Consultation Statement

Statement of Community Involvement July 2022

Epsom & Ewell Borough Council

Persons consulted on the Draft Statement of Community Involvement

- 1.1 The draft Statement of Community Involvement (June 2022) was subject to consultation for a period of four weeks between 6 June and 4 July 2022. Copies of the draft document were made available to view at the following locations during opening hours:
 - Epsom Town Hall
 - Libraries within the borough (Ewell Court Community Library, Stoneleigh Community Library, Ewell Library, Epsom Library)
- 1.2 The consultation was promoted on the Councils main consultations webpage (see Appendix 1) in addition to the Council's Planning Policy webpages and the Council's Planning Policy Consultation Platform (Appendix 2).
- 1.3 Representations were invited using the council's planning policy consultation platform (Appendix 2), by email or post.

Consultation emails

1.4 The Council notified all individuals and organisation registered to be consulted on Planning Policy consultations. The planning policy consultation database covers a wide range of stakeholders including local residents, businesses, statutory bodies such as English Heritage and civic groups such as the Epsom Society. In total, there are approximately 1,065 contacts on the database, with the majority being contacted by email, although 217 letters were sent as we do not hold email details for all individuals.

Comments received during the consultation

1.5 A total of 19 individuals and organisations responded to the draft SPD. The comments made are summarised in Appendix 3 along with an officer response and how (where necessary) changes have been made to the document.

Appendix 1 – Promotion of Consultation on councils main consultation webpage



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Consultations

Effective, efficient and worthwhile consultation is at the heart of our commitment to the community. We encourage people to engage with us to help us improve our services and provide value for money.

Current consultations

Statement of Community Involvement

The Statement of Community Involvement (SCI) has been updated and provides information about how people and organisations can get involved in the development of local planning policy, planning application processes and neighbourhood planning at specific (statutory) stages.

Details of the draft Statement of Community Involvement can be viewed on the **dedicated website**. &

Hard copies of the document can be viewed at libraries in the Borough and the Town Hall.

The consultation will remain open until the 4th July 2022. Comments can be submitted using the dedicated website page above. Alternatively if you are unable to use this website, you may comment by emailing your comments to LocalPlan@epsom-ewell.gov.uk. or by letter to the Planning Policy Team at the town hall address:

• Town Hall, The Parade, Epsom KT18 5BY

Appendix 2 – Consultation Portal draft SCI 2022 webpage



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Draft Statement of Community Involvement 2022

Consultation ends in













Have your say on a new draft Statement of Community Involvement

Epsom and Ewell Borough Council (EEBC) would to invite you to give your views on a new draft Statement of Community Involvement (SCI) which is due to replace the current 2019 version.

The purpose of the SCI is to explain how people and groups can get involved in the creation of local planning policy, neighbourhood planning and the

The SCI has been updated to provide more information about how people and organisations can get involved in the development of planning policy documents at specific (statutory) stages of their development. The Council is currently preparing a new Local Plan for the borough and we are at the evidence gathering stage.

The core changes to the document are that it has been restructured with greater use of tables to demonstrate how people can get involved at different stages of the plan making process. In addition, the document has been amended to reflect changes to the Community Infrastructure Levy (CIL) Regulations, which have removed the need to consult on a Preliminary Draft Charging Schedule.

The Chapter of the SCI that relates to planning applications has been amended so that it focuses on when individuals / organisations can engage in the planning application process, notably during the statutory consultation period. The document also clarifies how the council will publicise planning applications to satisfy legislative requirements and addresses some contradictions within the current document.

The consultation will end at 11:59pm on 4 July 2022.

We look forward to your input. For further information please see please contact Localplan@epsom-ewell.gov.uk

