

# Penwith Local Development Framework

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## STATEMENT OF COMMUNITY INVOLVEMENT

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**Draft for Consultation 2005**



**Penwith District Council**

**We are seeking your views on the proposed  
consultation standards set out within this  
document.**

### **Making Your Comments**

If you would like to make any comments please use one of the following methods:

- Complete the representations form provided and return to:

Sustainable Development Policy Team  
Sustainable Development & Improvement  
Penwith District Council  
St. Clare  
Penzance  
Cornwall  
TR18 3QW

- Download and complete the representations form on the Council's website at:  
[www.penwith.gov.uk](http://www.penwith.gov.uk)
- Send comments via email to: [fplan@penwith.gov.uk](mailto:fplan@penwith.gov.uk)
- Send comments via fax to: 01736 336566

Please note that comments cannot be treated as confidential and will be made available for public inspection

### **Comments to be received by:**

**5pm on Friday 18<sup>th</sup> November 2005**

### **Contacts for Further Information**

If you require any information on the consultation process, or would like Policy advice please contact a member of the Sustainable Development Policy Team:

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AVAILABLE ON REQUEST**



# **Draft Statement of Community Involvement**

## **Local Development Framework (LDF)**

### **Forward**

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 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 Spatial Strategy is being developed for the South West region.

Sitting below this, and fitting in with the 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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*Photographer: Fee Wood (Mazey Day Procession)*

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## 1. Introduction

### What is a Statement of Community Involvement?

- 1.1 As the result of new legislation in 2004 a different system of planning policy documents (the development plan) has been introduced. The **Regional Spatial Strategy (RSS)** will replace the existing Cornwall Structure Plan while a number of separate **Local Development Documents (LDDs)** will provide the spatial planning framework for the District and will, over a period of time, replace the existing Structure Plan for Cornwall and the Penwith Local Plan. Together the folder of local development documents will be known as the **Local Development Framework**.
  
- 1.2 One of the documents to be prepared is the Statement of Community Involvement (SCI), **the purpose of which 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. The Draft Statement has been prepared in the context of national planning policy guidance<sup>1</sup> and takes forward one of the objectives of the new system which is to involve people in the planning process from the earliest stage onwards. It sets out the benefits of involving the local community, the results of initial consultation on the most suitable methods, the Council's proposed approach and how the effectiveness of that approach will be monitored.

### Consultation on the Draft Statement

- 1.3 Once the statement has been adopted, the Council will have to comply with its requirements so it is vital that people are involved in its preparation in order that appropriate standards, and ways of consulting and keeping the local community informed, are included. Research has already been carried out with local organisations and individuals to determine the methods of consultation that are

most suitable, and the findings have been incorporated in this document. The resulting Draft Statement **will be available for public consultation from Thursday October 6<sup>th</sup> to Friday November 18<sup>th</sup> 2005, during which time comments on its content are invited.** All representations received by the closing date will be considered and reported to the Council's Social, Economic and Environment Committee, when any agreed changes will be incorporated. The final Draft will be submitted to the Secretary of State and a further 6 week consultation period will follow prior to independent examination by a planning inspector. When the Inspector's report is received the Statement will be adopted by the Council, including any changes made by the Inspector.

<sup>1</sup>Planning Policy Statement 12: Local Development Frameworks  
Planning Policy Statement 1: Creating Sustainable Communities

