisal

- 3.2.7 A sustainability appraisal (SA) of each plan is required to allow full consideration of the potential environmental, social, and economic impacts of the policies and proposals in the document. The SA, which incorporates the requirements of the EU Strategic Environmental Assessment (SEA) Directive, is a systematic and iterative process. The appraisal, which is itself subject to consultation, commences at the start of preparing each document and provides inputs at the key decision stages. The key stages are:
- **scoping report:** setting the context and objectives; establishing the baseline; and determining the scope and level of detail of the appraisal; consultation with stakeholders. One scoping report is prepared to cover all the plan.
 - **draft report:** an appraisal of the issues; development and refinement of the options; appraisal of the effects of the preferred option for the document; public consultation on the draft report (in parallel with publication of the proposed submission draft plan).

- **final report:** appraisal of the submitted plan following any necessary revisions to the draft plan. If the Inspector recommends significant changes to the plan (that are accepted by the Council), the SA report will need to be amended to highlight the effects of the changes on environmental, social, and economic objectives.

3.3 **Groups & Organisations**

3.3.1 Although the County Council is required to consult the general public, the Town and Country Planning (Local Planning) (England) Regulations 2012 require that the County Council consults "specific consultation bodies", for example, other councils, and government agencies with responsibilities for environmental and infrastructure interests, where the subject matter of the plan affects that body. It is also required to consult, as appropriate, "general consultation bodies", for example, voluntary bodies and those representing business, racial, ethnic or national groups, religious bodies, and bodies representing people with disabilities.

3.3.2 The types of specific and general consultation bodies, referred to in this document as 'statutory and other consultees', that will be consulted in the preparation of the document are listed below:

Statutory Consultees

- Government Departments and Agencies
- Local Authorities (West Sussex)
- Local Authorities (adjoining)
- Service Agencies/Public Utilities/Statutory Undertakers

Other Consultees

- Other Minerals and Waste Planning Authorities in the South East
- Members of United Kingdom and European Parliaments
- Minerals Industry and Operators
- Waste Industry and Operators
- Landowners
- Interest Groups
- Community and Residents Groups
- Business Groups
- Other Organisations

3.3.3 The County Council will meet the requirements of the Regulations and the Equalities Act 2010 in undertaking its duties in preparing the document. The 'statutory and other consultees' will be involved in the preparation of the document as 'stakeholders'; where appropriate, representatives of specific groups will be identified to ensure that the stakeholder process is manageable.

3.3.4 The parish, neighbourhood, and town councils, both within and adjoining the County, have an important role to play in representing local interests. The County Council will involve them as far as possible in the preparation of the document in addition to consulting them as a statutory consultee at formal

stages. In particular, they will be engaged in area-specific community events and involved in 'area forums' which will group together the parish councils, residents' associations, and community groups concerned with specific areas.

3.3.5 Due to the site and area-specific nature of minerals planning and some waste management activities, which relate mainly to the rural areas, it is not always possible to identify if there are any specific groups, including the hard to reach groups, that will be affected in general by the strategy, policies or proposals in a plan. In developing the area-focussed community engagement and involvement referred to in paragraph 3.3.4, the County Council will seek to identify, with the relevant local organisations, if there are any specific groups which need to be involved and the best ways in which to engage them in the process.

3.4 **Methods and Techniques**

3.4.1 The Regulations set out the minimum requirements for consultation prior to the submission of a plan to the Secretary of State. In summary, they require that:

- all relevant material must be made available for inspection at County Hall, Chichester and other suitable places for the whole of the minimum six-week period for representations;
- any documents must be placed on the website together with any supporting information which is needed to enable people to understand what they are being asked to comment upon. The website must state where and when documents can be inspected;
- copies of the relevant material must be sent to the Government and to each statutory consultee; and
- notice is given to anyone wishing to be kept informed about progress of the document.

3.4.2 A list of the potential methods and techniques that will be used at the various stages in the preparation of the plan and the sustainability appraisal of the plan can be found in Appendix A. It also identifies the key stages and the specific methods that will be used in relation to engagement with either the general public or the statutory and other consultees. The use of these methods and techniques will exceed the minimum requirements in legislation.