Timeline



Opened 6 Jun 2022 at 00:00



4 Jul 2022 at 23:59

Consultation Documents



SCIMAY2022



SCIMAY2022

Appendix 3 – Draft Statement of Community Involvement – Summary of Consultation Responses and Officer Comments

| Respondent | Response Summary | Officer Comment |
|---|--|---|
| Natural England | We are supportive of the principle of meaningful and early engagement Unable to comment, in detail, on individual Statements of Community Involvement. | Noted |
| Runnymede Borough Council | No comments | Noted |
| Atkins on behalf of Vodaphone Plant Enquiries | For consultations on planning applications please include a site location address, 12-digit grid reference and site location plan. | Noted and request not relevant to the SCI consultation. |
| Waverley Borough Council | No comments. | Noted |
| National Highways | No comments on SCI document. National Highways (formerly Highways England) has not, to date, been consulted with regards to the Epsom & Ewell local plan but we will engage fully with any consultation that it sent to us. | Noted |
| Reigate and Banstead Council | We find the draft informative and clear. However, there are a couple of areas which may require some further consideration: 1). The Public Sector Bodies (Websites and Mobile Applications) Accessibility Regulations 2018 has introduced specific requirements on document accessibility. You may want to consider the implications of these requirements in your Statement of Community Involvement. | Noted |

| Respondent | Response Summary | Officer Comment |
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| | 2). There are many tools available including digital tools that would increase audience exposure to the consultations. You may also want to consider how the consultation materials and response mechanisms would work on laptops or Smart phones. You may want to look at this in terms of a separate communications and engagement strategy | |
| Surrey County Council | 1). In paragraph 2.5 of the SCI, please reference the Minerals and Waste Consultation Protocol which was adopted in April 2022. This protocol sets out how the MWPA and Surrey's district and borough councils cooperate to ensure minerals and waste management development are considered during the preparation of local plans and determination of planning applications. Appropriate reference would also be helpful in the context of minerals and waste management safeguarding. | Text added as a new paragraph 2.6. |
| | 2). Please consider changing the wording in paragraph 6.2 of the SCI as follows: "The council does not determine or advise on planning applications relating to County Matters (such as mineral processing and waste disposal), where Surrey County Council (SCC) acts as the Minerals and Waste Planning Authority. SCC also advise on and determine Regulation 3 planning applications (where the land is controlled by SCC and SCC are funding the development). Further information about the process for these types of applications can be found on the SCC website. The council is not primarily responsible for the consultation and publicity of applications | Paragraph 6.2 amended, and a new paragraph 6.3 added to contain this information. |

| Respondent | Response Summary | Officer Comment |
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| | determined by SCC, which is handled by SCC under their own SCI. Details of SCC determined planning applications are, however, entered on the statutory register." | |
| | 3). The MWPA suggests adding the following wording either after paragraph 3.1 or table 5 of the draft SCI: "The council does not formulate or consult on local plans in respect of minerals and waste management development. This is the responsibility of Surrey County Council (SCC) in its capacity as the Minerals and Waste Planning Authority. The SCC website contains further information about the minerals and waste policies and plans." | Text added as a new paragraph 3.3 after Table 2. |
| Transport for London | Thank you for consulting Transport for London (TfL). We note that TfL is listed as one of the Duty to Cooperate organisations in Appendix A of the revised SCI. We look forward to continuing engagement with the Borough Council as your planning policies are developed and updated. | Noted |
| Environment Agency | We have developed an external consultation list and guidance setting out what types of planning consultations we wish to be consulted on. This is to ensure that we are only consulted on the correct types of proposed development, as defined in the Development Management Procedure Order (DMPO) and current Government planning policy. | Noted |
| | We will provide planning service responding to local plan consultation, pre application and planning application consultations focused on the following topics: | |

| Respondent | Response Summary | Officer Comment |
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| | Providing environmental evidence and guidance to inform the type of development and need to be supported with the right environmental infrastructure | |
| | Flood risk management and climate change – careful design and location of new development informed by the latest flood maps and climate change allowances | |
| | Protection and enhancement of the water environment – river restoration and groundwater protection | |
| | Promotion of sustainable waste management | |
| | Joining up the planning and permitting process so issues/opportunities are highlighted early, for example at waste management sites | |
| Historic England | Welcome the opportunity to comment on the SCI as a statutory consultee in the preparation of development plans and certain planning applications. | Noted |
| | Sustainability Appraisal – whilst a statutory consultee for Strategic Environment Assessment, we do not have the capacity to attend workshops. We will respond to correspondence relating to SEA at the appropriate stages. | |
| Rosebery Housing Association (Deborah Pike) | Chapter 1 – Introduction and Background We have approached Epsom and Ewell Local Authority to collaborate on the procurement of grounds maintenance as the issue is around land | Noted. The adoption of public open space goes beyond the remit of the |

