

West Berkshire Council

Draft Revised

Statement of Community Involvement

June 2019

Contents

1	Introduction	3
2	Community Involvement in the Plan Making Process	5
3	Community Involvement in Planning Applications	15
	Appendix A: Organisations & other bodies to be consulted when preparing DPDs..	20
	Appendix B: Organisations & other bodies to be consulted when preparing CIL	22
	Appendix C: Glossary.....	23

1 Introduction

- 1.1 West Berkshire Council already has strong and valued links with many of its local communities. Greater involvement by the community in shaping the way the planning system operates locally is essential if the decisions we take are to more closely reflect local needs and wishes.
- 1.2 Our Statement of Community Involvement (SCI) for West Berkshire clearly sets out our policy for involving the community in:
- the plan making process such as Development Plan Documents, Supplementary Planning Documents, Neighbourhood Development Plans and the Community Infrastructure Levy; and
 - in the consideration of planning applications within the District.
- 1.3 The requirement to prepare an SCI was introduced in the Planning and Compulsory Purchase Act 2004 and we adopted our first SCI in July 2006. The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017, brought into force on 6 April 2018, formally require the SCI to be reviewed at least every five years. We adopted our last SCI in September 2014 and as the planning process has gone through some changes since then the SCI is being reviewed and updated to reflect the most up to date processes and procedures that we will use.
- 1.4 This draft revised SCI is subject to formal consultation for six weeks from Friday 12th July to Friday 23rd August 2019.

Our approach to community involvement

- 1.5 Our SCI has been informed by the key principles contained in the Council's Consultation Policy which are to ensure that:
- We make it clear the purpose of an exercise and how it feeds into the decision-making process
 - Sufficient information is provided and accessible to participants to inform their response
 - Everyone has the opportunity to contribute and have their views heard
 - Appropriate methods are used
 - Sufficient time is provided to respond, and for consideration of key findings
 - The results are used to inform the decision-making process
 - Key findings are fed back to participants
- 1.6 It is important that our SCI is built on the fundamental principles of inclusiveness and equality for all. People suffer from exclusion and can be hard to reach for a variety of reasons. In addition, we recognise that although some types of people or groups may be small in actual numbers, they could

be disproportionately affected by planning policies and decisions. The council's Equality Objectives and Guidance on Equality Impact Assessments explain our approach to community inclusion.

Future reviews of this document

- 1.7 This SCI will be kept under regular review (through our Annual Monitoring Reports and Minerals and Waste Annual Monitoring Reports) and will be changed when necessary to correct factual changes not material to its content. If the review of this document leads to significant changes then this is likely to trigger a formal review of the document as appropriate.

2 Community Involvement in the Plan Making Process

Influencing the plan making process in West Berkshire

- 2.1 As a local planning authority West Berkshire Council has a duty to put in place planning policies which can be used to guide development proposals and determine planning applications. These local planning policies are set out in the West Berkshire Local Plan which is the overall Development Plan for the District. Applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 2.2 As part of the continued preparation of the West Berkshire Local Plan and its supporting documents we acknowledge the importance of involving the public and stakeholders at the earliest possible stage and recognise that their involvement should be a continuous process rather than one discrete exercise.

What types of documents can you influence?

- 2.3 As part of the plan making process we will be preparing and consulting on the following types of documents that will be subject to the principles contained in this SCI -

Development Plan Documents (DPDs)

- 2.4 These are the core of our Local Plan and contain the key policies that guide future development in the District. The statutory requirements for their preparation are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- 2.5 We adopted our first DPD, the West Berkshire Core Strategy (2006 – 2026) in July 2012 and then the Housing Site Allocations DPD in May 2017.
- 2.6 We are currently reviewing our Local Plan to cover the period up to 2036 and the timetable for the preparation of further DPDs is set out in our Local Development Scheme (LDS).