## **The Benefits of Community Involvement**

1.4 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 Plan**

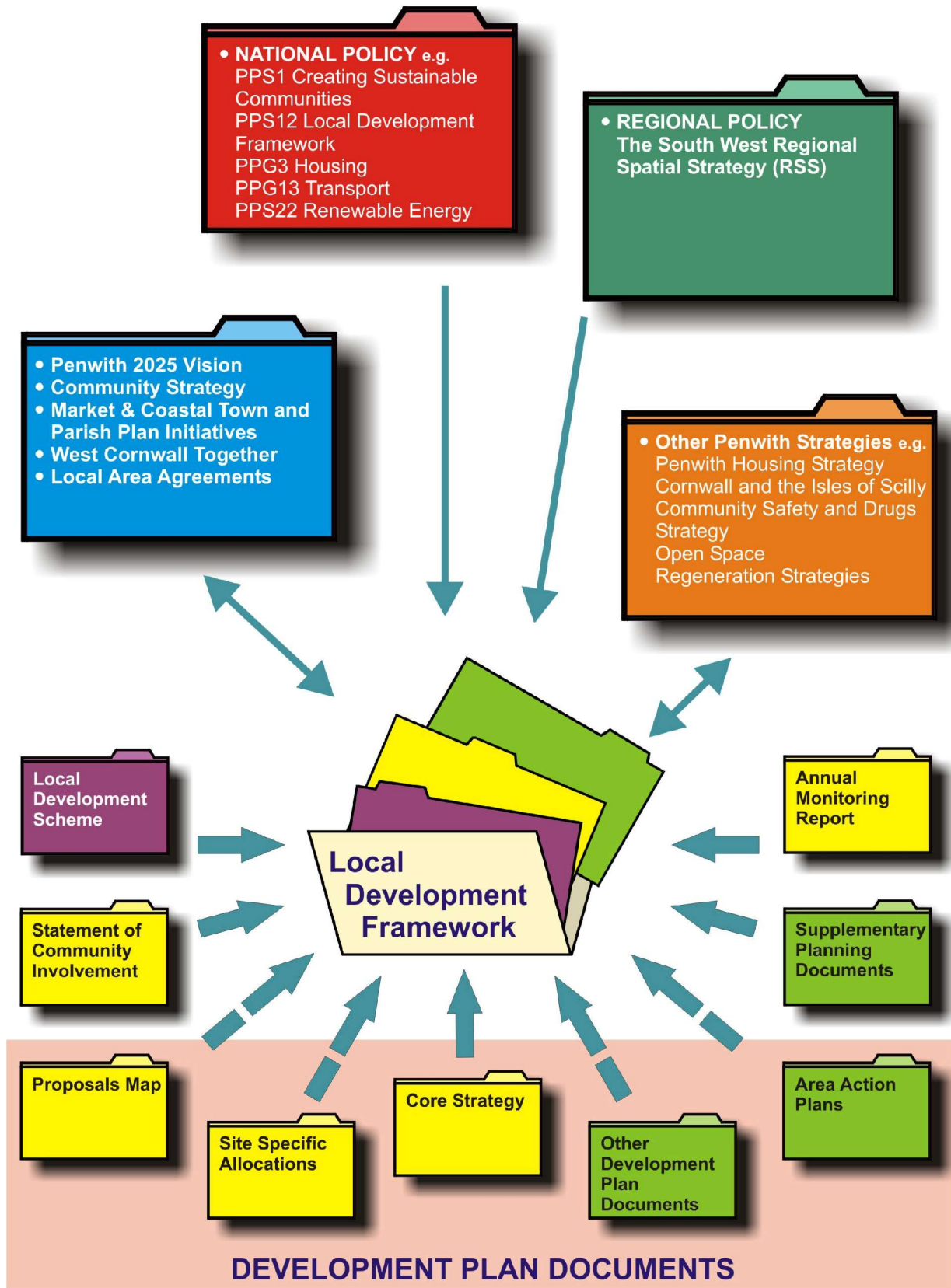
- 1.5 The Council has for a number of years been actively involving the community in developing its services around community priorities. A key area of this process was the development of a community plan 'A Vision for the Future' in partnership with Cornwall County Council, the West of Cornwall Primary Care Trust, Penwith Community Development Trust, the police and a significant number of other public, business, community and voluntary organisations.
- 1.6 This plan identified the key priorities and actions for the area through a series of community events and a stakeholder conference and has developed a co-ordinated approach by the Council, and the public, business, voluntary and community organisations that operate in Penwith, to deliver them. 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.
- 1.7 The Council is currently in the process of reviewing this five year plan and is developing a longer term Vision and community strategy to provide clear aims and objectives for the period to 2025. 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. These processes will identify issues and individual community plans for each area and will feed into the overall Vision and Community Strategy for the District being led by the District Council. 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.
- 1.8 The documents that will comprise the Local Development Framework are intended to provide the planning strategy for the issues and actions in the Community Strategy that relate to the use and development of land.
- 1.9 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.
- 1.10 Officers from the community strategy, community regeneration and planning policy teams are actively working together to achieve this co-ordinated approach.

