

# Your involvement in Planning December 2016



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Epsom & Ewell Borough Council

December 2016

## Contents

Introduction .....	2
Section 1 .....	3
Planning Policy .....	3
Development Management.....	3
Planning decisions .....	3
Section 2 .....	4
Community involvement in planning matters .....	4
The benefits of effective community involvement or participation .....	5
How we will keep you informed and involved in planning matters.....	5
What community involvement methods will we use?.....	7
Things you can do to make your involvement effective .....	7
Section 3 .....	8
Community involvement in plan making .....	8
The Local Plan programme .....	8
The Community Infrastructure Levy (CIL) – Consultation.....	10
Duty to Co-operate (DtC).....	10
Section 4 .....	11
Community involvement in planning applications .....	11
Pre application planning discussions.....	11
Consultations and notification on planning applications .....	12
However, the following cannot be taken into account: .....	14
How are decisions made? .....	16
Public representation at Planning Committee.....	16
Petitions .....	16
Section 5 .....	16
What happens next? .....	16
Appeals.....	17
Section 6 .....	18
Where can you get information about planning? .....	18
Section 7 .....	20
Glossary of terms.....	20

## Introduction

Planning processes affect everyone who lives and works in the borough and helps to shape the place where we live, work, are educated and visit. The planning decisions we make cover a whole range of places and buildings from homes to workplaces, leisure facilities and open spaces.

This document, sometimes referred to as a Statement of Community Involvement (SCI), sets out how we will involve residents, businesses and other organisations in decisions on plan making and local development. We have produced this document as we recognise the importance of effective community involvement and dialogue. This document explains how we aim to achieve this to ensure a transparent and open planning process.

It is good practice to regularly review our approach to community involvement and revise it where necessary. Revisions are likely to take place when significant changes have occurred to legislation, the range of groups which we wish to engage with, or when different techniques for engagement are identified.

## Section 1

Our planning service sits within our Place Development Division and is made up of two teams – Planning Policy and Development Management.

### Planning Policy

The Planning Policy team handles the preparation of our Local Plan and associated documents that shape the future development of the borough. These include supplementary planning guidance on design quality, sustainable design measures and biodiversity. These policy documents take account of national, regional and local planning policy needs and interests.

The team is also involved in other planning policy and strategic opportunity sites and is responsible for the administration of our Community Infrastructure Levy, town centres management, economic development and heritage advice.

### Development Management

The Development Management team is responsible for making decisions on planning applications along with other related applications such as listed buildings, trees and advertisements. Planning officers also provide pre-planning advice for which there is a fee. Further details can be found on our website [here](#).

Planning application decisions are based on the National Planning Policy Framework (NPPF) and Guidance, the adopted Local Plan and associated documents and other relevant matters known as ‘material planning considerations’. The team is also responsible for investigating unauthorised development and ensuring that development is carried out with the necessary planning permission.

There is some development that can be carried out without the need for planning permission. This is known as permitted development. The team can give advice on this and further information can be found on the national [Planning Portal](#) website.

### Planning decisions

In Epsom and Ewell councillors agree planning policy through consideration at the Licencing and Planning Policy Committee and Full Council meetings. The majority of planning applications are usually determined by planning officers with the more complex cases decided by the Planning Committee. All decisions, whether made by planning officers or by a Committee are based on planning policy and relevant material planning considerations.

## Section 2

### Community involvement in planning matters

The views of local residents, businesses and residents/amenity groups are valuable in shaping the future of the area particularly around planning issues. This ensures that the needs and aspirations of our varying communities are considered and balanced against other material planning considerations.

Our goals and standards of community engagement are set out below.

#### The goals are:

- To provide active, early and continuous public involvement
- To provide reasonable public access to information
- To provide an opportunity to comment prior to planning decisions
- To ensure that our actions serve the collective public interest
- To invite and consider public input on plans, proposals and alternatives.