Supplementary Planning Documents (SPDs)

- 2.7 SPDs provide further information and additional detail to support policies contained in DPDs. As with DPDs the statutory requirements for their preparation are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- 2.8 We have adopted the following SPDs to date:

- Delivering Investment from Sustainable Development
- Market Street, Newbury Planning and Design Brief
- Pirbright Institute site, Compton
- Sandford Park
- Quality Design West Berkshire
- Planning Obligations
- Sustainable Drainage Systems

Neighbourhood Plans or Neighbourhood Development Orders

2.9 Introduced under the Localism Act (2011), these are community led documents prepared by a town or parish council which, when adopted by us, also form part of the Development Plan¹. The Neighbourhood Planning (General) Regulations (as amended) and the Neighbourhood Planning Act (2017) set out the statutory requirements for their preparation. Although as a Council we do not prepare Neighbourhood Plans, we do have a duty to provide advice and technical assistance to parish and town councils during the process and so our involvement at the relevant stages will follow the principles set out in this SCI. We have a duty at the start of their production to advertise an application to designate a neighbourhood area, but then consultation during the preparation stage of these plans is undertaken by the town or parish council. Although there is no statutory requirement for parish and town councils to comply with this SCI it may provide useful guidance for them when undertaking consultation and engagement on their draft plans. Once a draft plan has been submitted to us we have a duty to publish it for comments before an independent examination, referendum and subsequent adoption.

Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA)

2.10 As part of the plan preparation process, we will assess the social, environmental and economic impacts of each DPD and relevant SPD. The key purpose of Sustainability Appraisal is to identify and enhance the positive effects whilst minimising any potentially adverse impacts of our planning policies. This process will also involve the assessment of any health and equality impacts. Where necessary, we will also carry out a Habitat Regulations Assessment of our emerging planning documents. Consultation is undertaken alongside the related plan, with the exception of the Scoping Report stage which is focused on three consultation bodies – Environment Agency, Natural England and Historic England.

¹ Although not covered by this SCI, the Council recognises that there are other non-statutory documents produced by parish/town councils and other community bodies such as; parish plans and town, village and parish design statements. The Council fully supports these in accordance with West Berkshire Core Strategy policy CS19, which is supported by paragraph 5.140 of the same document.

Who will we involve when we prepare documents?

- 2.11 We want everyone to have the chance to get involved in the decisions we take and are committed to doing everything we reasonably can to make our community involvement inclusive.
- 2.12 We have set up a Register of Consultees through our (the Local Plan Consultation Portal). This is, a database of individuals, groups and organisations who we regularly contact on plan making matters that are of interest to them. This database is reviewed and updated on a continuous basis. Anyone making comments on DPDs or SPDs will be included on our database and will automatically be kept informed of plan making matters as appropriate.
- 2.13 Government regulations also require us to ensure that particular organisations are involved at key stages in the plan making process. These include the Environment Agency, Natural England, Historic England and the Highways England. Full lists of consultees are contained in Appendices A and B.
- 2.14 If you would like to be added to our Register of Consultees at any time please contact the Planning Policy Team or Minerals and Waste Planning Policy Team by either:
- e-mail: planningpolicy@westberks.gov.uk
 - registering as a consultee: <http://consult.westberks.gov.uk/portal>
 - phoning us: 01635 551111
 - or writing to us at: Planning Policy Team, Development & Planning, West Berkshire Council. Council Offices, Market Street, Newbury. RG14 5LD

How will we involve you?

- 2.15 The exact nature of our consultation will depend on the nature of the document being produced and the ways in which we involve the community will depend on the stage we are at in the preparation of that document. For example, you may be invited to submit written representations online, by e-mail or letter, or provide comments by feedback forms or questionnaires. We may also publish notices in a suitable local newspaper, organise public consultation events, hold smaller group workshops or have individual meetings with specific stakeholders whenever this is appropriate and helpful to the planning process.
- 2.16 As a minimum, we will meet our statutory requirements with regard to consultation for all new DPDs and SPDs.