## 2. Community Involvement in the preparation of Planning Policy documents

### The Local Development Scheme (LDS)

- 2.1 The Local Development Scheme (LDS) sets out the Council's programme for reviewing and preparing new planning policy documents, known as Local Development Documents (LDDs). A number of different Local Development Documents will provide the Local Development Framework for the District and the Local Development Scheme includes a description and timetable for each. The timetables include details of the different stages of preparation, involvement and consultation for individual documents. The Statement of Community Involvement will be one of the documents in the Framework; in addition there are two types of local development document
- development plan documents which will be subject to independent examination and will have statutory development plan status; and
  - supplementary planning documents which will not have development plan status, or be subject to examination, but will be a material consideration in making planning decisions.
- 2.2 **Development Plan Documents** will gradually replace the Penwith Local Plan and will include a Core Strategy, which will provide the central vision, objectives and key policies for development in the district, Site Specific Allocations of land and a Proposals Map, showing the geographical extent of policies. Other documents could relate to themes, such as housing, employment or retail for example, or to Area Action Plans where appropriate.
- 2.3 **Supplementary Planning Documents** will provide more detailed guidance on the implementation of policies already adopted in the Local Plan, while it remains in force, or in Development Plan Documents. They will relate to more specific issues, such as Affordable Housing or Design Guidance for example.
- 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. 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 following diagram shows the relationship between different documents in the Local Development Framework and with other strategies at both a regional and local level. More information can be found in the Local Development Scheme which can be viewed on the Council's website [www.penwith.gov.uk](http://www.penwith.gov.uk). Appendix 5 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

## **How has the Council previously consulted and communicated?**

2.6 Consultation and communication methods already used include:

- newspaper articles, press releases and advertisements
- the Council's website: [www.penwith.gov.uk](http://www.penwith.gov.uk)
- public meetings and exhibitions
- public speaking at Planning and other Council meetings
- the right to ask questions at Planning and other Council meetings
- customer surveys
- documents made available at all public libraries as well as the Council's offices
- articles in 'Shorelines' (the Council's magazine)

2.7 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 utilised 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.

## **How has the Council involved the community in formulating the Draft SCI?**

2.8 In preparing the Draft statement 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 results have informed the draft Statement of Community Involvement. The purpose of this first stage 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 Planning and Building Control Service (now the Sustainable Development and Improvement Service)
- produce a consultation matrix for the Local Development Framework
- identify links between Penwith District Council departments

## Survey Results

- 2.9 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	<b>5.0</b>
Penwith District Council website	6.6	Public meetings	6.2

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

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

### The Council's Approach

- 2.11 The Council is committed to listening and responding to people's views and will adopt the methods recommended through the initial consultation process to supplement and improve current practice. It will seek to provide clear and balanced information to enable organisations to contribute ideas and reach a view. An appropriate period of time will be allowed for response, within the timescales identified for the preparation of the documents, and the ways in which views can be expressed will be clearly publicised. Following consultation the Council will publish its response to the representations received and any changes to be made as a result.



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

### **Use of the Council's website**

- 2.12 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.

### **Local Newspapers**

- 2.13 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.

### **Officer presentations and briefings**

- 2.14 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

The approach will be relevant throughout the process but particularly 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

2.15 This approach will be adopted to assist communication with, and within, organisations and will be relevant at both 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

2.16 In preparing Local Development Documents, it is important that a broad range of groups are targeted for consultation. The main types of group 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
- other statutory bodies and groups
- developers /agents
- interested parties
- Councillors
- the media



*Courtesy of Golowan - Kids Parade*

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 utilised in this respect.

## **Access to Information**

- 2.17 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 locations, for example leisure centres (Penzance, St Ives & Cape Cornwall), community centres (Hayle, Pendeen). 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](http://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**

- 2.18 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?**

- 2.19 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.

## **Database**

- 2.20 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. Appendices 1 and 3 list statutory and other types of consultee who will be involved throughout the plan-making process.