In order to achieve this, we have adopted the following standards for community involvement in the preparation of planning policy:

#### **Openness and transparency:**

We identify clear objectives and indicate at the outset any limiting factors on the extent and nature of community involvement. We will ensure that all information and publications are accurate, clear, concise and readily accessible to all interested parties.

#### **Inclusive:**

We recognise the diversity of views and work towards an understanding of issues and concerns. We will ensure that the level of involvement reflects the importance of the issues and will provide feedback.

#### **Appropriate:**

We recognise that our diverse community has different needs and provide equity of access to the process where practicable. We understand that specific groups/individuals are under-represented within the planning process and will try to ensure that these less vocal members of our community are consulted.

#### **Efficiency:**

We manage participation in a cost-effective manner, using existing networks, structures and means of communication where possible; meeting the time frames agreed.

**Publicly  
accountable - a  
learning  
organisation:**

We seek to achieve the best possible process and outcomes and learn from this for future consultation exercises.

Under-represented groups within the planning process may include the following and we will endeavour to engage with them:

- Children and young people
- 18-30 year olds (especially those in employment)
- Those who don't speak English as their first language
- Older people
- Black and minority ethnic people
- Gypsy and Traveller communities
- Residents who work outside the borough
- People who work in the borough but live elsewhere
- Homeless persons
- Students
- Lesbian, Gay, Bisexual and Trans (LGBT) community
- Carers

**The benefits of effective community involvement or participation**

Most community involvement in plan making and planning applications involves providing information to let interested parties know about something, consulting people to ask their views, or gathering evidence on planning matters. Effective community involvement benefits everyone in the following ways:

- We reach informed decisions
- Real issues can be addressed at appropriate times
- Conflict can be avoided or managed
- Relationships can be built on
- Reduced costs leading to speedier and smoother implementation.

**How we will keep you informed and involved in planning matters**

When you are involved in planning consultation exercises you can expect the following from us as a minimum:

- All draft documents published for consultation along with relevant background papers and evidence will be available on our website [www.epsom-ewell.gov.uk/planning](http://www.epsom-ewell.gov.uk/planning) from the beginning of our consultation period

- Copies of all draft and final documents along with the background papers and evidence will also be available to view at the Town Hall in Epsom and local libraries with internet access
- All resident groups and amenity societies, that have registered with us, will be notified of the availability of consultation draft documents on our website
- We will give advance notice, wherever possible of forthcoming consultation through our borough newsletter, press releases, website, and social media
- All consultees identified in planning regulations will be notified of the availability of consultation draft documents on our website
- We will aim to provide enough information to you to understand and respond to the consultation and we will hold consultation events in accessible buildings
- We aim to set out documents and associated forms and questionnaires as clearly and as simply as possible
- We will use different forms of publicity such as press releases, public notices, direct mail, our website and social media
- Current planning applications and related information will be available to view on our website, at the Town Hall or at local libraries with internet access
- We will publicise planning applications in accordance with the table on pages [12 and 13](#)
- We will make it clear how and when you can make your views known and will treat all respondents equally, giving the relevant weight to your comments reflecting their relevance to the particular consultation or notification
- We will make your comments publicly available, usually on our website so that others with a similar interest can view them
- We will publish a report of consultation on draft policy documents which will summarise all planning related comments received in the publicised time period and how they have been taken into account in the final document. This will be made available on our website and in hard copy at the Town Hall or at local libraries with internet access

## What community involvement methods will we use?

The table below lists some of the options for community involvement. This will involve information provided to and dialogue with interested parties. The methods used will comply with our standards of community engagement and will be appropriate to the particular needs of the persons involved and the nature and impact of the decision to be made. The list below is not exhaustive.