3.5 **Feedback**

3.5.1 The County Council will acknowledge all the comments received on the various documents; the comments received cannot be treated as confidential. The County Council is a data controller for the purposes of the Data Protection Act 1998. Details will be entered into a database and may be used to inform respondents about other services. If requested, the County Council will also record the contact details of interested individuals who wish to be kept informed about the progress of plans and consultation documents. The details will not be passed on to other organisations. Security safeguards apply to both manual and digitally-held data, and only relevant staff/named disclosures can access the information.

- 3.5.2 At each stage, the County Council will analyse the technical merits of the responses and, where appropriate, prepare a summary report outlining the actions which the County Council proposes to take in response. This will be available for inspection with the representations at County Hall, Chichester and on the County Council's website.
- 3.5.3 The key issues raised will be considered by the Planning Committee and the Select Committee which will make recommendations to the Cabinet Member. The County Council's formal decision will be made by either a Cabinet Member or the County Council depending upon where political responsibility for decision-making rests (see Section 2.2 and the MWDS). Where the County Council considers appropriate, comments of technical merit will be reflected in the proposed policies and proposals or changes to them.
- 3.5.4 As part of the preparation of the proposed submission plan, a 'statement of compliance' (or similar) will be produced, in accordance with Regulation 22. The statement will set out who made representations at the informal engagement stage, how consultees were invited to make representations; a summary of the representations made, and how they were addressed in the plan.

4.0 Planning Applications

4.1 Introduction

4.1.1 The responsibility to carry out consultation and publicity on planning applications can be taken from many sources of legislation and government advice. The Town and Country Planning (Development Management Procedure) (England) Order 2010, (as amended)) requires publicity to be given to all planning applications. The County Council is also required to consult the local community and undertake technical consultations as part of the process for determining applications for planning permission.

4.1.2 This section of the SCI considers how the County Council will publicise and consult on different types of applications, identifying, in particular, how the local community will be involved in the consideration of planning applications.

4.2 Types of Planning Application

4.2.1 The three types of development for which the County Council is the determining planning authority are:

- **Minerals Development:** Applications involving mining, quarrying and the working of minerals and associated development (including facilities for the transport of construction aggregate; searches for mineral deposits; the development of oil and gas fields; and the disposal of quarry waste);
- **Waste Development:** Applications involving (i) the use of land, the carrying out of building, engineering or other operations, or the erection of plant and machinery used or proposed to be used, wholly or mainly for the purposes of recovering, treating, storing, processing, sorting, transferring or depositing of waste, and (ii) the use of land or the carrying out of operations for any purposes ancillary to any use or operations specified above, including the formation, laying out, construction or alteration of a vehicular access to any public highway.
- **County Council Development:** Applications for development by the County Council related to the Council's statutory duties (including schools, libraries, social services centres, fire stations, and county highways).

4.2.2 Planning applications are also split into three categories; (i) Major, (ii) Minor, and (iii) EIA. This determines how the application must be processed, including the target period for which the application should be decided (i) 13 weeks, (ii) 8 weeks, and (iii) 16 weeks.

4.2.3 In terms of the types of development the County Council is responsible for, major development is one where floorspace to be built is 1,000 square metres or more, where the site area is 1 hectare or more, and any minerals or waste developments. EIA applications are any development proposals that require the submission on an Environmental Statement under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (as amended).

4.3 **Groups & Organisations**

- 4.3.1 The bodies and organisations that the County Council is statutorily required to consult are set out in planning legislation and regulations; Town and Country Planning Act (Development Management Procedure) (England) Order 2010, (as amended), Part 3 and Schedule 5. This includes a number of public and private bodies/organisations, such as the Environment Agency, Natural England, and English Heritage. The statutory requirement to consult the various bodies will be dependent upon the scale, nature, and location of the development (e.g. the Environment Agency are a statutory consultee for all waste development applications).
- 4.3.2 At the local level, the County Council must consult the District Council and parish/town council within whose administrative area the application site is located. The County Council welcomes comments from local civic and amenity societies and residents' associations.
- 4.3.2 The County Council will meet the requirements of the Regulations and the Race Relations (Amendment) Act 2000, and the Disabilities Discrimination Act 1995, in undertaking its duties in considering planning applications.
- 4.3.3 Due in particular to the site and area-specific nature of minerals planning, which relates mainly to the rural areas, it is not always possible to identify if there are any specific groups, including the hard-to-reach groups, that will be affected by the consideration of planning applications for minerals and, on occasions, waste development, or the County Council's own developments. Therefore, the County Council will seek to identify, with local Members and relevant local organisations, if there are any specific groups which need to be involved and the best ways in which to engage them in the process.