We will:

- Make all relevant documentation available during formal consultation periods at the Council's offices in Market Street, Newbury
- Place all relevant documentation on the Council's website www.westberks.gov.uk
- Send all relevant consultation documentation (either electronic or paper) to statutory/specific consultees
- Make formal consultation documentations available (either electronic or paper) through all public libraries across the District
- Notify all those registered on our electronic database as and when appropriate

Duty to Cooperate

- 2.17 The Council has a duty to cooperate when preparing DPDs. This duty was introduced in the Localism Act of 2011 and requires us to work with neighbouring authorities and other prescribed bodies (Set out in Part 2 (4(1)) of the Town and Country Planning (Local Planning) (England) Regulations 2012) in preparing DPDs in order to address strategic issues relevant to our area. It requires that we engage constructively, actively and on an ongoing basis to develop strategic policies; and requires us to consider joint approaches to plan making. At the heart of the duty is effective partnership working to achieve outcomes.
- 2.18 The other local planning authorities and public bodies that we will need to cooperate with will depend on the strategic matters we are planning for and the most appropriate functional area to gather evidence and develop planning policies. It is likely that we will need to work in different groupings for different strategic matters.
- 2.19 As part of the evidence required to demonstrate compliance with our duty to cooperate, the National Planning Policy Framework (NPPF) sets out that local planning authorities should produce, maintain and keep up to date Statements of Common Ground (SCG) to highlight agreement on cross boundary strategic issues with neighbouring authorities and other relevant organisations.
- 2.20 It will be important that cooperation is ongoing throughout the preparation of a particular DPD and that it is not confined to any one point in the process. To ensure that a plan is robust and effective, the Council and other public bodies will need to work together from the outset at the plan scoping and evidence gathering stages. That will help to identify and assess the implications of any strategic cross boundary issues on which we will need to work together. After that we will need to continue working together to develop effective planning policies and delivery strategies. Our co-operation will be proportionate to the issues that need to be addressed and the scale and type of co-operation required will flow from the issues identified. Cooperation will continue until a

plan is submitted for examination and beyond into delivery, monitoring and review.

Arrangements for joint working

- 2.21 There may be some instances where we prepare DPDs or SPDs jointly or in partnership with other local planning authorities, or other partners, e.g. parish and town councils. In these circumstances we will set out our approach to community involvement in an independent document.
- 2.22 It should be noted that if we use external consultants to help us to produce DPDs or SPDs that principles set out in this SCI will also apply.

How we will respond to you

- 2.23 We will maintain the following consistent approach to service standards:
- If you write to us (by letter, fax, e-mail or sending in a response form) we will acknowledge receipt within ten working days;
 - If you attend a public meeting / exhibition organised by the West Berkshire Development and Planning Service we will ensure that officers are available to answer your questions (or let you know where further information is available). Where we use questionnaires or feedback forms at these public events we will publish the results on our website;
 - If you request a planning document we will let you know where that document is available (e.g. from the council website) and whether there is any charge for a paper copy;
 - If you attend a planning workshop we will send you a summary of the feedback from the workshop after the event; and
 - We will prepare reports after each stage of formal consultation on plan making documents. We will make these available at the Council Offices at Market Street, Newbury as well as on our website at www.westberks.gov.uk/planningpolicy or www.westberks.gov.uk/mineralsandwaste.

When will we involve you in the plan making process?

