

To: All Members of the Licensing and Planning Policy Committee

Dear Councillor

LICENSING AND PLANNING POLICY COMMITTEE - THURSDAY, 13TH JUNE, 2019

Please find attached the following report for the meeting of the Licensing and Planning Policy Committee to be held on Thursday, 13th June, 2019. This report was not included in the original Agenda pack published previously.

1. DRAFT STATEMENT OF COMMUNITY INVOLVEMENT (Pages 3 - 40)

The Committee is asked to consider and approve the proposed draft Statement of Community Involvement for statutory consultation.

For further information, please contact Democratic Services, tel: 01372 732121 or email: democraticservices@epsom-ewell.gov.uk

Yours sincerely



Chief Executive

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DRAFT STATEMENT OF COMMUNITY INVOLVEMENT

Head of Service/Contact: Ruth Ormella, Head of Planning

Urgent Decision?(no)

If yes, reason urgent decision required:

Annexes/Appendices (attached): Annex 1: Draft Statement of Community Involvement

Other available papers (not attached):

Report summary

The Council is required to prepare a Statement of Community Involvement (SCI) setting out how local communities, businesses and other interested groups can be involved when we prepare our planning policies and determine planning applications.

Currently Epsom and Ewell Borough Council have a draft document titled “Your Involvement in Planning” dated 2016 requires updating to reflect up to date guidance.

Recommendations

The Committee is asked

- (1) To approve the proposed draft Statement of Community Involvement, at Annex 1;**
- (2) To start statutory consultation on the approved draft Statement of Community Involvement;**
- (3) To give the Head of Planning in consultation with the Chairman of the Committee, delegated authority to agree minor editorial changes prior to consultation publication, and**
- (4) To note the Statement of Community Involvement will return to the Committee for final approval and adoption.**

1 Implications for the Council's Key Priorities, Service Plans and Sustainable Community Strategy

- 1.1 The delivery and implementation of the Planning Service and its policy and development management functions contributes towards all of the Council's Key Priorities. The Statement of Community Involvement will be a critical part of the Council's commitment to the community.

2 Background

- 2.1 The Planning and Compulsory Purchase Act 2004 requires the Council to have a Statement of Community Involvement (SCI).
- 2.2 The Statement of Community Involvement (SCI) is a statutory document which sets out the ways in which the council will engage with residents, communities, businesses, local organisations and other groups to ensure as many people as possible are able to have a say in planning decisions that affect them.
- 2.3 The SCI will provide guidance on how the planning system works and sets out how the Council will inform, consult and involve people in planning decisions within the Borough.
- 2.4 The proposed draft SCI is required to be consulted on for a period of six (6) weeks and during the consultation period comments may be received setting out issues or concerns or support for the proposed SCI. These comments are considered and review and amendments are then to be made to the SCI. The final version of the SCI will then return to the L&PPC Committee for adoption.
- 2.5 Key steps following adoption include amendments being made to the Planning Service web pages, and the posting online of the SCI and adoption statement, thereby ensuring all necessary statutory steps have been taken.

3 Scope of the Statement of Community Involvement

- 3.1 The SCI is not the document to set out engage strategies or techniques to be adopted when engaging the community in the production of the policies. Matters such as the number of events, their location and the combination of online and face to face engagement sits outside of the Planning legislative framework.
- 3.2 The approach for community engagement on the Local Plan is proposed to be the subject of a future L&PPC Committee where Members can confirm their support or otherwise for the number, location and type of events to be held.

4 Financial and Manpower Implications

- 4.1 The draft SCI has been prepared by officers and with the support of the Committee will progress through to a final desktop published. This will have a minor resource implication, which will be managed within the team.
- 4.2 ***Chief Finance Officer's comments: none arising from the contents of this report.***

5 Legal Implications (including implications for matters relating to equality)

- 5.1 Section 18 of the Planning and Compulsory Purchase Act 2004 requires every local planning authority to have a Statement of Community Involvement (SCI). This must cover the preparation of planning policy documents, and the exercise of functions of the control of development including planning applications and development orders
- 5.2 The Statement of Community Involvement requires updating to ensure it reflects both the current planning legislative framework and also good practice.
- 5.3 ***Monitoring Officer's comments: none arising from the contents of this report.***

6 Sustainability Policy and Community Safety Implications

- 6.1 None for the purposes of this report.

7 Partnerships

- 7.1 None for the purposes of this report.

8 Risk Assessment

- 8.1 Having an up to date Statement of Community Involvement is a requirement for the Planning Service and ensures engagement is being undertaken in accordance with legislative requirements and good practice.

9 Conclusion and Recommendations

- 9.1 The process of preparing and consulting on a draft Statement of Community Involvement will be followed by the consideration and reporting on comments received and amendments to the draft document.
- 9.2 The future report on the SCI will seek the Committee consideration of any amendments, and adoption of a final version so as to ensure compliance with the Planning and Compulsory Purchase Act 2004.

Ward(s) affected: (All Wards);

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DRAFT STATEMENT OF COMMUNITY INVOLVEMENT

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1 Introduction

- 1.1.1 The council is committed to engaging with local people, organisations and businesses to get their views on different aspects of its work. This insight helps improve council services and is a key part of making good policy decisions. Planning directly affects the places where people live and work and meaningful public consultation and engagement on all aspects of planning is vital. It allows communities to have an input in the Planning system and by maintaining community involvement at the centre of what the council does, we can gain a real understanding of our communities' priorities. This helps the council to develop the right policies and proposals for the future.
- 1.1.2 The Statement of Community Involvement (SCI) relates to planning only. It outlines the consultation and engagement methods that the council will use to involve interested residents, groups, organisations, businesses, other representatives and individuals in the planning process. It explains who will be consulted, when and how. The document describes how the council will involve the community and stakeholders in the preparation and review of planning policy documents (chapter 2) and also the consideration of planning applications (chapter 3).
- 1.1.3 The SCI complements the council's broader commitment to effective consultation and engagement, access to information, and openness. The SCI is also guided by the [Government's Consultation Principles: Guidance \(last updated 2018\)](#) which provides guidance on how consultations should be conducted in general, by adopting a more proportionate and targeted approach.

1.2 Policy Framework

- 1.2.1 The duties to engage the community in planning matters and to prepare the SCI arise from the Planning and Compulsory Purchase Act 2004 (section 18) as amended by the Planning Act 2008, the Localism Act 2011 and the Neighbourhood Planning Act 2017.
- 1.2.2 This legislation requires the Local Planning Authority to prepare a statement for how it will involve those with an interest in development in the area, including the preparation and review of the Local Plan and Supplementary Planning Documents, Neighbourhood Plans/Orders, Community Infrastructure Levy and the consideration of planning applications.

- 1.2.3 There is a clear emphasis through national policy on encouraging early and consistent community involvement. [The National Planning Policy Framework \(NPPF\)](#) refers to early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area (section 3). The NPPF also reflects the importance of community engagement before planning applications are submitted (section 4).
- 1.2.4 The role of consultation in the planning system is pivotal. The legislation sets out the minimum standards for publicity and consultation which are set out in the relevant sections below. The council will always meet these requirements and, where appropriate and resources allow, will seek to go beyond them to secure wider-ranging involvement in plan-making.