### **The role of Planning Aid**

- 2.21 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](http://www.planningaid.rtpi.org.uk).

- 2.22 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 paragraphs. References to Regulations relate to the Town and Country Planning (Local Development) (England) Regulations 2004.

### **Evidence Gathering**

- 2.23 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 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

### **Issues and Options (Regulation 25)**

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

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

### **Preferred Options (Regulations 26 and 27)**

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

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

### **Preparation of Submission Document**

2.26 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.

### **Submission to Secretary of State (Regulations 28 and 29)**

2.27 Submission of final Draft document for independent examination followed by

- statutory public consultation (6 weeks)
- analysis of representations and report to Committee, including any further changes agreed to be incorporated

### **Independent Examination**

2.28

- consultees, community groups, interested parties and the general public to be notified of the pre-examination meeting and arrangements for the Examination.
- programme officer to be appointed to manage the Examination, including communication with those involved, and liaise with the appointed Inspector.

### **Adoption**

2.29 Following receipt of the Inspector's binding report the document will be formally adopted by the Council, including changes proposed by the Inspector.

- a statement of how the sustainability appraisal process has been taken into account will be made available for public inspection. (A sustainability appraisal is not required for the Statement of Community Involvement)

2.30 The actions to be taken at different stages in preparing Supplementary Planning Documents will reflect the less formal process; however, involvement and consultation at 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 document 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**. The document can be adopted by the Council after consideration of the representations received; a summary of the main issues raised and how those issues have been addressed, will be prepared and made publicly available. Supplementary Planning Documents are not required to be formally submitted to the Secretary of State and are not subject to independent Examination.

### **Monitoring and Review**

2.31 The need to revise 'saved' policies or local development documents will be considered through preparation of the Annual Monitoring Report.

- the monitoring report will be made available for public inspection and published on the website. Comments on the need for changes in policy preparation will be invited and considered by the Council in reviewing the Local Development Scheme.

### **3. Community Involvement in the consideration of Planning Applications**

3.1 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.

3.2 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.

3.3 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**

3.4 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, such as 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, 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.

3.5 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.

#### **How are communities involved when an application is received?**

3.6 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 currently undertakes the following range of consultation:-

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

3.7 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?**

3.8 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?**

3.9 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**

3.10 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 the Council's Corporate Services at Penwith District Council by 10.00am on the Monday preceding the meeting, to inform the Chairman of who wants 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.

- 3.11 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

- 3.12 Sometimes it is necessary for Councillors to visit an application site in order to assess the impact of the scheme and make recommendations back to the Planning Committee. Town and Parish Councillors are invited to represent the views of residents. There is currently no opportunity for the public to make representations at these meetings.

#### **How are communities involved after applications are determined?**

- 3.13 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.
- 3.14 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**

- 3.15 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.
- 3.16 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?**

- 3.17 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.



## **4. Implementation and Monitoring**

### **How will the Council implement and monitor the Statement of Community Involvement?**

- 4.1 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.
- 4.2 As part of the Local Development Framework, the Council will produce an Annual Monitoring Report 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. Agreed changes will be incorporated into the SCI.
- 4.3 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?**

- 4.4 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.
- 4.5 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.
- 4.6 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.

# Appendices

## Appendix 1

### List of Statutory Consultees for development plans

Government Office for the South West (GOSW)  
Regional Planning Body (SWRA)  
Regional Development Agency (SWRDA)  
Department of Environment, Food and Rural Affairs (DEFRA)  
Cornwall County Council  
Kerrier District Council  
Isles of Scilly Council  
Town and Parish Councils  
The Environment Agency (EA)  
The Countryside Agency (CA)  
English Nature (EN)  
Historic Buildings and Monuments Commission for England  
Strategic Rail Authority (SRA)  
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 Statutory Consultees 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)  
Countryside Agency (CA)  
Department of the Environment, Food and Rural Affairs (DEFRA)  
Environment Agency (EA)  
English Heritage (EH)  
English Nature (EN)  
Forestry Commission  
Health and Safety Executive (HSE)  
Highways Agency  
Historic Buildings and Monuments Commission for England  
Kerrier District Council  
National Trust  
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 – list of types of group