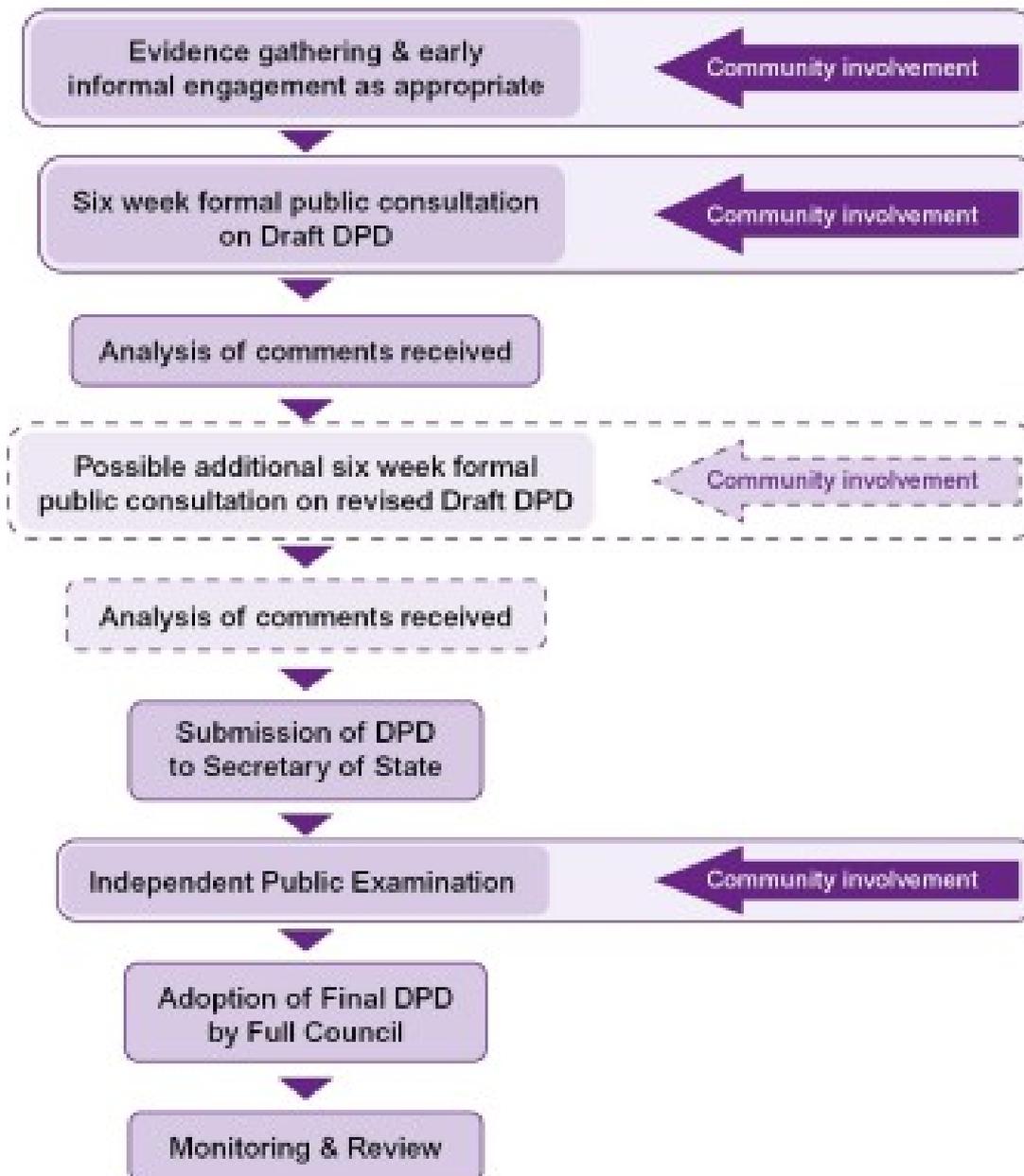
- 2.24 There are a number of key stages in the preparation of planning documents. These stages are designed to ensure that the process is as open and transparent as possible. The diagrams below illustrate these key stages and show when we will undertake consultation, or make documents available for comment, in accordance with the relevant regulations. We will always meet these requirements, but in addition we may undertake additional engagement

at appropriate points through the process. Getting involved at the earliest stages of preparation will ensure your views have the most opportunity for being taken into account.