1.2 General Consultation Principles

- 1.2.5 When carrying out formal consultations, the council follows the Government's Consultation Principles guidance (2018), which give general guidance on how consultations should be carried out. Importance is placed on trusted channels of communication and consultation that should be used to engage effectively with all groups of stakeholders, including individuals.
- 1.2.6 The council also recognises that planning material is often technical in nature, so consultation documents will be as clear and concise as possible, using plain English and with minimal use of 'jargon' to avoid detracting from the complexities of issues involved.
- 1.2.7 The council will ensure that it meets the public sector equality duty (Equality Act 2010), which aims to promote equality, eliminate discrimination and encourage good relations between different groups associated with age, disability, gender/gender reassignment, race, religion and other protected characteristics. Engaging with residents and other stakeholders is key to meeting this duty to better understand the needs of diverse groups.
- 1.2.8 The council expects and encourages its partners, relevant statutory and non-statutory bodies and applicants to undertake timely consultation which is appropriate, accessible, targeted and on-going.

1.3 Planning Responsibilities of Officers and Councillors

- 1.3.1 Council officers are responsible for preparing relevant evidence in order to develop planning policies and proposals for development through planning policy documents and making a recommendation on planning applications. These must be supported by sound technical advice on matters including but not limited to; highways, drainage, and conservation. The needs of the community will also be taken into account. Planning officers work closely with other teams in the council, in order to formulate policies and development options.
- 1.3.2 The council also works closely with statutory consultees such as Surrey County Council in respect of its statutory planning functions and its role as local highways authority, local education authority and lead local flood authority.
- 1.3.3 Most planning applications are dealt with by council officers by the scheme of delegation. The Epsom & Ewell Constitution sets out the circumstances under which applications will go before the Planning Committee to be determined by councillors. Anyone can request to speak at Committee in line with the Constitution.
- 1.3.4 Elected Councillors are ultimately responsible for decision-making in the council, as set out in the Council's Constitution. They are involved in all stages of the production of planning policy documents, through the established Committees. Where appropriate, subcommittees or steering groups of members provide focused input on detailed planning matters.
- 1.3.5 Councillors make up the Licensing and Planning Policy Committee, and the Planning Committee. The Planning Committee meets to determine planning applications which are not determined under delegated powers. Both Councillors and officers are required to act within the Code of Practice which is part of the council's Constitution.

2 Planning Policy Documents

- 2.1.1 There are various planning policy documents prepared by the council, all with different processes for preparation and public involvement. Legislation details the minimum standards for publicity and consultation. The council will always meet these requirements and, where suitable, will seek to go beyond them to secure wider-ranging involvement. The SCI sets out the council's policy for discharging its duties by setting out how and when the local planning authority will engage and consult.

2.2 Development Plan

- 2.2.1 The existing Development Plan for Epsom & Ewell Borough comprises the:
- Surrey Minerals Plan,
 - Surrey Waste Plan,
 - [Core Strategy 2007](#),
 - [Plan E 2011: Area Action Plan for the Town Centre](#)
 - [Development Management Policies](#) (2015).

Sitting alongside these are various Supplementary Planning Documents and guidance. Figure 1 sets out diagrammatically how all these documents fit together.

- 2.2.2 In Surrey, planning policies relating to minerals and waste are prepared by Surrey County Council. Planning applications for minerals and waste developments are determined by Surrey County Council. The County Council is responsible for preparing and maintaining a Minerals and Waste Plan, providing the policy framework for new operations in the County. Epsom & Ewell Borough Council engages with the County in this process. Further details about the programme for preparing these plans and opportunities for involvement in the process are published on [Surrey County Council's website](#).

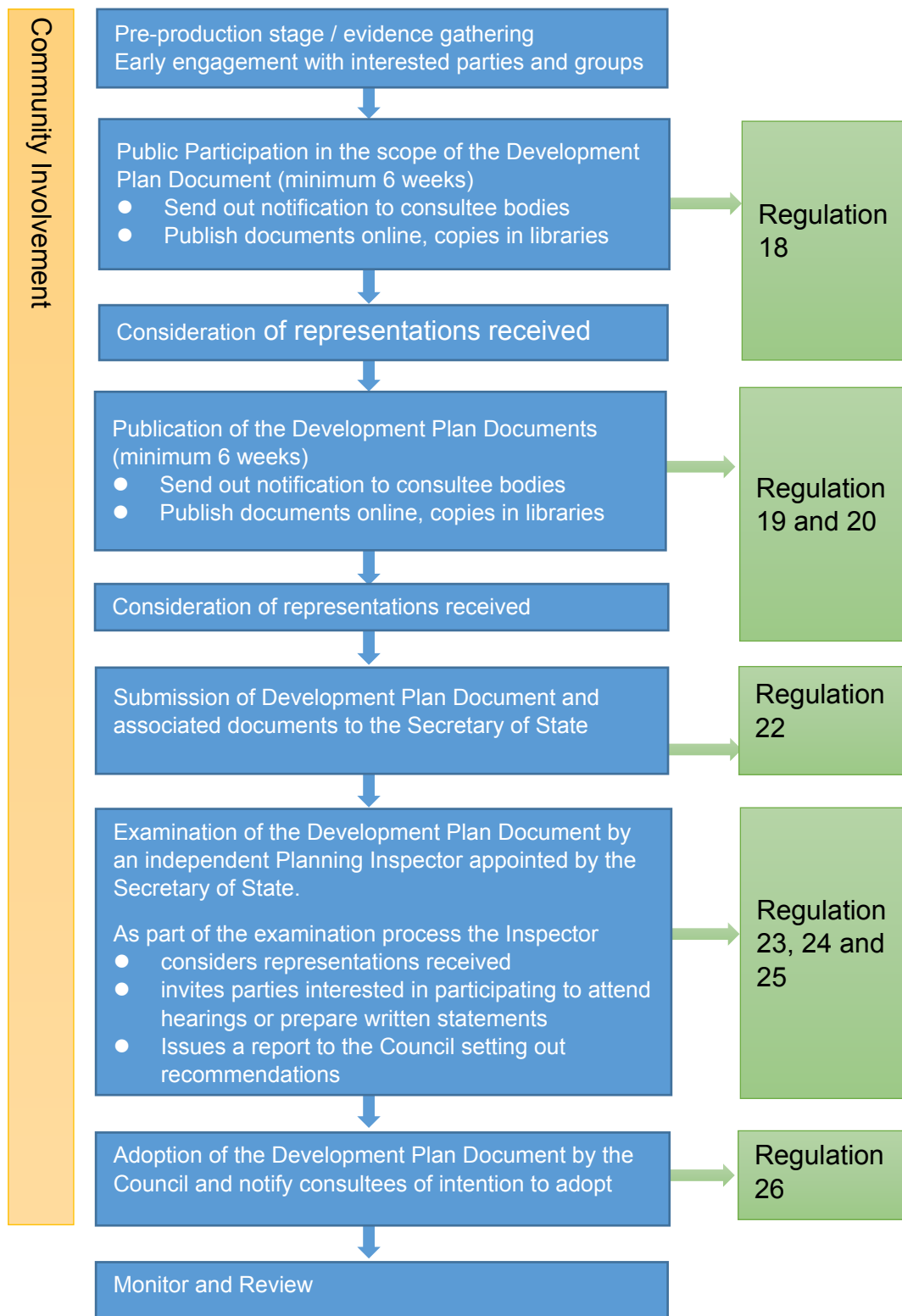


Figure 1 Diagram showing the hierarchy of documents within the Development Plan

2.3 Local Plan

- 2.3.1 Epsom & Ewell Borough Council is currently working on a new Local Plan. The Local Plan (or Development Plan Documents) is the statutory plan setting out the principal policies and proposals for land use and development in the borough. It contains the overall vision and objectives, the development strategy for the area, allocates sites for development and sets out a suite of policies used in decision making on planning matters.
- 2.3.2 Figure 2 provides further detail of the relevant stages involved in preparing a new development plan document and sets out the opportunities for stakeholder engagement as early as the evidence gathering stages through to adoption and implementation.