| Respondent | Response Summary | Officer Comment |
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| | ownership at the time of the stock transfer when small areas of land (including grass verges and alleyways) were retained by the LA. | Statement of Community Involvement as it is not a planning matter. |
| | Transfer of these small areas of land has previously been met with opposition. | |
| | Rosebery would welcome the opportunity to be part of the Local Neighbourhood Plans, where there is adjoining land ownership particularly for the Ruxley and Watersedge to bring about change and make a positive difference for the local community. | Housing Associations can engage in the Neighbourhood Planning Process. |
| Epsom Civic Society (Margaret Hollins) | We are pleased to note that civic societies are referred to in 7.4. We recognise the challenge to produce a document that meets both the needs of the general public and the statutory requirements and policy recommendations for the Council. | Noted |
| | We would like to see a more user-friendly, and engaging document that people will find helpful and will want to read. | We have consolidated the document from the previous version to make it more user friendly with all information related to a specific topic (for example supplementary planning documents) contained within a single chapter with no need to cross reference Appendices. |
| | Table 3 – SPD Key Stages of Production | Text added to Table 3 to reflect that whilst the opportunity to engage in SPDs |

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| | the introduction of Model Design Codes (which we anticipate will be introduced alongside the new Local Plan as SPDs) will, in our view, necessitate the addition of a separate entry in this Table for design codes. | is generally not applicable prior to consultation on the draft SPD, where necessary (for example to satisfy government guidance), preliminary consultations will be carried out prior to the publication of draft SPDs. |
| | Sustainability Appraisal (Section 5) Needs to state explicitly that either there is no opportunity for community involvement in this process or what, if any, opportunities exist, eg as regards contributing information for initial background work. | At the Scoping Stage of the SA/SEA there is no opportunity for community involvement. However, there will be the opportunity for the community and other stakeholders to provide comments on the Sustainability Appraisal published alongside the Local Plan at Regulation 18 and Regulation 19 stages. Table 2 has been amended to reflect that the Sustainability Appraisal is part of the evidence base that can be reviewed as part of the Regulation 18 consultation. |
| | Table 5 - CIL Charging Schedule Key Stages of Production We suggest adding to Table 5 an entry on 'How to get involved with allocation of CIL funds. | Para 5.13 signposts where to find further information on CIL on our website. Details of the CIL Neighbourhood Scheme and Borough Investment Fund can be located here. |

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| | Section 6 – Planning Applications Paragraph 6.1: suggest adding 'for development' in the opening sentence so that it reads: "The council is responsible for processing and determining planning applications for development in the Borough." | Not considered to be necessary – all planning applications relate to 'development' |
| | Table 6: recommend including in Table 6 'Applications to Vary /Remove Planning Conditions' and changing 'Type of development' header to 'Type of Application'. | All applications to vary/remove conditions fall into the same category as the original planning application e.g. an application to vary a condition on a Major application is a Major application in its own right and is advertised as such. |
| | | Change of heading not considered to be necessary. |
| | Notification of planning appeals (paras 6.22 – 6.26) We recommend that this section should include more details about the appeals procedure and how to get involved, especially regarding publicity requirements for appeals and how and where to access information. We recommend using a separate Table for this. | For those wishing to find out more, paragraph 6.27 of the document signposts two government documents that provide details on the processes and procedures for the planning appeals |
| | Para 6.25: repetition of 'the (sic) will be sent to'. | Duplicate text removed in para 6.26 (previously 6.25) |
| | General Consultation Bodies (paras 7.3 and 7.4) We are pleased to note the specific reference to civic societies in para. 7.4. We suggest the addition of 'Sports and Activities Organisations and Groups' which would subsume, among others, the horseracing industry and | The list of potential organisations detailed in para 7.4 is to provide the reader with a limited number of examples |