#### Business organisations

- retail
- small businesses
- tourism
- economic fora
- restaurants/ hotel associations
- agricultural
- fishing
- harbour authorities

#### Community groups

- Cornish Society
- 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
- heritage

#### Development interests

- agents
- architects
- developers/ builders
- Housing Associations
- property services
- solicitors
- estate agents/ valuers
- consultants

#### Transport/Service Providers



- rail
- coach
- Isles of Scilly ferry

Note: Individuals or additional 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 know who is consulted and relevant details may contact the Sustainable Development Policy Team, Penwith District Council Tel. 01736 336760 or email [fplan@penwith.gov.uk](mailto:fplan@penwith.gov.uk)

## Appendix 4

### 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.

## Appendix 5

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

Document Title	Status	Role and Content	Geographic Coverage	Chain of Conformity <sup>1</sup>	Key Dates			
					Pre-Submission Consultation	Public participation (preferred options) <sup>2</sup>	Submission to Secretary of State <sup>2</sup>	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.	Penwith District	Regulations 2004  The consultation procedures for all subsequent LDDs must be in accordance with the SCI.	March – May 2005	Oct. - Nov 2005	January 2006	May- June 2006
P/LDD/2 Penzance Town Centre and Harbour regeneration	SPD	to provide information and guidance on the implementation of relevant policies.	Penzance town centre, harbourside and Promenade areas	Saved Penwith Local Plan policies	n/a	Jan. – Feb. 2006	n/a	Apr. – May 2006
P/LDD/3 Penwith Design Guide	SPD	to provide information and guidance on the interpretation of relevant Local Plan policies	Penwith District	Saved policies  Penwith Local Plan and Cornwall Structure Plan	n/a	Feb.- Mar. 2006	n/a	June-July 2006
P/LDD/4 Affordable Housing	SPD <sup>3</sup>	to provide information and guidance for the implementation of Local Plan policies relevant to the provision of affordable housing and replace current SPG	Penwith District	Penwith Local Plan	n/a	Feb.-Mar. 2006	n/a	June -July 2006

<sup>1</sup> Conformity with national and regional planning policy and inter-relationships between LDDs.

<sup>2</sup> Includes initial, and formal, Sustainability Appraisal reports (except for SCI). <sup>3</sup> Status to be reviewed following changes to PPG3: Housing.

Document Title	Status	Role and Content	Geographic Coverage	Chain of Conformity <sup>1</sup>	Key Dates			
					Pre-Submission Consultation	Public participation (preferred options) <sup>2</sup>	Submission to Secretary of State <sup>2</sup>	Adoption
P/LDD/5 Commuted Sums	SPD	to provide guidance for the delivery of infrastructure and community facilities.	Penwith District	National guidance and Penwith Local Plan.	n/a	Jan.-Feb. 2005	n/a	Mar.-Apr. 2006
P/LDD/6 Core Strategy	LDD	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	National planning policy and Regional Spatial Strategy	Feb. – June 2006	July – Sept. 2006	Feb. 2007 <sup>5</sup>	Feb. – March 2008
P/LDD/7 Proposals Map	DPD	to identify, on an Ordnance Survey map base, proposals, policy areas and designations set out in saved plans and DPDs.	Penwith District	Core Strategy and DPDs	Feb. - March 2007	April – May 2007	November 2007	Nov. 2008 – Feb. 2009
P/LDD/8 Site Specific Allocations and Generic Development Control Policies	DPD	to identify specific sites for housing, employment and other uses, and to provide the general framework for development control, including replacement of saved Local Plan proposals and policies. <sup>4</sup>	Penwith District	Core Strategy	Feb. – March 2007	April – May 2007	November 2007	Nov. 2008 – Jan. 2009

<sup>1</sup> Conformity with national and regional planning policy and inter-relationships between LDDs.

<sup>2</sup> Includes initial, and formal, Sustainability Appraisal reports (except for SCI).

<sup>3</sup> Status to be reviewed following changes to PPG3: Housing.

<sup>4</sup> The need for additional, more topic related, Development Plan Documents will be kept under review.

<sup>5</sup> To follow publication of the report on the Examination for the Regional Spatial Strategy.