Figure 2 - Preparing DPD Documents¹



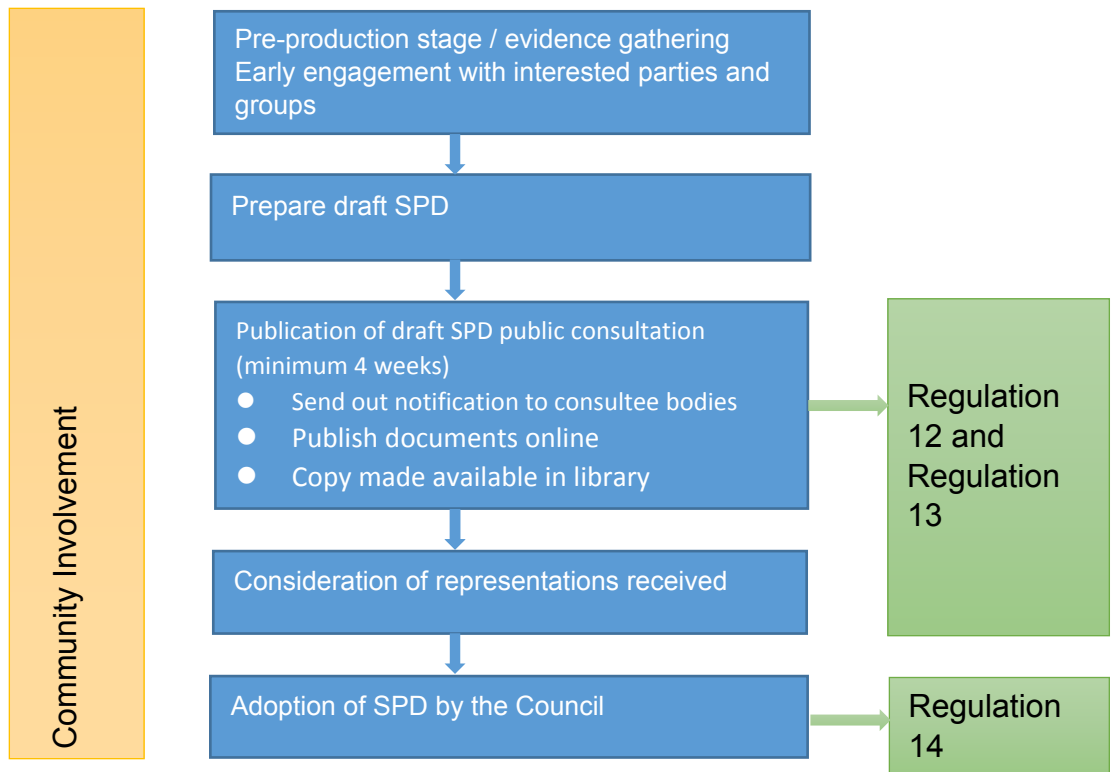
¹ [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#)

- 2.3.3 The programme for the preparation and review of planning policy documents is set out in a [Local Development Scheme \(LDS\)](#) which lists the planning documents that the council intends to produce and the timetables for their preparation. When the LDS is updated it will be published on the council's website.
- 2.3.4 Each Development Plan Document is accompanied by a Sustainability Appraisal (SA) /Strategic Environmental Assessment (SEA) which shows how the policies reflect sustainable development objectives. The council also prepares an Authority Monitoring Report (AMR) on an annual basis to assess whether adopted planning policies are being successfully implemented and achieving the intended aims and objectives.

2.4 Supplementary Planning Documents

- 2.4.1 Supplementary Planning Documents (SPDs) provide supplementary information in the form of site based or topic based guidance to support specific Local Plan policies. The council's policy for consultation and engagement on the development of new SPDs is set out in Figure 3.
- 2.4.2 SPDs may cover a range of issues, both thematic and site specific, which support policies in the Local Plan. They do not set new policy or allocate land. SPDs may take the form of design guides, area development briefs, masterplans or issue-based documents. Whilst there is a formal process for preparing SPDs, and are adopted formally by the council and are material considerations in the determination of planning applications; they do not form part of the development plan.
- 2.4.3 The level and extent of consultation required in the preparation of a SPD is generally less than that for a Development Plan Document and the methods used will vary, proportionate and relevant to its content. If the SPD is a technical document, the emphasis may be more focused, on established forms of consultation with stakeholders that are relevant to the topic involved, including statutory consultees, specialist bodies, local groups. If the matter is specific to a location, in addition to the above, the council will aim to engage with local residents and groups through meetings/workshops or via Borough wide publications. Figure 3 below sets out the key stages in preparation and the opportunities for engagement at each stage.

Figure 2 - Preparing Supplementary Planning Documents (SPD)²



² [Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#)

2.5 Neighbourhood Plans and Neighbourhood Development Orders

2.5.1 Neighbourhood Plans and Orders are an alternative means of developing policies and proposals at the local neighbourhood level.

- **Neighbourhood Plans** allow communities to establish general planning policies for the development of land in the area. A neighbourhood plan comes into force as part of the statutory development plan once it has been approved at referendum. This means that the council and planning inspectors will need to take the plan into consideration when making planning decisions.
- **Neighbourhood Development Orders** (including community right to build orders) grant planning permission for a specific type of development in a particular area. This could be either a particular development or a particular class of development such as housing or retail.

2.5.2 These can be prepared by a duly constituted 'neighbourhood forum'. The council has a duty to support neighbourhood planning. Figure 4 for the key stages.