| Response Summary | Officer Comment |
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| associated bodies. We would prefer 'will include' as opposed to 'can include', as it gives greater certainty of inclusion to the bodies listed, which in any event are generic, rather specific. | of consultation bodies that meet the criteria detailed in para 7.3. |
| Glossary Add 'listed building' and 'conservation area' to the glossary. | Definitions added to the glossary. |
| General comments / presentation Currently there's a 35-page narrative that requires perseverance on the part of a reader unfamiliar with the planning system. Based on "What do people need?" we suggest a one-page executive 3 summary at the beginning | The document has been consolidated from previous versions and provides the information on specific planning documents in one chapter. We therefore do not consider that an executive summary is necessary. |
| We also recommend | |
| use of colour coding on pages to distinguish between Local Plan procedures, planning application procedures, and planning appeal procedures, | We do not consider this is necessary as the document around core chapters with sub-headings. |
| use of flow-charts to aid comprehension and break up the 35-page narrative. | We have used tables to illustrate how documents are produced in accordance with legislative requirements. |
| | associated bodies. We would prefer 'will include' as opposed to 'can include', as it gives greater certainty of inclusion to the bodies listed, which in any event are generic, rather specific. Glossary Add 'listed building' and 'conservation area' to the glossary. General comments / presentation Currently there's a 35-page narrative that requires perseverance on the part of a reader unfamiliar with the planning system. Based on "What do people need?" we suggest a one-page executive 3 summary at the beginning We also recommend • use of colour coding on pages to distinguish between Local Plan procedures, planning application procedures, and planning appeal procedures, • use of flow-charts to aid comprehension and break up the 35-page |

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| | using new diagrams rather than those in the current SCI some of which are less than helpful. | There are no diagrams within the SCI – we have provided tables to demonstrate how people get involved in specific stages. |
| | Moving all Tables (1-6) to an Appendix | The document is structured so that all core information relating to specific planning matters is accessible within a defined chapter without the need for the reader to refer to Appendices. |
| | We recommend identifying examples of good practice as regards accessibility from other local authorities and developing an Easy Read version for persons with learning disabilities. | Noted. |
| | We like: the use of the second person voice, ie 'you', but note that this is not consistently adopted throughout the document. | Noted – inconsistencies checked and amended where necessary. |
| Martin Owen | Section 1 - Overall, a useful document. I support it. | Noted |
| | Section 2 – Table 1 Good use of tables. House written style is generally good but sometimes lapses into formal and passive tense, which reduces crystal clarity, e.g. "Notification emails to Specific Consultation Bodies upon commencement of consultation." Possibly simpler style would be: "We will notify Specific | Noted – some minor changes made to the wording in Table 1. |

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| | Consultation Bodies by email at the start of the consultation." Maybe authors could check the Plain English Campaign website. This could also reduce redundant phrases like "in order to". It is important you get this right before producing all the other LP-related documents. | |
| | Para 6.13 - Is there still a local printed press that is widely read? Somewhat archaic form of communication nowadays, but might reach a certain demographic. | It is currently a legal requirement to publish a notice in the printed press. |
| | Glossary - Qualifying Body - neighbourhood mis-spelt | Typographical error corrected in the Glossary. |
| Maurice Bacon | Introduction – It is vital that residents believe that their involvement will make a difference and will not feel that decisions have already been taken that they cannot influence or change. | Noted |
| | Introduction and what is a statement of community involvement This is a valuable statement for the community. Every resident should be given a clear idea of how to communicate effectively with their Council on the vital matters of planning and development. | Noted - the aim of the SCI is to set out clearly how the community can engage in planning. |
| Natalie Rogers | Why has a new statement of community involvement been prepared? Can you clarify the LA's philosopy on community involvement, is there an opportunity to be more inclusive in the scope i.e. We want to ensure that all those who live, work, study, worship and volunteer in the borough can be involved in local planning decisions and have the opportunity to collaborate on the preparation of our plans and strategies that shape the places in our borough. | It is considered that paragraphs 1.1 to 1.3 provide some context to the council's approach to community involvement on planning matters with more detail being provided in the subsequent chapters. |

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| | Why should I / my community get involved in planning? The public has a right to get involved and the only way that the Council will understand what people's views are, is if they are told by the public this is a misleading statement, on the one hand you suggest the public have a right to get involved yet throughout the policy the LA appears to do no more than the minimum on areas such as neighbourhood planning and preapplication development. | The planning process is heavily legislated and therefore there are defined points when people can engage in the process, such as through formal consultations on Local Plans or during the consultation period for planning applications. As noted in the SCI Council cannot require developers to undertake consultation prior to the submission of a planning application. The Council, as the local planning authority, has a duty to support and provide technical advice to any emerging neighbourhood plan, and a responsibility to make timely decisions. The Neighbouhood Forum leads on the preparation of the Neighbourhood Plan, not the Council. |
| P Beddoe | Chapter 1 – Introduction and What is a statement of community involvement? Understood | Noted |