Letting you know about something we are doing	Asking for views and evidence and discussing them
Providing information to local media	Discussions and interactive forums with key interested parties including one to one meetings with selected stakeholders
Create and update our web pages	Consultation including the use of social media
Brief Borough Councillors and local groups	Public meetings, drop-ins, exhibitions, roadshows and/or workshops
Programme of regular press releases	Mail outs to interested parties
Distributing posters, fliers and promotional material	Questionnaires and surveys and the use of structured feedback forms
Publish and deliver newsletters, leaflets and summary sheets	Focus/steering/advisory groups
Use email, letters and/or social media	Make material available in our offices, libraries or on line
Provide briefings and local drop in sessions	Consulting existing community/amenity groups to discuss planning matters
Official launch event	

## Things you can do to make your involvement effective

We will expect the following of you so that your involvement is effective:

- That you provide comments in a clear and precise format relating to the issues being considered and within the published timescale



- That if you wish to comment during formal consultation periods on more than one aspect of a draft policy document, you use our questionnaire or form although we will still accept letters listing a range of points
- That you accept that comments will be made publicly available
- That you are courteous and respectful of other people's views
- That you are aware and accept that planning policy documents need to be in general conformity with national planning policy
- That in considering comments on planning policy documents and applications we are unable to guarantee that views of individuals or organisations will prevail.

We can record your contact details on our consultation database. This will ensure that you are informed of any of our policy planning consultations (not planning applications). The link [here](#) will help you add your details.

## Section 3

### Community involvement in plan making

The Local Plan is critical in delivering our vision for the development of the borough over a period of time. The Local Plan policies are important as they are used to guide future development.

### The Local Plan programme

We produce a Local Plan programme that lists our current planning policy documents as well as our timetable for updating and preparing new ones. This includes information on proposed consultation periods where these are scheduled. You can find our latest copy online [here](#)

This timetable also includes information on supplementary planning documents and related documents.

We review and roll forward the timetable regularly. The Local Plan programme and the planning pages of our website are the first place to look if you want to find out about current and future planning policy documents and the opportunities to be involved.

Your involvement in the preparation of the Local Plan and other related planning policy documents is welcomed and we will try our best to let you know what work is underway.

The main steps in preparing a Local Plan or other planning policy document that will become part of the development plan for the area are:

Letting people know that we are preparing the plan or document, what it is intended to cover and inviting comment on what it should include.



Publish the initial Issues and Options document we intend to submit to the Secretary of State for examination. Invite comments on the areas of draft strategy/policy and the options available.



Submit to the Secretary of State, the plan or document and all related documents such as the sustainability appraisal for independent examination.



Publish the recommendation of the Inspector following the independent examination where the public can make written comments.



Consider any amendments and amend, where required, the plan or document and then adopt the plan or document if the examination has found it to be sound. There may need to be an additional period of consultation.

Our supplementary planning documents are linked to and provide further information and detail on policies within the adopted Local Plan or other development plan documents. They do not require independent examination as we already have an adopted Local Plan but we will produce them with public involvement and consultation.

We also produce technical supporting documents for example on shopfronts and solar panels on homes. These are available on our website and on request at the Town Hall for inspection. Depending on the nature of these studies we may carry out public consultation on them before they are finalised.

We keep a record of individuals and organisations who have said that they may wish to be involved in preparing planning policy documents. This includes organisations such as political groups, residents' associations, amenity groups, adjoining councils, service providers such as power companies, and community and voluntary organisations.

There may be an opportunity for you to be involved in the initial stages of evidence gathering for a particular Local Plan document. We will seek to involve key groups and individuals who are registered on our local database list.

### **The Community Infrastructure Levy (CIL) – Consultation**

The Community Infrastructure Levy (CIL) is a tariff system that allows us to raise funds from developers to contribute towards the funding of infrastructure such as roads, school and health facilities to support growth. The CIL preparation and consultation process is different to that set out for the development of the Local Plan and is established in the Community Infrastructure Levy Regulations 2010 (as amended). Regulations 15 and 16 require councils to undertake a clearly defined consultation procedure prior to adopting a CIL Charging Schedule.

Two rounds of consultation must be undertaken on the proposed charging schedule. The CIL Draft Charging Schedule and relevant documents must then be submitted to the Secretary of State for public examination by an appointed examiner. Our CIL was formally adopted in July 2014 following the examination.