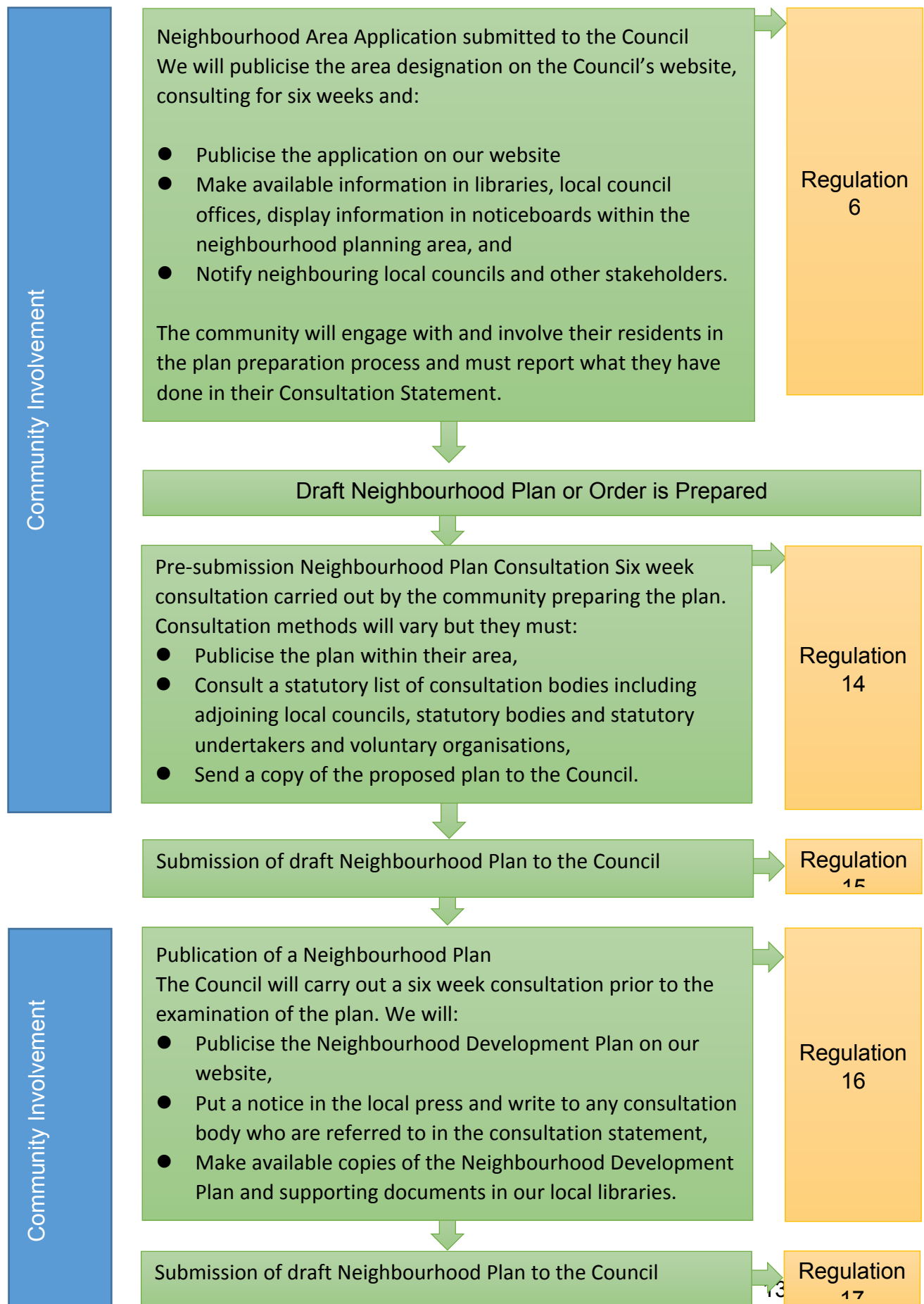
2.5.3 The neighbourhood forum is responsible for public consultation and engagement in the earlier stages of the process, whilst the council undertakes consultation on the final draft version of the Plan or Order (Submission stage and organises the referendum). Following a positive referendum result a Neighbourhood Plan will form part of the development plan for the borough and will have the same weight as other development plan documents such as the Local Plan.

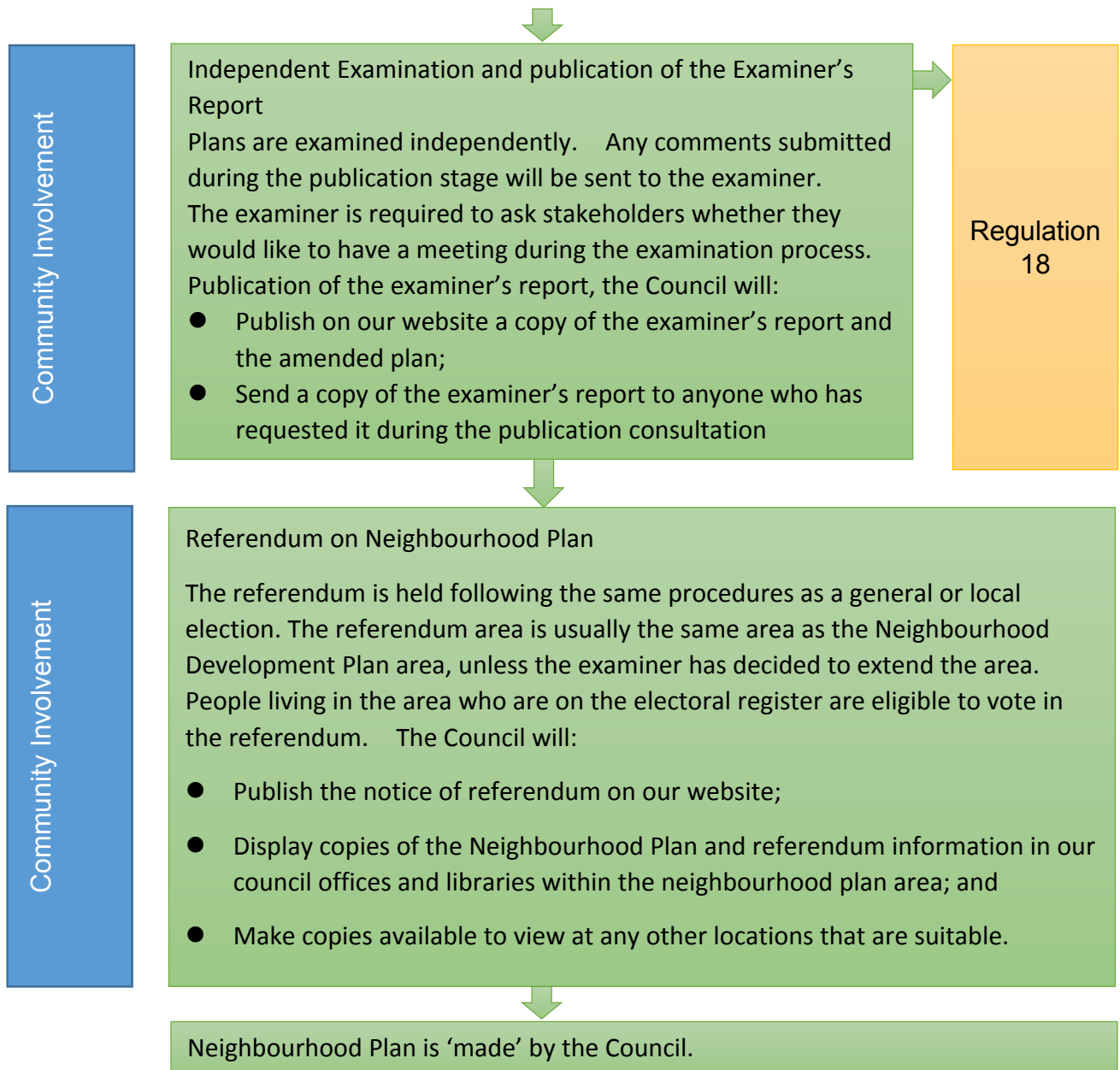
2.5.4 Neighbourhood planning was introduced by the Localism Act (2011). It is a way for communities to decide the future of the places where they live and work by having more of a say in where new homes, businesses, shops and community facilities should be placed in their local area, along with being able to allocate sites for development. Where they choose to, local people can draw up a plan or a development order.