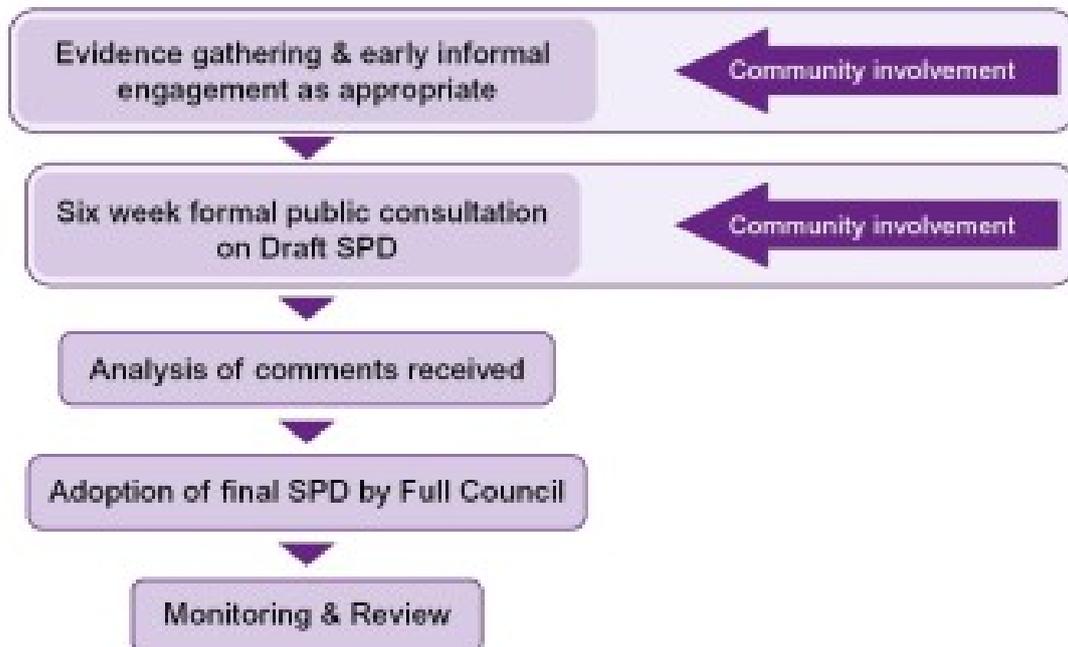
Looking After your Data

- 2.25 Our privacy notices set out how we collect, store, protect, process and share the data you give us it. They can be viewed at <http://info.westberks.gov.uk/CHttpHandler.ashx?id=45626&p=0>

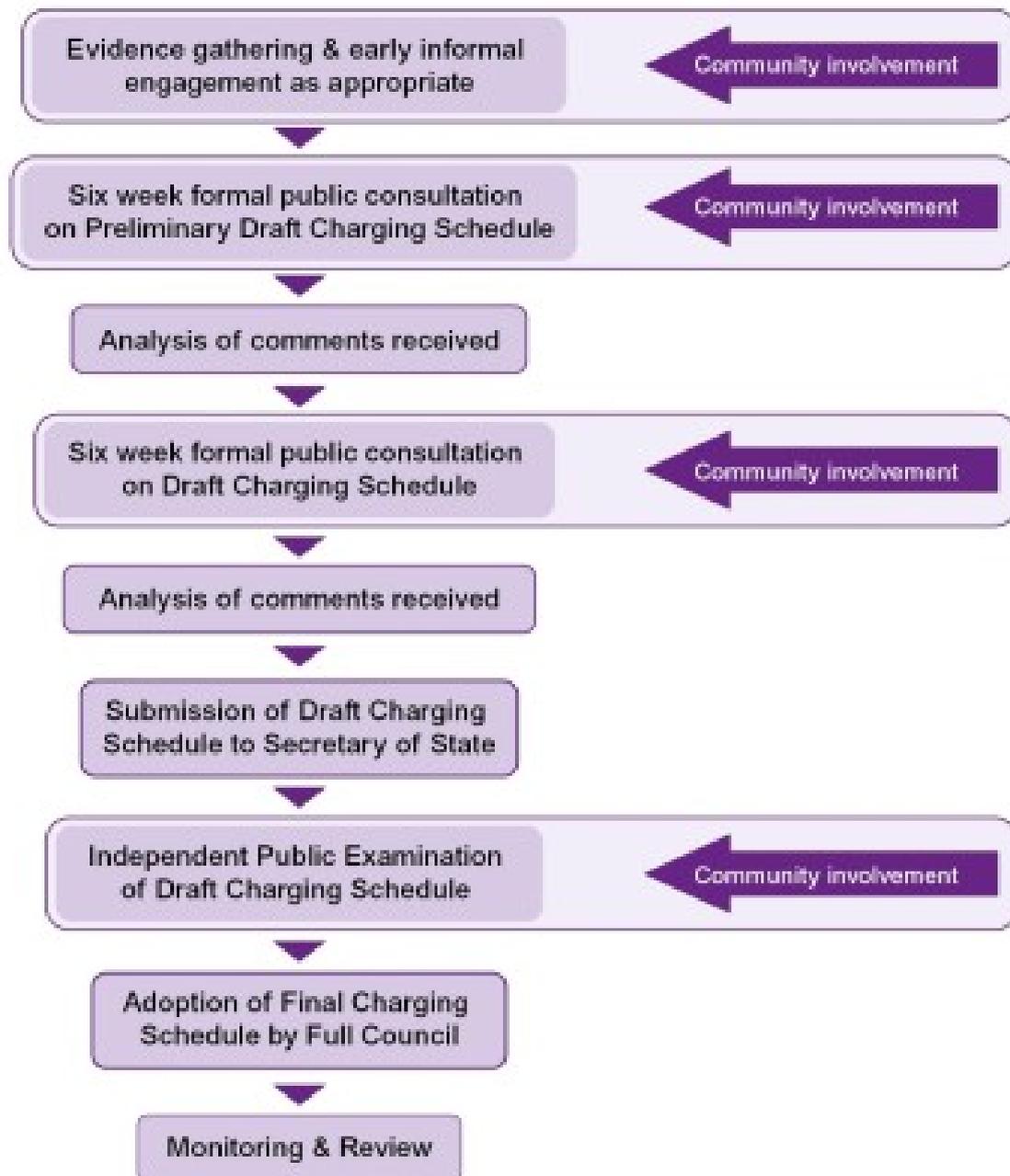
Community Involvement in Development Plan Documents