Although the CIL consultation process is subject to these CIL Regulations, rather than the procedure for consultation and preparation of Local Plan documents, we have and will continue to ensure that the CIL consultation process is based on the principles set out in this document.

### **Duty to Co-operate (DtC)**

There is now a duty on us to co-operate with others in the plan making process. This was introduced through the Localism Act 2011. Section 110 of the Act requires councils and public bodies to “engage constructively, actively and on an ongoing basis” in the preparation of Local Plan documents, including in the preparation of evidence to support these documents.

The intention of the duty to cooperate is that local authorities, in cooperation with neighbouring authorities and other public bodies, take the lead in tackling the big issues that cut across administrative boundaries.

This duty relates to sustainable development or the use of land that has a significant impact on at least two local planning areas. These issues that may not be able to be addressed by just one local planning authority working alone are set in paragraph 156 in the NPPF, and could include:

- Housing where a wider housing market area has been identified
- Provision of major retail/or employment sites
- Provision of infrastructure for transport, waste treatment, minerals energy generation, telecommunications, water supply, water quality and strategic biodiversity conservation
- Measures needed to address climate change, including the management of flood risk
- Provision of education facilities.

## **Section 4**

### **Community involvement in planning applications**

We welcome community involvement. This section explains how and when you can become involved in how decisions are made on planning applications. There are two distinct stages for community involvement in planning decisions. The pre application consultation which may take place with communities and is undertaken by developers prior to the submission of a planning application and the application consultation which we carry out once an application has formally been submitted to us.

In the consideration of planning applications, there are often opposing views and the decision we make may not be welcomed by all parties. In coming to our decision we will follow national planning rules and our planning policies.

### **Pre application planning discussions**

On very large scale development proposals<sup>1</sup> applicants are required to undertake early community consultation and to submit the results of this as part of their planning application in the form of a consultation statement. These statements should include:

- What has been consulted on
- Who has been consulted

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<sup>1</sup> Developers proposing major or significant developments (over 200 homes or 4 hectares and/or floor area over 10,000 square metres or 2 hectares) are now legally obliged to consult the local community. They will need to have regard to any comments received before submitting their planning application.

- How they were consulted
- When consultation was undertaken
- Who was responsible for undertaking the consultation?
- How the feedback was used to shape the proposal?

The aim of the process is to encourage discussion in the community before a formal application is submitted and to try to avoid unnecessary or late objections during the formal application stages.

### Consultations and notification on planning applications

We receive approximately 900 planning applications a year (excluding applications for works to trees) and we aim to decide most within eight weeks and major applications within 13 weeks. Within this time period we carry out planning application publicity. The statutory requirements are set out in legislation. The Town and Country Planning (Development Management Procedure) (England) Order 2015 also provides details of the official organisations that must be consulted on particular types of planning application.

Generally, we carry out publicity by three traditional methods – statutory advertisements in local newspapers, site notices about planning applications usually found on street lamps and letters to neighbours. However, a very important additional source of information is our website. This provides a search facility which shows key information about every current application, provides facilities to view the plans, drawings, and associated documents and allows people to send in their comments on line. It is also possible for you to set up automatic alerts to receive email notifications of applications of interest. Further information can be found [here](#).

The amount of consultation will be proportionate to the type and scale of the planning applications. In all cases publicity will meet legal requirements but there will be cases where additional notification is carried out. The cost of advertising in the local press is high, whilst circulation levels are falling as content moves online. Evidence indicates that the most effective form of public consultation on planning applications is to write to neighbours or display site notices.

We have set out our arrangement below.