4.4 **Publicising Planning Applications**

- 4.4.1 In addition to any informal publicity arrangements that applicants themselves may carry out (such as public exhibitions of their proposals), the County Council is required by law to carry out certain publicity before deciding a planning application. The main legislation is the Development Management Procedure (England) Order 2010, (as amended) which sets out the minimum requirements for publicising planning applications.
- 4.4.2 In order to engage the public as effectively as possible, the County Council will meet and exceed statutory publicity requirements. When publicising an application the County Council will provide details of where the applications documents can be viewed, the date by when comments have to be made, and by what methods those comments can be submitted. The table in Appendix B sets out how the County Council will publicise planning applications.

4.5 **Viewing Planning Applications**

- 4.5.1 Following registration of a valid planning application, as soon as reasonably practicable, members of the public may inspect copies of the application; the plans; and other documents accompanying the application at <http://www.westsussex.gov.uk/eplanning> or at County Planning, West Sussex County Council, County Hall, Chichester PO19 1RH, or at the relevant District Council, during all reasonable office hours. To ensure that planning

files and an officer support where necessary, are readily available, any viewing should be arranged on a preliminary basis.

- 4.5.2 All representations that the County Council receives in respect of a planning application will be acknowledged. As soon as reasonably practicable upon their receipt, comments received in respect of a planning application will be made available for public inspection at the above locations. All material matters raised will be taken into account and summarised in both delegated and committee reports.

4.6 **Decision Methods and Reporting Back**

- 4.6.1 Every effort is made by the County Council to minimise paper use, therefore wherever possible that County Council will use e-mail as the preferred method for all correspondence.

- 4.6.2 **Delegated Decisions:** In accordance with Government guidance, the County Council enables the majority of planning applications, i.e. those that are not contentious, to be determined by a senior officer under delegated powers. Full details of the Scheme of Delegation are set out in the County Council's Constitution (available on the website – www.westsussex.gov.uk). Examples of delegated decisions include small extensions to County Council schools and libraries where no substantive material objections received from members of the public.

- 4.6.3 **Planning Committee Decisions:** If a planning application is to be determined by the Planning Committee, the County Council will notify by e-mail (or letter if the recipient cannot receive an e-mail) the applicant and all those persons and community organisations who submitted comments about the application of the date, time and location of the Planning Committee meeting and whether the relevant head of service is recommending that permission be granted or refused. Every effort is made by the County Council to minimise paper use; therefore, e-mail is the preferred method for correspondence. All members of the public who have made representations will also be advised that a copy of the agenda and committee report will be published on the County Council's website and a copy can be sent to them if requested (normally in electronic format unless the recipient cannot receive documents in that format).

The County Council welcomes public speaking at meetings of its Planning Committee in accordance with its adopted protocol. The opportunity to register to speak at the Committee meeting will therefore be offered. Planning Committee agendas will be made public a minimum of five working days prior to the Committee meeting; the report will identify how the technical merits of the representations on the applications have been taken into account.

- 4.6.4 **Appeals:** An applicant has the right of appeal to the Secretary of State to determine the application because the County Council has either refused an application; granted permission subject to conditions with which it does not agree; or has not determined it within the specified time period. The County Council will notify all those it originally wrote to or who wrote to the County Council about the application. Appeals will also be reported on the Members Information Service on the Council's website.

4.6.5 All those that have made representations will be notified of any final decision reached. Minutes of committee meetings will be made available on the website. Specific details relating to the decision, e.g. the conditions imposed, the reasons for granting or refusing an application, and any associated legal agreements, will be made available on our website and in hard copy at County Hall, Chichester.

4.7 **Other Methods of Public Engagement**

4.7.1 **Liaison groups:** Minerals and waste developments are on-going operations and the County Council will encourage the formation of site liaison groups, where appropriate, to ensure that operational issues which affect the local community are addressed on a regular basis. The County Council will administer such groups where resources permit and otherwise will encourage mineral and waste site operators to set and administer such groups themselves.

4.7.2 Such groups can facilitate regular liaison meetings between the site operator, the County Council and the local community. They provide a forum in which representatives of the local community can be kept abreast of operations by the site operator, including any future proposed development, and enable them to raise their issues and concerns with the operator.