| Respondent | Response Summary | Officer Comment |
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| | Chapter 5 – Sustainability Scoping Report Through the call for sites we have submitted a proposal for a site for inclusion in the Local Plan. | Noted – the Land Availability Assessment (LAA) will contain the list of sites submitted through the Call for Sites. This piece of evidence base is currently being prepared and will be published on our website upon completion. |
| Peter Webb | Community Infrastructure Levy | |
| | Para 5.12 Can the CIL charging schedule be viewed by all after its updating in January each year: if so where ? | The latest CIL rates are published on our website: https://www.epsom-ewell.gov.uk/residents/planning/planning-advice/community-infrastructure-levy-cil-guidance |
| | What is meant by zones in this sentence: how many and where are the zones in E and E? What are the criteria for CIL charging: is it applicable to all sizes of development? | Within Epsom and Ewell there is currently one Zone. The text in paragraph 5.12 has been amended to state development type to reflect that the charges for different development types are all uplifted (e.g. residential dwellings, care homes etc). |
| | At what point in the development application schedule/timeline are CIL charges applied and paid to the council by the developer? | Following CIL liable applications being approved, a liability notice is issued. If exemptions do not apply, CIL would |

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| | | usefully become payable upon commencement of the development although payment phasing may apply dependent upon the total CIL liability. Further information can be accessed on our website: https://www.epsom-ewell.gov.uk/residents/planning/planning-advice/community-infrastructure-levy-cil-guidance |
| | Are CIL receipts to be spent by the council within a certain timeframe e.g. within the year of receipt? | No, CIL revenue is 'pooled' to fund strategic infrastructure. A proportion of CIL received (15%) is available to fund local or smaller infrastructure projects that are required by the community where development took place. Further information is accessible here: https://www.epsom-ewell.gov.uk/CIL15 |
| | Pre-application advice (para 6.8 -) How many recent pre application advice consultations since 2018 have resulted in the public interest test being used; and what was the result in | Information not available. |
| | resulted in the public interest test being used: and what was the result in each case: how and when were they made public? Pre-application advice (para 6.8 -) | |

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| | Para 6.8 - Although it states that the council can only encourage rather than require developers to engage with the local community before an application is submitted, it should be a requirement that council have to record all efforts to encourage this engagement (minutes of meetings; emails etc) all of which can be in the public domain. The public interest test should be applied here on a case by case basis. Many developers do not consult with the community with the result being consequent objections, delay in proceedings and lack of trust from community in the planning process and LPA. What steps are EEBC LPA doing to encourage and record the steps taken to encourage developers to engage with the local community in every application that is deemed to have a community engagement need? | As noted in the SCI, the Council cannot require developers to undertake consultation prior to the submission of a planning application. It is also the case that the Council is not required to record efforts to encourage engagement; however, the majority of pre-application responses form the Council do encourage engagement with interested parties prior to submission of a planning application. |
| | Table 6 | |
| | Does the LPA consider that all developers fully comply with sending out comprehensive site notification letters to the neighbours: what is the exact requirement here and how is feedback from the neighbours and community acknowledged and registered to the planning application process? | The SCI (para 6.16) clarifies instances when letter will be sent to neighbours. Paragraph 6.19 clarifies that all representations that are valid planning issues, will be taken into account in the decision-making process and will be summarized. |
| | Planning Applications (para 6.13 – 6.15) | |
| | 6.14 Is there a requirement in planning law for the size and location of these site notices? In some cases these are not displayed for the full 21 days, what action will the council take if they are not complied with? | The SCI (para 6.15) provides information on site notices. |