	Website only	Press notice	Site notice	Neighbour letter
Planning application accompanied by an Environmental Statement		✓	✓	✓
Planning application involving a major departure from the Development Plan		✓	✓	✓
Planning application for development that affects a Public Right of Way		✓	✓	✓
Planning application for Major Development which in this context means (a) 10 or more homes or housing development on a site of 0.5 hectares or more where the number of the dwellings is not known (b) the provision of one or more building where the new floor space is 1,000 square metres or more or (c) development on a site of 1 hectare or more		✓	✓	✓
Planning application for minor development involving (a) less than 10 homes or (b) where new floor space is less than 1,000 square metres or (c) change of use applications				✓
Listed Building Consent		✓	✓	✓
Planning applications affecting the character and appearance of a Conservation Area or the setting of a Listed Building		✓	✓	✓
Householder applications				✓
Telecommunication applications		✓	✓	✓
Display of advertisements and signage			✓	
Tree Preservation Order applications				✓
Certificates of lawful development - proposed	✓			
Certificates of lawful development - existing				✓
Notification of works to trees in a conservation area	✓			
Prior approval for larger house extensions				✓
Prior notification of changes of use				✓

The statutory publicity requirements for applications for Listed Building and Conservation Area consent are laid out in Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended). The arrangements for applications affecting the setting of a Listed Building or Conservation Area are in Sections 67 and 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Publicity arrangements for applications accompanied by an Environmental Impact Assessment are prescribed by the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended).

We receive some applications where we do not undertake consultation. These relate to Lawful Development Certificates where we test the application against planning law and non-material amendment proposals where the change to the original application is very minor.

Assessing the comments received is a rigorous process and we take account of a range of material planning considerations such as:

- Whether the proposal conflicts with any of our planning policies
- Whether the appearance and size of a new building is generally in keeping with its neighbours and the surrounding area
- Whether adjoining residents will suffer any unreasonable overshadowing, overlooking or loss of privacy
- Whether a proposed use is a suitable one for the area
- Whether there will be any unreasonable increase in general disturbance, for example from the comings and goings of extra traffic
- Whether new roadways, accesses and adequate parking will be safe for road users and pedestrians
- Whether new public buildings have satisfactory access for the disabled
- Whether, in the case of an application for an advertisement or signage, the proposed sign is too large or unsightly
- Whether a public footpath is affected
- Whether there is any visual effect upon the landscape, e.g. loss of trees
- Impact on the character and appearance of a Listed Building/Conservation Area in the case of applications for Listed Building Consent or Conservation Area Consent.

However, the following cannot be taken into account:

- Boundary and other disputes between neighbours, e.g. private rights of way, drainage issues or covenants
- Loss of view, unless, in limited circumstances, that view should be protected in the public interest

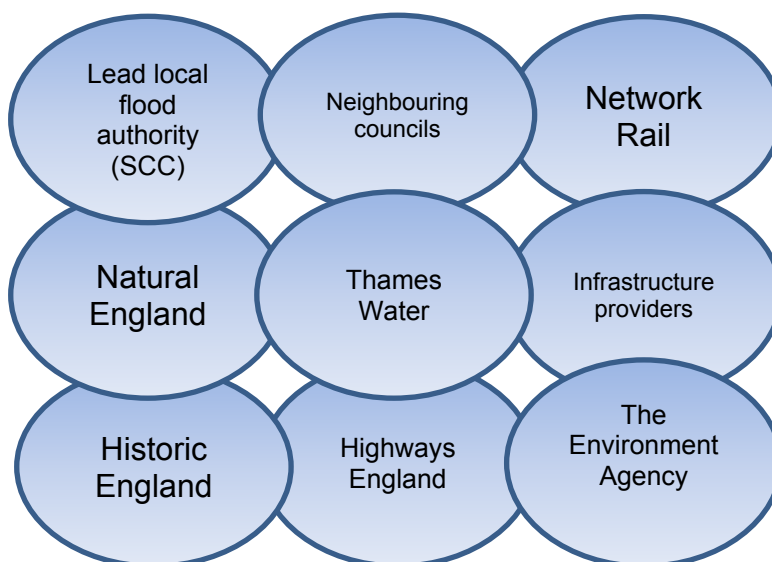
- Loss of trade through increased competition
- Moral objections e.g. to amusement arcades and betting shops
- Loss of property value.

There are some very specialised applications that we receive where the issues that we can consider are limited. For example, we cannot take into consideration what a proposed advertisement might advertise or residential amenity issues in relation to works to a listed building as we will only be looking at the technical issues relating to the works to the building.