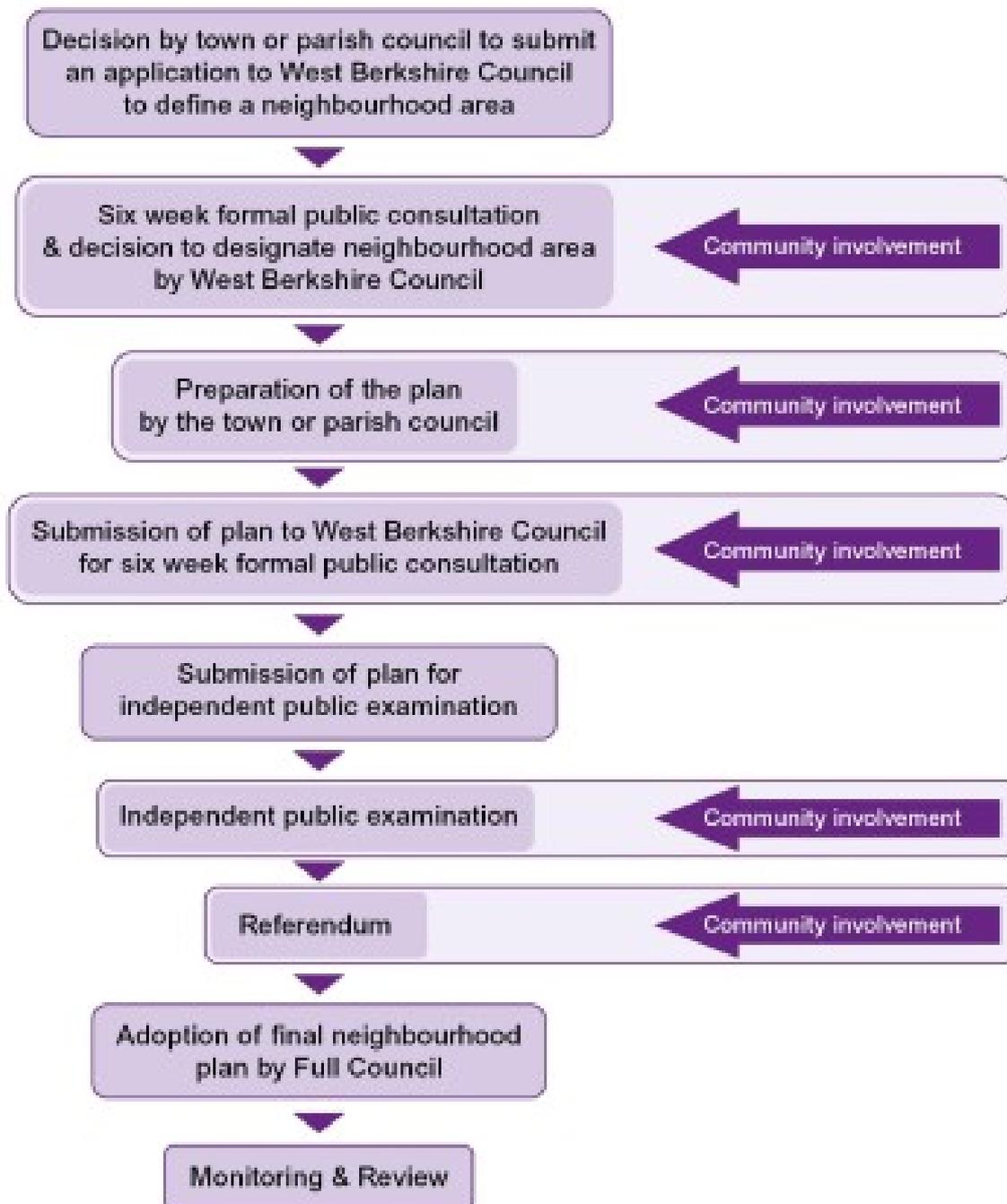
Community Involvement in Supplementary Planning Documents