2.5.5 Like local plans, regulations cover Neighbourhood Plan/Orders preparation, including consultation requirements. Regulations also cover the referendum stages. The council's role is to provide advice and support to groups developing a plan. It is the neighbourhood forum's that is responsible for public consultation and engagement in its preparation of a plan up to submission of the final draft ('proposed submission').

- 2.5.6 Figure 4 below sets out the various stages in preparing Neighbourhood Plans/Orders, the opportunities for engagement and whether consultation is being carried out by the Neighbourhood Forum or the borough council.

Figure 4 – Preparing Neighbourhood Plan



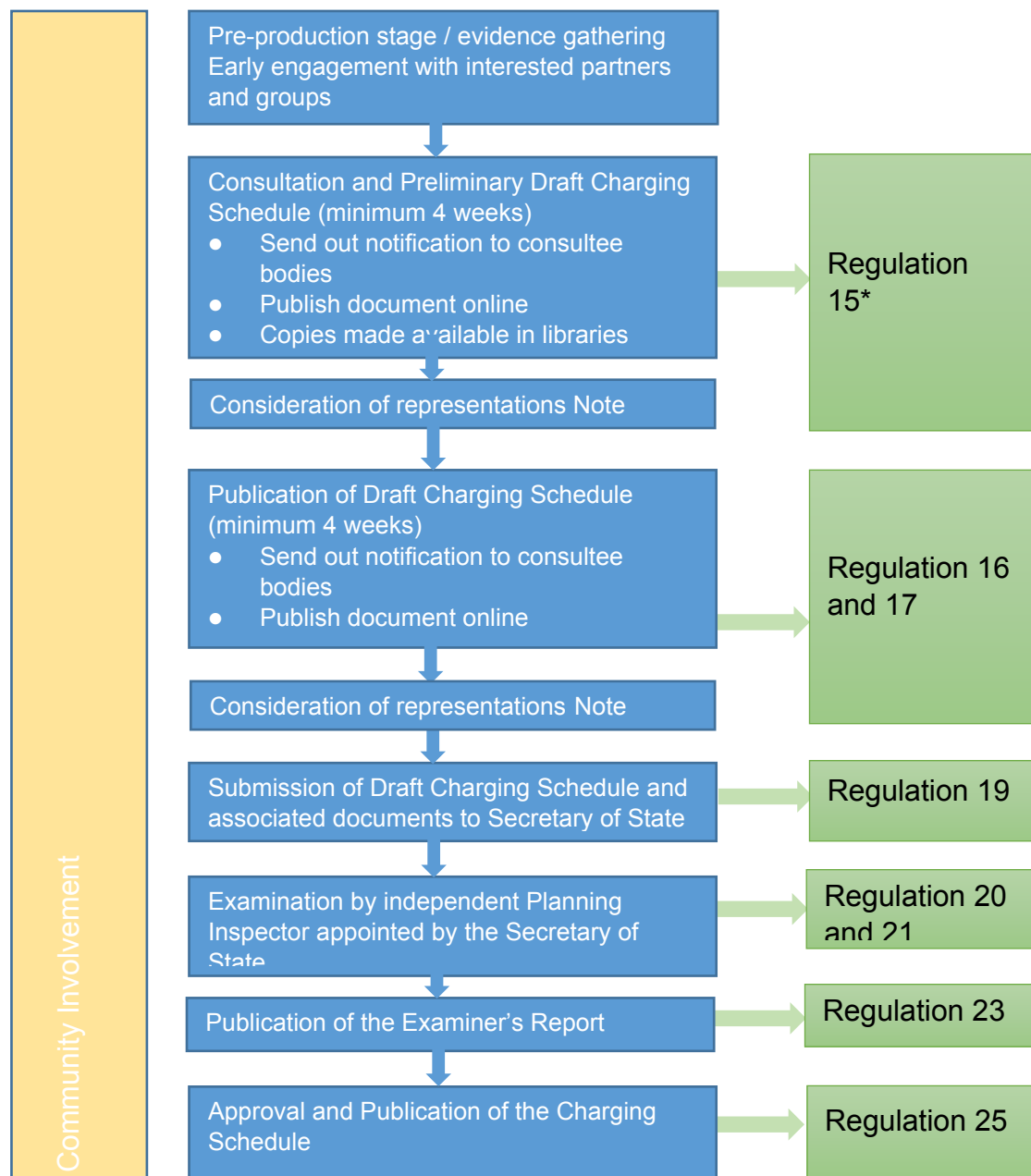


2.6 Other documents

Community Infrastructure Levy

- 2.6.1 Community Infrastructure Levy is a charge that allows local authorities to raise funds from most types of new development in their area to fund essential infrastructure. Local authorities who decide to introduce a CIL are known as charging authorities and must produce a Charging Schedule which sets out the levy rate (s) that the authority will charge. Figure 5 sets out the process and opportunities for engagement in establishing and reviewing the Community Infrastructure Levy.
- 2.6.2 The Community Infrastructure Regulations 2010 (as amended) sets out the procedure that charging authorities must follow prior to adopting a Charging Schedule.
- 2.6.3 [Epsom & Ewell Borough Council adopted its CIL in 2014](#). It is intended to review CIL approximately every three years and/or in tandem with the preparation of the Local Plan. Consideration will also be given to a review of CIL should there be significant changes in the costs and values of development. In the event of a review of CIL, it will be necessary to repeat the processes outlined above.
- 2.6.4 It is intended to provide details of CIL income received through the Council's Monitoring Report and the budget setting process that is undertaken each year. This will highlight the amount received each year, as well as providing details of the overall CIL received, and spent over the longer-term.

Figure 5 - Preparing Community Infrastructure Levy³



³ [The Community Infrastructure Levy Regulations 2010](#)

* Note: Recent MHCLG consultation for revised regulations [Reforming developer contributions: Technical consultation on draft regulations](#) (Dec 2018) that will see the removal of Reg 15 consultation.

Evidence Base

- 2.6.5 The council maintains an evidence base to support the Local Plan/Development Plan Documents. This evidence base is wide ranging and includes evidence relating to housing, employment and retail requirements, land supply assessments, landscape, biodiversity, green infrastructure, flood risk and infrastructure. The council will undertake targeted consultation on evidence base studies where suitable to the topic and provide notifications when new evidence is published. The complete set of evidence base documents will be published and maintained on the council's website.

Registers

- 2.6.6 The council also has a duty to publish a Brownfield Land Register of previously developed land suitable for housing. Proposals to give any of the land on the register Permission in Principle will be the subject of consultation in line with the regulations.