If you are notified on a planning application, you can only be certain that your views will be taken into account if they are submitted within the time frame set out in our notification letter, which is usually 21 days. This time scale may be reduced if we are re-consulting on amended plans or additional information that we have received.

We welcome views from the wider community on planning applications and all submissions are considered. The most effective way to express your views is online using our [website](#). Please be aware that however you notify us, your input will be made public.

We consult other groups and bodies as appropriate to the particular nature of the submitted planning application. Whilst this list is not exhaustive these specific statutory consultation bodies include:





## How are decisions made?

Most planning decisions are made by planning officers but the more complex cases are decided by the Planning Committee. Decisions are based on local and national planning policy together with any other material planning considerations. Normally our Planning Committee meets every four weeks at the Town Hall and the public and media are welcome to attend to watch the proceedings.

## Public representation at Planning Committee

When an application is determined by the Planning Committee<sup>2</sup>, there are three categories of public speaker that can speak per application – objector, supporter and applicant/agent. If an individual wishes to speak at a Planning Committee, they must register their wish to do so between 6pm and 7pm on the evening of the meeting at the Town Hall reception desk. We operate a first come first served basis. Normally, in addition to the applicant/agent, only one other person can speak for or against a single application. Each individual can speak for three minutes in the form of a statement.

Further details about our public speaking arrangements at the planning committee can be found in part four of our [constitution](#).

## Petitions

Anyone who lives, works or studies in the borough may create and submit a petition to us. Please visit our [website](#) for further information about them and [ePetitions](#).

## Section 5

### What happens next?

After determining an application, we will place the decision notice on our website under the relevant application reference number. If an application has been refused or withdrawn, then post application discussions may be held with the applicants.

At this time, you can view the documents and letters received in response to a planning application on line where you can also view the planning officer's report and recommendation.

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<sup>2</sup> Types of application considered by the Planning Committee include all major applications, those made by the Council or staff and any that borough councillor has requested be considered.

## Appeals

The applicant has the right to appeal against a refused planning application, a planning condition or if we have not determined the application within a set timeframe. The Planning Inspectorate deals with appeals and is a national body entirely separate from the Council. All those individuals who originally commented on the planning application will be notified of the appeal.

The Planning Inspectorate will be sent or emailed copies of all the plans, application forms and correspondence that we have received regarding the original planning application so that they have all the relevant information before making a decision.

There are costs for all parties involved in the appeal process and it is in everyone's interests to try and achieve a satisfactory conclusion before an application goes to appeal.

For some householder appeals interested people will not have the opportunity to make further representation about the appeal. Any representations made at the application stage will be taken into account by the Planning Inspector. For all other appeals there will be the opportunity to make further representations. For further information please visit the Planning Inspectorate website at [www.planningportal.gov.uk/planning/appeals](http://www.planningportal.gov.uk/planning/appeals)


## Section 6

### Where can you get information about planning?

 [www.epsom-ewell.gov.uk](http://www.epsom-ewell.gov.uk)

 Write to us at:  
Place Development  
Epsom & Ewell Borough Council  
Town Hall  
The Parade  
Epsom  
Surrey  
KT18 5BY

 Email us:  
[supportgrouprequests@epsom-ewell.gov.uk](mailto:supportgrouprequests@epsom-ewell.gov.uk)

 Call us:  
Customer Support - 01372 732000  
  
Opening hours: 9am – 5pm Monday to Friday

On Facebook [www.facebook.com/EpsomEwellBC](https://www.facebook.com/EpsomEwellBC)

Twitter @EpsomEwellBC

#### Local councillors

We have 38 councillors that represent wards within the borough. You can find who your local councillors are by:

- Going on line at [www.epsom-ewell.gov.uk](http://www.epsom-ewell.gov.uk)
- Asking at the Town Hall
- Phoning our Customer Support service

#### Planning Aid

Planning Aid is a service offering independent professional advice and support on Town and Country planning matters to community groups and individuals. You can contact them at:

South East Planning Aid  
Kent Architecture Centre,  
1<sup>st</sup> Floor Admiral's Office  
Main Gate Road  
The Historic Dockyard  
Chatham  
Kent  
ME4 4TZ

Tel: 0870 850 9806  
Email: [secw@planningaid.rtpi.org.uk](mailto:secw@planningaid.rtpi.org.uk)

## Planning Portal

The Planning Portal is a national website that offers clear guidance on the planning system [www.planningportal.co.uk](http://www.planningportal.co.uk)

## Section 7

### Glossary of terms

**Community:** in this document community is considered to be a group of people who have common characteristics. Communities can be defined by location (such as a street or a neighbourhood), race, ethnicity, age, occupation, a shared interest (such as cycling or local businesses) or affinity (such as religion and faith) or other common bonds.

**Community Infrastructure Levy:** this is a levy allowing councils to raise funds from owners and developers of land undertaking new building projects in their area.

**Consultation:** a more structured form of participation. A dialogue between individuals or groups, based upon a genuine exchange of views, and normally with the objective of influencing decisions, policies or programmes of action.

**Development Plan Document (DPD):** spatial planning documents prepared by the relevant plan-making authority. Subject to independent examination.

**Development Management:** is the process of determining planning applications.

**Duty to Co-operate (DtC):** this is introduced by The Localism Act 2011 and places a legal duty on councils to engage constructively and actively with certain specified bodies to maximise the effectiveness of Local Plan preparation and delivery.

**Engagement:** actions taken to establish effective relationships with individuals or groups so that more specific interaction can then take place.

**Infrastructure:** facilities, services or equipment including roads, schools, health

**Interested parties:** organisations selected on the basis of their interest in the outcomes.

**Local Development Documents (LDD):** comprises the Development Plan Documents, Supplementary Planning Documents.

**Local Plan:** our long term spatial vision for area and the primary strategic policies and proposals to deliver that vision. Defined in the Town and Country Planning (Local Planning) (England) Regulations 2012 as development plan documents dealing with the development and use of land, the allocation of sites, development management and site allocation policies for that area, an area of significant change or special conservation, local plan policies in relation to the area, or any other site allocations document.

**Local planning authority:** the public authority whose duty it is to carry out specific planning functions for a particular area.

**Material planning considerations:** the types of planning issues we can consider include the effect on amenity, impact upon the appearance of surrounding areas and potential traffic problems. Personal circumstances of the applicant, moral issues or the effect the development may have on nearby property prices are not relevant to the consideration of a planning application and will not usually be taken into consideration by the Council.

**National Planning Policy Framework and Guidance:** issued by Central Government to guide planning policy and the determination of planning applications.

**Participation:** an all-round term that describes the extent and nature of activities undertaken by those who take part in public or community involvement.

**Planning committee:** the planning committee is responsible for making decisions on the bigger and more sensitive planning applications received by the Council. The planning committee is made up of 13 councillors who are responsible for deciding planning applications, listed building and conservation area consents.

**Planning inspector/Inspectorate:** the [Planning Inspectorate](#) is an agency of the Department of Communities and Local Government. It may get involved in a variety of work; for example, the processing of planning and enforcement appeals and holding inquiries into local development plans. They also deal with a wide variety of other planning-related casework including listed building consent appeals, advertisement appeals, and reporting on planning applications.

**Statement of Community Involvement (SCI):** sets out standards for involving the community in the preparation, alteration and review of local development documents and development control decisions. Our document is known as “Your involvement in Planning”

**Statutory:** required by law (statute), usually through an Act of Parliament.

**Supplementary Planning Documents (SPD):** they are non-statutory documents that expand upon policies and proposals in development plan documents and are a material consideration when determining planning applications. We produce three types of SPD – topic based, Conservation Area Appraisals and Planning Briefs for particular sites. These can be viewed [here](#).

**Sustainability Appraisal:** a sustainability appraisal considers the likely social, economic and environmental effects of policies included in development plan documents.