4.7.3 **Pre-application discussions by developers with the County Council:** The County Council will encourage developers, both from the minerals and waste industry as well as the Council's own Service Units, to enter into early discussions with Planning Services about their proposals before formally submitting an application for planning permission. Officers will provide guidance on the information that will be required for proper consideration of the application and the key issues and policies that the applicant's proposals should address.

4.7.4 **Pre-application discussions by developers with the community:** The local community can assist in identifying the issues to be addressed in development proposals. Accordingly, the County Council will encourage developers to undertake early community consultation and public exhibitions, particularly for major or controversial proposals (see Local List). Such front-loading of involvement gives the local community opportunity to participate in the formulation of a developer's proposal before a planning application is submitted.

4.7.5 The County Council cannot refuse to accept a valid application because it disagrees with the way in which a developer has consulted the community. However, the developer's failure to consult, and consequently address local concerns, could lead to objections being made by local residents and groups unnecessarily. This could significantly delay determination of the application and increase the likelihood that the proposal will be refused if such objections cannot be satisfactorily resolved.

4.8 **Helpful Links**

4.8.1 **Planning Portal:** The Planning Portal is the UK Government's online planning and building regulations resource for England and Wales. It gives advice and

services for members of the public, planning professionals and government on planning and building regulations.

Applicants can submit their planning applications through the Planning Portal, which are then downloaded through the WSCC planning application database.

- 4.8.2 **'Planning Aid'**: A free voluntary service offering independent professional advice to enable local communities, especially those with limited resources, to engage effectively in planning decisions which may affect their area. It aims to give people the confidence to help themselves and to become involved in wider planning issues. Links to Planning Aid and other sources of help and advice are on the website.

Appendix A: Methods and Techniques for Policy Documents

Potential Methods and Techniques

area forums: Due to the site and area-specific nature of minerals planning, which relates mainly to the rural areas, Sand and Gravel Resource Area Forums were established. They grouped together the parish councils, residents associations, and community groups concerned with specific areas. Similar forums, the Waste Area Forums, were established to deal with area/site-specific waste matters. Where necessary, the County Council will use Area Forums as a mechanism to update local communities on progress and involve them specifically as issues and options emerge and also at later stages.

circular letters/e-mailshots: Letters/e-mails will be sent to the consultees early on in the preparation process to update them on progress. At consultation stages, the consultees and any other people or organisations that have previously made representations on a version of a plan, will be informed about the latest stage and any consultation arrangements. Letters/e-mails will also be sent at consultation and other key stages to anyone wishing to be kept informed about the progress of a document.

'Connections': The County Council's newspaper is delivered free to most of the households of West Sussex. As such it will be used as one of the mechanisms for ensuring that the general public are made aware about key stages in the preparation of a plan and, where appropriate, consultation arrangements. It will only be able to give general coverage to the strategy, policies or proposals in the emerging plan.

District and Borough Councils' newspapers: Similarly to the County Council's own newspaper, the seven District and Borough Councils have their own newspapers which are delivered free to the households in their areas on a regular basis. They will only be able to give general coverage to consultation and can be used only where their delivery timetables coincide with the consultation period on the plan. This medium will also be subject to the approval of the District and Borough Councils and their own priorities.

documents available for inspection: Consultation documents and, where appropriate, supporting documents will only be made available for inspection, formally, at County Hall, Chichester and on the website. However, to ensure that access to hard copies of documents is maximised, they will also be available, informally, at the seven district and borough council offices, all libraries and Help Points, and at the South Downs National Park Offices. Copies of plans and consultation documents will be available on request free of charge (whenever possible). These documents will also be available free of charge (whenever possible) on request on CD-ROM, in large print and alternative languages.

internet: The relevant consultation document and, where appropriate, supporting documents will be available for inspection on the website. It will also be used to enable comments forms to be downloaded and returned in hard copy or completed online. The website will also be the central location for information about a plan including, for example, consultation arrangements, background documents, and summaries of previous representations.

media: At key stages, the County Council will issue press releases and hold press briefings to ensure that efficient and effective use is made of the local press. The use of advertisements is not considered to be a cost-effective medium for site and area-specific consultation but will be used, as necessary, at key stages for county-wide consultation. The same applies to the use of radio and television advertisements.

one-to-one/group meetings: The County Council will meet with key stakeholders to discuss issues and options and other key technical matters. The County Council will, as necessary, also meet with organisations or individuals to discuss particular issues. It will also, on request, address meetings of groups and organisations (subject to time and resource constraints).