2.7 Who will we consult in plan-making?

- 2.7.1 All planning policies and decisions have the potential to affect a number of people, including many who are not directly involved. The level of impact would depend on the nature of the proposals. It is important, therefore, to ensure that opportunities for involvement in the decision making process are as wide as possible. Interested parties can range from individuals living next to a proposed development, to a local interest group or parish council, a service provider, a government department or a neighbouring authority.
- 2.7.2 Regulations specify which bodies/organisations that local planning authorities must consult when preparing planning policy documents.. They include 'specific consultation bodies' and various types of 'general consultation bodies'. Specific consultation bodies include utility companies, government agencies, and local authorities. General consultation bodies include voluntary bodies active in the area and those bodies which represent the interests of different racial, ethnic or national groups, different religious groups, disabled persons, and persons carrying out business in the area. The council also has a legal 'duty to co-operate' with other local councils and infrastructure providers in relation to strategic cross boundary issues. These bodies/organisations are set out in Appendix 1.

- 2.7.3 In addition to the individuals and organisations referred to above, it is recognised that some parts of the community are not always adequately represented such as gypsy and traveller communities in the area, the young and the elderly. The council will work closely with relevant organisations that have experience in a particular matter to find the best way of consulting and liaising with these groups.

2.8 How will we consult in plan-making?

- 2.8.1 The council considers wide engagement to be important so suitable methods to engage and consult need to be considered in order to meet and build on the statutory regulations. The council will carefully consider how consultations are run in order to ensure that all members of the borough's diverse community are made aware of relevant planning proposals and opportunities in order to comment on them. The council will use a range of consultation techniques during periods of public consultation, building on those methods of communication that are already used but also using new and evolving methods. The following outlines some of the different methods of consultation which will be utilised.

Online engagement

- 2.8.2 The type of online engagement used will depend on the issues that are being considered.
- Website: The council's website will be regularly updated with information about the Local Plan and other planning policy documents. The council will advertise all consultations on its website and upload electronic versions of documents online to view on dedicated pages.
 - Social media: The council will make use of social media where appropriate and will post information on Facebook, Twitter and other social media platforms to promote consultations, as suitable. Whilst social media will be used to publicise formal periods of consultations, representations will not be accepted via social media.

Face-to-face engagement

- 2.8.3 Sometimes speaking directly to someone is the best way to understand a person's point of view. The following face-to-face engagement will be used, depending on the issues involved:
- Manned exhibitions: will be held on significant consultations, such as those associated with the Local Plan, where suitable, to engage people in shaping plans for the borough. This technique allows people to speak directly to officers involved in planning. The aim

will always be to locate such exhibitions in close proximity to the areas most likely to be affected.

- Smaller exhibitions: these may be held for significant consultations, or if proposals relate to a particular locality. They will be held in locations that people are likely to visit regularly such as town and local centres, libraries or the Town Hall. These may be unmanned and/or in drop-in session format.
- Meetings/engagement with particular groups: these will be used to get in-depth comments on specific planning issues from a small cross section of individuals. They are useful to bring different perspectives together to discuss a particular theme in a structured way. Meetings may be appropriate to discuss issues of a technical nature, such as with specific statutory bodies and service providers, or with key stakeholder groups.

Written notifications

2.8.4 For all statutory consultations, the council will contact all known consultation bodies (including those listed in Appendix 1) directly, either by email or letter, along with anyone who has asked to be notified when consultation is taking place. Details of consultation and the availability of documents will be set-out in this communication.

2.8.5 Individuals can ask to be added to the planning policy consultation database at any time by contacting the planning policy team or filling in a form on the council's website.

Publicising consultations

2.8.6 The council will publicise consultations through a variety of means, including articles in Borough Insight magazine, which is circulated to all homes in the borough. As suitable, the council will also produce consultation materials, such as leaflets to help publicise significant consultations.

2.8.7 Public notices will be published in local newspapers when appropriate and press releases and/or briefings to convey information to wider audiences will also be used where appropriate.

Making consultation material available

2.8.8 The council will, as well as publishing draft documents and consultation material online, provide hard copies for inspection at the Town Hall and at relevant libraries across the Borough.

3 Planning Applications

3.1.1 Our Development Management Team handles around 1800 planning applications each year, carrying out notification and consultation as set out in this document. This ensures that any person or group interested in a planning application has the opportunity to view and comment on the proposals. We are committed to ensuring that any views given on material planning matters are considered when determining a planning application.

3.1.2 This section details:

- The pre-application procedure, and advice available from the council
- What happens when a planning application is received?
- How a planning application is determined?
- What happens once a planning application is determined?
- How we will consult on planning applications

3.1.3 It also sets out how the council handles larger or more significant planning applications, which may impact on a greater number of people and guidance for developers in informing neighbours and other interested parties.

3.2 Pre-application Advice

3.2.1 Applicants or developers are expected to consult with the local community before submitting planning applications which are likely to generate public interest. Such consultation should be accessible and clear to the whole community.

3.2.2 The council welcomes and encourages discussions with applicants before planning applications are submitted. Receiving considered advice prior to the formal submission of a planning application can ensure that the quality of a development is improved and that certainty in the outcome can be increased for the applicant.

3.2.3 Seeking pre-application advice gives applicants the opportunity to discuss the principle of the development proposals with an officer. It also enables officers to identify any potential issues and provides a number of benefits:

- Providing an opportunity to better understand how an application will be judged against the policies in the development plan and other material considerations.
- Identifying, at an early stage, where there is a need for specialist input such as with regard to listed buildings, trees, landscape, green

Infrastructure and natural green space noise, health, contaminated land or archaeology.

- Providing the opportunity to modify a proposal to make it potentially more acceptable to the council and anticipating other regulatory requirements.
- Improving the design and quality of the finished scheme.
- Indicating at an early stage if a proposal is unacceptable, saving the cost of pursuing a formal application.
- Avoiding rejection at registration stage or early refusal of permission because of inadequate or insufficient information.
- Allowing discussions on and the preparation of legal agreements, where appropriate, in advance of an application being received and for negotiations to consider land value constraints.

3.2.4 Further information on this service, which is subject to a charge can be found under [Planning Performance Agreements](#) webpage on the Council's website.

3.2.5 According to the size and nature of the proposals, there are a number of pre-application options available:

- Duty planning service - offers verbal advice and informal small scale domestic (excluding new dwellings) and small scale business projects only.
- Written submission - is another available route for those proposals which fall outside of the scope of the duty planning service.