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| | 6.15 When is the discretion of the council used to notify the occupiers of more properties when a major or significant scheme is proposed? what are the criteria it uses in arriving at a judgment on that? Determining Planning applications | The SCI (para 6.19) provides information on how representations are considered. The Council is not required to notify additional neighbours through legislation, but uses discretion in cases where, for example, local Members have highlighted a high level of public interest or where there may have been a recent appeal decision. |
| | 6.19 How is that decision made to allow it under delegated powers or to go to planning committee: what role is there for call in by councillors in that decision making? Are all objections to an application made public to the committee apart from on the planning portal? | The Terms of Reference of the Planning Committee include responsibility to determine the level of delegation to officers, which is set out in the 'Planning Scheme of Delegation'. |
| | Notification of Planning Appeals 6.23 Of the three appeal procedures, is one type more likely to be requested by EEBC in any appeals they are involved in? | The appellant requests the appeal procedure upon submission of their appeal. The appeal format will vary depending on the scale and complexity of the application. |
| | Section 5 – Neighbourhood Plans | |
| | How will the council LPA encourage other wards and areas of the borough to form Neighbourhood Forums and develop Plans, are these part of the Development strategy for the borough in the light of future and upcoming | It is up to communities whether they wish to establish a neighbouhood forum to |

| Respondent | Response Summary | Officer Comment |
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| | Govt policy to devolve planning down to the local (community) level as much as possible . How will Neighbourhood Plans inform the EEBC local plan as its developed | enable them to prepare a Neighbourhood Plan. Policies in a Neighbourhood Plan must be in general conformity with the strategic policies within the adopted local plan. |
| | 5.7 In what form will advice and support be provided to Neighbourhood Forums for developing plans: will there be a dedicated officer with sole responsibility for this advice and support so that it is systematic and sustained over the five year life of the NF/Plan. Will there be advice on holding the public consultations that are a necessary part of forming the NP. | The Council is preparing guidance on this matter to clarify the support the Council will offer to Neighbourhood Planning Groups. |
| | Chapter 7 - General Consultation Bodies | |
| | 7.3 Would a Neighbourhood Forum be one of the specific consulted bodies in the above lists? Why is SANF not included in the above? | As set out in para 7.2, Specific Consultation bodies are defined in legislation. Neighbourhood Planning Groups will be notified of planning policy consultations. |
| Roy Gilbert | Our property (address redacted) shares a common boundary with a property (address redacted) but we did not receive a Neighbour Notification about their loft conversion plans (Building work started this year). Who is/would be responsible for ensuring these notifications are sent to all interested parties? | The development in question is permitted development and therefore a planning application was not required. A certificate of lawfulness was applied for and issued for the development in question. There are no notification |

| Respondent | Response Summary | Officer Comment |
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| | | requirements for lawful development certificates as the only consideration is whether or not the proposal was 'permitted development'. |
| Yufan Si | Section 2 – Getting Involved in Planning | |
| | Could the council please publish the list of consulting organisations mentioned in 2.8 and 2.9 for each key documents such as Local Plan? For compliance and due diligence reasons and public can notify if certain bodies might have a conflict of interests therefore not suitable to be giving fair and impartial advices. | Anyone can register to receive notifications of planning policy consultations in the borough. There are some organisations that we are required to consult to comply with legislation. These organisations are detailed in Appendix A. |
| | Section 3 - Table 2 – Statutory Stages of Local Plan | |
| | There is currently not enough information and transparency on Local Plan to the public. For instance, timeline published on the console website is incorrect. We need more updated timelines. In addition, most locals are not aware of such plan is happening. Better public awareness campaign via social media and transitional media/leaflets is needed. | The Local Plan timetable was adopted by the Councils Licensing and Planning Policy Committee on the 26 April 2022. This document is published on our website and sets the stage the council is currently at in developing its new local plan. |
| | | The council will raise awareness of the Local Plan prior to formal public consultation stages. |

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| | Section 6 - Table 6 - Statutory Publicity Requirements | |
| | It should not be the developers decision as to if they would like to involve the local community and who they would alert for the planning application. Council should do more to properly inform the public of the upcoming applications, to make sure every household that might be directly and indirectly impacted (for instance houses that would be indirectly impacted due to a new development affecting school catchment, GP services and road congestion etc). There are many vulnerable people who don't use Facebook or WhatsApp will be completely missing out) Section 6 - Pre-Application Advice (para 6.3-6.6) | Any interested person may register for notifications within a geographical area using the application search function on the Council's website. |
| | Could you please provide a list of all the sites submitted an interest for development during the "call for sites" local plan stage earlier this year? | The Land Availability Assessment (LAA) will contain the list of sites submitted through the Call for Sites process. This piece of evidence base is currently being prepared and will be published on our website upon completion. |