'Planning Aid': A free voluntary service offering independent professional advice to enable local communities, especially those with limited resources, to engage effectively in planning decisions which may affect their area. It aims to give people the confidence to help themselves and to become involved in wider planning issues. Links to Planning Aid and other sources of help and advice are on the website.

public meetings: Where possible, the County Council will use County Local Committee (CLC) meetings as the main vehicle for the public to comment on a plan, primarily when specific sites are being discussed. Alternatively, public meetings may be held to consult informally on specific sites.

written consultation (including documents): The consultees will be sent the relevant consultation document and, where appropriate, supporting documents together with information about consultation arrangements. Copies of plans and consultation documents will be available on request free of charge (whenever possible).

Methods and Techniques to be used at Different Stages

The documents to be prepared, and the timetable for their preparation, are identified in the latest approved Minerals and Waste Development Scheme (MWDS) available on the website (www.westsussex.gov.uk/mwdf). Information about community and stakeholder events is available on the website, including details of the work undertaken at the meetings.

Sustainability Appraisal Scoping Report

SA Scoping Report Stage	
When:	What:
See the published MWDS - available for inspection at County Hall and on the website.	Informal consultation on the Scoping Report, which will cover including the suggested objectives and appraisal framework, over five-week period.
Who:	How:
Statutory and other consultees	Written consultation (including documents) Internet (website including consultation) Stakeholder meetings (if required)

Feedback:
Comments received on the draft Scoping Report will be summarised and made available at County Hall and on the website. The County Council's response to the comments will also be made available; it will indicate how they have been used to inform the methodology of the sustainability appraisal leading to the preparation of the Draft SA Report for the plan.

Local Plans

See also Sustainability Appraisal Scoping Report.

Informal Engagement Stage (Regulation 18)	
When:	What:
See the published MWDS - available for inspection at County Hall and on the website.	Informal information gathering and dissemination
Who:	How:
Statutory and other consultees	Circular letters/e-mailshot Internet (website) One-to-one/group meetings (as required)
General public (if required)	Circular letter/e-mailshot to respondents (other than consultees) Document available for inspection (and sent on request) Internet (website including consultation) Local newspapers (press releases) Articles in 'Connections' (County Council newspaper) (where possible) Articles in District Councils' newspapers (where possible) Planning Aid
Individual members of the public who have notified the County Council of their interest in being involved	Informal consultation on draft documents
Feedback:	
The information received will be used to inform the preparation of the Proposed Submission Draft. Comments received during any public consultation period will be summarised and made available at County Hall and on the website. The County Council's response to the comments will also be made available; it will indicate how they have been used to inform the preparation of the draft plan.	

Proposed Submission Stage/Draft SA Report Stage (Regulation 19)	
When:	What:
See the published MWDS - available for inspection at County Hall and on the website.	Formal period for representation on soundness of Proposed Submission draft plan and Draft SA Report over minimum six-week period.

Who:	How:
General public	<p>Circular letter/e-mailshot to respondents (other than consultees)</p> <p>Document available for inspection (and sent on request)</p> <p>Internet (website including consultation)</p> <p>Local newspapers (press releases and, as required, notices)</p> <p>Articles in 'Connections' (County Council newspaper) (where possible)</p> <p>Articles in District Councils' newspapers (where possible)</p> <p>One-to-one meetings (as required)</p> <p>CLC/public meetings (for site-specific issues)</p> <p>Planning Aid</p>
Statutory and other consultees	<p><i>In addition to the above:</i></p> <p>Written consultation (including documents)</p> <p>Stakeholder meetings (as required)</p> <p>Group meetings (as required)</p> <p>Area Forums (as required)</p>
Feedback:	
<p>Comments received during the representation period will be summarised and made available at County Hall and on the website. The County Council's response to the representations will also be made available; it will indicate how they have been used to inform the preparation of the formal Submission Draft. It will also indicate, if necessary, how they have been used to amend the Draft SA Report leading to the preparation of the Final SA Report.</p>	

Supplementary Planning Documents

See also Sustainability Appraisal Scoping Report.