- 3.2.6 Formal written submissions are charged and the council will endeavour to provide a written response within 25 working days and agreed longer timeframes with larger or more complex developments.
- 3.2.7 The service provided is multidisciplinary and proactive, with ready access to professional advice and guidance from internal officers involved in the development process.
- 3.2.8 Larger and significant or complex planning applications may also require involvement of external statutory bodies such as Surrey County Council (as the Local Highway Authority and Lead Local Flood Authority), the Environment Agency, Natural England, Historic England, Highways England and water companies who operate their own pre-application advice services. The Local Planning Authority will advise if contact should be made directly with these bodies when providing their written response.
- 3.2.9 The council additionally encourages developers and applicants to undertake a level of public consultation prior to submitting a planning application, as advocated in the National Planning Policy Framework. Such consultation could be with key groups, neighbouring properties or interest groups local to the development site and include methods such as a public exhibition or meeting/discussions with affected individuals. Although developers are not statutorily required to undertake this consultation, benefits include:
- providing an opportunity for developers / applicants to explain proposals,
 - identify any local issues, clarify elements of the proposals and identify any additional information needed;
 - assisting in saving time in obtaining a decision on a planning application;
 - creating a more sustainable and acceptable development through understanding of local community needs;
 - avoid appeals and call-in procedures.

- 3.2.10 Under the Freedom of Information Act, the council may consider pre-application submissions, which are commercially sensitive, and confidential. A public interest test will be applied to decide whether a proposal can be deemed as confidential. Should the information fall outside of this category or a planning application is submitted on the site for a similar scheme, the information may be made available to the general public.

3.3 What happens when a planning application is received?

- 3.3.1 All planning applications are checked to ensure the necessary plans and details are provided, upon which the application can be determined. When an application has been validated, neighbours (those occupying buildings adjoining the site) are notified by letter. Consultees are also notified (as relevant, depending on whether the application is major or minor) such as Natural England and the Environment Agency along with infrastructure providers such as water companies.
- 3.3.2 All [planning applications](#) are placed on the council website for public view⁴. In some cases, there is a requirement for a notice to be placed in the local press. Full details of the notification undertaken are provided in Figure 6.
- 3.3.3 Comments are invited on planning applications for a period of 21 days, which is a statutory period set by government. A notification does not need to have been received in order for a member of the public to make comments to an application. All comments received prior to the determination of an application, even if outside of the 21 day publicity period will be taken into consideration. In most cases a site notice is provided for planning applications and this should be displayed for 21 days.

3.4 How is a planning application determined?

- 3.4.1 Whilst a planning application is determined primarily against the Development Plan and National policies, material consideration is also given to:
- representations of objections and support,
 - advice from external specialist advisors such as Historic England or the Environment Agency
 - government guidance
 - any other material considerations which can include supplementary planning guidance

⁴ Planning applications date from the mid-1980s onwards. In some instances the information on the website may be limited therefore the council also holds further information on microfiche

- 3.4.2 The council will determine planning applications on the information submitted. There may however be some circumstances whereby, at the discretion of the council, amendments can be accepted prior to a determination to resolve outstanding issues. In these instances, the case officer will provide the necessary time in order to provide the applicant with an opportunity to amend the application depending on the degree of change.
- 3.4.3 Amendments may be subject to re-consultation with neighbours and other consultees. Significant amendments which notably alter a development are unlikely to be accepted following registration and the applicant will be invited to withdraw and resubmit a fresh application so as to reduce delay as much as possible.
- 3.4.4 Following review and analysis of all the information and submissions to a development proposal, a report is prepared on the acceptability of the development. The decision as to whether or not to grant planning permission is made either under delegated powers by the Head of Planning, or by the Planning Committee. The route for determining an application is governed by the type of application with all major applications being determined by the Planning Committee and whether a councillor has requested that the matter be determined by the Committee.
- 3.4.5 Should an application be referred to the Planning Committee, the applicant, agent, and any person who wishes to speak can attend the Planning Committee and register an interest to speak prior to the meeting.
- 3.4.6 There is opportunity for parties to present their representation to the Members of the committee at the meeting, subject to a time limit, which is set out in the council's Constitution.
- 3.4.7 Once a planning application is determined, a Decision Notice is issued. This is either a Notice of Refusal or a Notice of Approval and is sent to the applicant or their agent. A copy of the officer report is made available on the council's website, in addition to the Decision Notice.

3.5 Assisting the Local Planning Authority

- 3.5.1 The council expects planning applications to be determined within timescales set by national guidance unless an alternative period has been agreed (in writing) with an applicant to allow positive and proactive discussion. The national targets are as follows:
- Major applications accompanied by an Environmental Impact Assessment – sixteen weeks
 - Major applications – thirteen weeks
 - Minor and other applications – eight weeks

3.6 Post decision

- 3.6.1 If a planning application has been refused, the applicant may choose to appeal against this decision to the Planning Inspectorate. Where comments of objection or support have been made on a planning application which is subsequently refused and where an appeal is lodged, the responders are contacted to inform them of the appeal.
- 3.6.2 The grant of planning permission is commonly subject to planning conditions which may require the submission of further information to the council for approval. This may address matters such as materials, landscaping, natural green space and green infrastructure provision or management, tree protection, contaminated land or highway requirements.
- 3.6.3 The council will seek to deal with such applications within eight weeks from the date of receipt. Submissions made for the approval of details are not subject to publicity.
- 3.6.4 A breach of planning control can be reported confidentially to the council's planning enforcement team to investigate via a complaint form on the council's website.

3.7 How will we consult on Planning Application Proposals

- 3.7.1 The requirements for notification of planning applications are set out primarily in the [Town and Country Planning \(Development Management Procedure\) Order 2015](#). We comply with these minimum requirements, and exceed them where appropriate as set out in Figure 6 to ensure that all affected and interested parties have opportunity to make comment.

Figure 6 Table showing the categories of planning applications and the method of publicity used

Type of Application	Method of publicity				
	Press notice	Site Notice	Neighbour notification with boundaries abutting an application site	Internal and/or External Consultation	Online planning register
Major (10+ homes, Development of 1,000m ² or more or Site area of 1ha or more)	✓	✓	✓	✓	✓
Application accompanied by an Environmental Statement	✓	✓	✓	✓	✓
Departure from the Development Plan	✓	✓	✓	✓	✓
Minor Development (1-9 homes or development of less than 1,000m ²)	✓	✓	✓	✓	✓
Householder Developments			✓	✓ *Where applicable	
Development affecting the setting of a Listed Building	✓	✓	✓	✓	✓
Development affecting the characters or appearance of a Conservation Area	✓	✓	✓	✓	✓

Permitted Development rights prior notification and approvals			✓ *Only if a prior approval application	✓ *Only if a prior approval change of use application	✓
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Advertisements in the local press

- 3.7.2 Advertisements are placed in the local newspapers to advise of new development proposals in the area, the Epsom Comet. These appear in the newspaper on a weekly basis.
- 3.7.3 Advertisements are also published on the website (www.epsom-ewell.gov.uk) and can be found using a number of different search criteria. The submitted documents can be viewed [online](#).

Site notices

- 3.7.4 Site notices are printed by the Council and displayed on the site for the relevant time period (the first date of display is recorded by the case officer). This is a legislative requirement, and has to be satisfied for the application to be considered and determined.

Neighbour notification

- 3.7.5 Neighbour notification of an application is in the form of a letter giving brief details of the proposal, details of where and when the application may be seen, and the last date for comments (normally 21 days from the date of the letter). Letters are addressed to 'the occupier/owner'. Neighbours notified are those occupied buildings adjoining the site and those which may be affected by the development. The decision on which properties 'may be affected by the proposed development' is made by the Case Officer. This is based on professional assessment of the proposal and its likely impacts on the area surrounding the site.

Additional notifications

- 3.7.6 Any request for additional notification of an application is considered by the Case Officer, however a notification does not need to have been received in order for a member of the public to make comment, and this would always be stressed when any request is received. Qualifying Bodies will be notified of any planning applications or alterations to planning applications in their area where there is an advanced Neighbourhood Plan (a plan which has been examined) and the qualifying body has not confirmed in writing to the Local Planning Authority that it does not wish to be notified.

Pre-decision Amended Plans

- 3.7.7 Pre-decision amendments can be accepted, at the discretion of the Case Officer. Re-notification may occur, but normally only if the amendments are significant alterations or increase the size of the proposal. If the proposal remains very similar, or would reduce in size and impact, then re-notification would not normally occur.

Post-decision Amended Plans

- 3.7.8 Post-decision amendments are only accepted if the amendments are very minor. They will not be permitted if:
- there were any relevant objections to the original proposal;
 - an amendment increases the size of any part of the development; or
 - the proposal locates any part of the development closer to a neighbor;
 - there are proposed changes to windows in any elevation facing a neighbour in a way which increases overlooking in any way, or
 - the proposed development moves more than one metre in any direction, or
 - the proposal would result in a greater visual intrusion to neighbours
- 3.7.9 In circumstances where amendments are accepted, the amendments will not be the subject of publicity. This is because there is no provision within the legislation for post-decision amendments, and thus only very minor alterations are accepted by this Authority.

4 Review of the SCI

- 4.1.1 The SCI will be kept under regular review and be updated when necessary to correct factual changes not material to its principles. It is anticipated that this SCI will last at least five years. The need for a full review of the SCI will be explored through the Authority Monitoring Report (AMR) which will monitor its effectiveness. Account will be taken of the overall number and types of participants involved as documents are progressed and any feedback received about the success or otherwise of the involvement techniques used.
- 4.1.2 Changes to the SCI may also be instigated by further revisions of the regulations which govern publicity and involvement in the planning policy preparation and planning application processes.
- 4.1.3 Any necessary changes will be made following appropriate public consultation, having regard to emerging best practice guidance and/or changes in legislation.

Appendix 1 - Consultees

Duty to Co-operate Organisations

Organisations which Epsom & Ewell Borough Council has a duty to cooperate with:
Surrey County Council
Mole Valley District Council
Elmbridge Borough Council
Reigate and Banstead Borough Council
London Borough of Sutton
Royal Borough of Kingston Upon Thames
The Environment Agency
Historic England
Homes England
Clinical Commissioning Groups
NHS England
Highways England
Transport for London
Local Enterprise Partnership
Local Nature Partnership
Civil Aviation Authority

Specific Consultation Bodies

Organisations who have been identified under the requirements of the town and Country Planning (Local Planning) (England) Regulations 2012 that may have an interest in the proposals within a Development Plan Document are set out below. There is duplication with the prescribed authorities for the purposes of the Duty to Cooperate requirements. Where bodies listed cease to exist, successor bodies will be consulted.

Local Planning Authorities:
Surrey County Council
Mole Valley District Council

Reigate and Banstead Borough Council
Elmbridge Borough Council
London Borough of Sutton
Royal Borough Kingston Upon Thames
Other organisations and bodies
The Coal Authority
The Environment Agency
Historic England
Natural England
Network Rail Infrastructure Ltd
Highways England
NHS Trusts and Clinical Commissioning Groups
Utility companies including gas and electricity, sewage and water, and telecommunications operators
Homes England
Police and Crime Commissioner

General Consultation Bodies

In addition to the specific consultation bodies listed above, the council / qualifying body will involve as many people and groups as possible in preparing Development Plan Documents and Supplementary Planning Documents.

General Consultation Bodies	
Local Resident Associations	Epsom Civic Society
Older persons groups	Environmental groups
Religious groups	Tree Board
Transport providers / operators	Council for the Protection of rural England
Housing interest groups	Minority ethnic groups
Gypsy and Traveller and Travelling Show people organisations	Youth groups, schools and colleges
Crown Estate	Royal Mail Group

Other voluntary bodies	Other relevant groups
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Neighbourhood Development Orders and Community Right to Build Orders require qualifying bodies to notify specific bodies depending on the specific location of the proposed Order. The full list is set out in the Neighbourhood Planning (General) Regulations 2012 (Schedule 1).

Planning applications

The full list of statutory consultees is set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Glossary of Terms

Authority Monitoring Report (AMR): assesses the implementation of the Local Development Scheme and the extent to which policies in Local Development Documents are being successfully implemented.

Community Infrastructure Levy: A levy that local authorities can choose to charge on new developments in their area. The charges are based on formula relating to the size and type of new development and money can be used to fund infrastructure that the Council or community want.

Development Plan: Documents which set out the policies and proposals for the development and use of land.

Duty to Co-operate: The Localism Act 2011 places a legal duty on Local Planning Authorities, County Councils, and public bodies to actively engage on an on-going basis on Local Plan preparation in the context of strategic cross boundary matters.

Environmental Impact Assessment: A procedure to be followed for certain types of project to ensure that decisions are made in full knowledge of any likely significant effects on the environment.

Evidence Base: Information gathered by the Local Planning Authority to support the Local Plan and other Development Plan Documents.

Habitat Regulations Assessment: Used to assess the impacts of proposals and land-use plans against the conservation objectives of European Protected sites to ascertain if the plan/proposal would adversely affect the integrity of the site.

Local Development Document: The collective term for Development Plan Documents (DPDs), Supplementary Planning Documents (SPDs) and the Statement of Community Involvement (SCI)

Local Development Scheme (LDS): Provides a project plan identifying which development plan documents will be produced and when.

National Planning Policy Framework: Introduced in 2012 and updated in 2018, this framework sets out the government's planning policies and how these are expected to be applied.

Neighbourhood Development Order: An order made by a local planning authority through which parish councils and neighbourhood forums can grant permission for specific development proposals or classes of development.

Neighbourhood Plans: Neighbourhood Plans are a way for communities to allocate land for new homes, shops or offices to be built, and to have a say on what those new buildings should look like and the type of infrastructure which would be provided.

Planning policy consultation database: consultation database maintained by the planning policy team which includes anyone who has requested to be consulted on the preparation of planning policy documents.

Proposals Map: Illustrates on a base map (reproduced from, or based upon a scaled map base) all the policies contained in Development Plan Documents,

Qualifying Body: Town or parish council or designated neighbourhood forum (in areas where there is no town or parish council)

Strategic Environmental Assessment (SEA): A generic term used to describe environmental assessment as applied to policies, plans and programmes. The European 'SEA Directive' (2001/42/EC) requires a formal 'environmental assessment of certain plans and programmes, including those in the field of planning and land use'.

Supplementary Planning Documents (SPDs): Provide supplementary information in respect of the policies in Development Plan Documents. They do not form part of the Development Plan and are not subject to independent examination.

Sustainability Appraisal (SA): tool for appraising policies to ensure they reflect sustainable development objectives (i.e. social, environmental and economic factors) and are required to be undertaken for all local development documents.