Draft SPD Stage	
When:	What:
See the published MWDS - available for inspection at County Hall and on the website.	Formal consultation on Draft SPD over a four or six-week period.
Who:	How:
General public	<p>Circular letter/e-mailshot to respondents (other than consultees)</p> <p>Document available for inspection (and sent on request)</p> <p>Internet (website including consultation)</p> <p>Media (press releases and, as required, notices)</p> <p>Articles in 'Connections' (County Council newspaper) (where possible)</p> <p>Articles in District Councils' newspapers (where possible)</p>

	<p>One-to-one meetings (as required)</p> <p>CLC/public meetings (for site-specific issues) (as required)</p> <p>Planning Aid</p>
Statutory and other consultees	<p><i>In addition to the above:</i></p> <p>Written consultation (including documents)</p> <p>Group meetings (as required)</p>
Feedback:	
<p>Comments received during the consultation period will be summarised and made available at County Hall and on the website. When the SPD is adopted, the County Council will issue a statement summarising how the comments received during the preparation of the SA were taken into account in preparing the Adopted SPD.</p>	

Appendix B: Methods for Publicising Planning Applications

Type of Application(a)	Website	Site Notice	Neighbour Notification (b)	Newspaper
Minor Regulation 3 (c) – Site area less than 1Ha & less than 1,000m2 floorspace created	✓	✓		(d)
Major Regulation 3 (c) – Site area over 1Ha or over 1,000m2 floorspace created	✓	✓	✓	✓
Minerals and Waste – Site area less than 1Ha or less than 1,000m2 floorspace created	✓	✓		✓
Minerals and Waste – Site area over 1Ha or over 1,000m2 floorspace created	✓	✓	✓	✓
Applications accompanied by an Environmental Impact Assessment	✓	✓	✓	✓
Minor Regulation 13 (e) – Site area less than 1Ha & less than 1,000m2 floorspace created	✓	✓		✓
Major Regulation 13 (e) – Site area over 1Ha or over 1,000m2 floorspace created	✓	✓	✓	✓
<p>(a) All publicity must advise where an application would involve one or more of the following: (i) departure from the development plan; (ii) affect on a public right of way; (iii) affect the setting of a listed building; (iv) affect the character or appearance of a conservation area.</p> <p>(b) See 'Neighbour Notification' below.</p> <p>(c) Planning applications for County Council development.</p> <p>(d) Where a minor Regulation 3 application one or more of the matters identified under (a), a notice must be placed in the relevant newspaper.</p> <p>(e) Applications for Listed Building Consent or Conservation Area Consent.</p>				

Site Notices: Following registration of a valid planning application, and as soon as reasonably practicable, a site notice will be displayed in at least one place on or near the application site for the duration of the consultation period. It will be located where it is visible to the general public and those likely to be affected by the proposed development.

At the discretion of the planning officer, one or more additional site notices may be posted if it is considered that there is potential for the development to have an impact over a wider area. In making this decision, officers will take into account: the scale and nature of the proposed development; the scope of 'neighbour notification' undertaken; and any particularly sensitive receptors.

Where a notice is, without any fault or intention of the County Council, removed, obscured or defaced before the expiry of the public consultation period, the authority will take all reasonable steps to replace it.

Neighbour Notification: Following registration of a valid planning application, and as soon as reasonably practicable, where appropriate (see table above) neighbours of the proposed development will be notified by letter. This will include residents/businesses occupying any property that share an obvious boundary with the application site (red line). It will also include, at the discretion of the planning officer, any residents/businesses that are likely to be directly affected by the development (e.g. those on the opposite side of a minor road).

The planning officer will undertake a site visit to check that the scope of neighbour notification has fulfilled the above requirements.

Newspaper: Following registration of a valid planning application, where appropriate (see table above) an advertisement will be placed in the local newspaper. The relevant newspaper will depend upon the parish in which the application site is located.

Website: Following registration of a valid planning application, as soon as reasonably practicable, details of the application will be made available on the County Council's website. In some cases, it may not be possible/appropriate to display all information submitted in support of planning applications. However, all information will be made available to view in hard copy in the usual manner.

Formal consultation responses and third party comments will be posted on the website as soon as practicable following their receipt. Although phone numbers, signatures, and email addresses will be 'blanked out', third parties are encouraged not include any personal information that they would not wish to appear on the internet.

Copies of officer's reports and decision notices will be made available on the website, as soon as reasonably practicable, upon determination.

Public Consultation Period: In most cases, a public consultation period of 21 days will be provided. The expiry of the public consultation period will be 21 days from the latest date of notification displayed on a site notice or contained in a neighbour notification letter.

Where considered appropriate, and at the discretion of the planning officer, the public consultation period may be longer (most likely in the case of particularly complex applications e.g. those involving Environmental Impact Assessments (EIA)).