Community Involvement in the Community Infrastructure Levy



Community Involvement in Neighbourhood Plans



3 Community Involvement in Planning Applications

Influencing the planning application process in West Berkshire

- 3.1 We recognise that community involvement in the consideration of planning applications is particularly valuable and important.
- 3.2 Our aims are:
- to make decisions on applications that are justifiable, robust, consistent and reached in a fair manner, in line with the Council's commitment to open government
 - to ensure information is available to everyone through a variety of mediums (verbal, electronic and in writing) and to ensure that both the process and the reasoning behind decision making is understood by all
 - to keep interested parties, and those affected by the development management process informed

How do we inform you of planning applications?

- 3.3 There are certain statutory requirements which we have to meet in order to inform the public and stakeholders about the planning applications we have received. We will always meet these requirements and will extend consultation in accordance with the principles in this SCI whenever it is appropriate and helpful to the planning process.
- 3.4 We will display a site notice for all applications. These are particularly effective and useful where there is doubt over who the interested parties are, or where the development is likely to be of interest to direct neighbours and more than immediate neighbours. The site notice will be erected during the period in which the application is being considered and will normally allow 21 days² from the date of it first being displayed for comments to be submitted.
- 3.5 Depending on the nature of the application we may also notify a number of other statutory and non-statutory consultees. These can include other authorities, agencies, specialist groups or government departments. Legislation and government advice, as well as requests from relevant organisations govern how we decide whom to notify on any particular application.
- 3.6 The involvement of some consultees is a legal requirement whilst others are asked for their expert view on the proposal to aid the decision making process.
- 3.7 We notify parish and town councils of all applications in their area. Adjoining parishes may also be notified, depending on the location, scale and nature of the application.

² Extended to take into account any bank and public holidays

- 3.8 District Councillors are advised of all developments via a “weekly list”. This is a compilation of all applications we have registered during the previous seven days. It is sent to Councillors every week and advises them of the location of the development, a description of it, who the applicant/agent is and when it was registered. The weekly list is also published on our website and can be obtained from our Customer Contact Centre in the Council’s Market Street offices in Newbury Tel: 01635 519111. It can also be e-mailed on request (planapps@westberks.gov.uk).
- 3.9 All planning applications received, including those for prior approval for permitted development rights which result in a net increase in dwellings houses, are placed on the official planning register and details of the application proposal and drawings are made available on our website. Copies of plans or applications are available for reference or purchase at our offices in Market Street, Newbury. Where appropriate, some plans and applications relating to development in the locality are placed in public libraries, Community Information Centres (CICs) and some parish council offices across the District.
- 3.10 The Customer Contact Centre is able to answer many basic questions on the progress of an application. Other than where the General Data Protection Regulations prevents us doing so, all information on planning application files will be made available.

How can you comment on planning applications?

- 3.11 Anyone can comment on a planning application. You do not need to be directly notified. Comments should be made in writing, either via e-mail to planapps@westberks.gov.uk by post, by letter handed in to the Customer Contact Centre or via the Public Access pages on our website. They should be made within twenty one days of the erection of the site notice. However, if a response is received after this time but before a decision is made it will be taken into account wherever possible, but dependent upon the administrative stage reached in concluding the application. All comments received will be made available for public inspection and Councillors’ consideration unless clearly marked confidential.
- 3.12 Everyone’s comments are important to us and we aim to acknowledge them within two working days of receipt. Having received an acknowledgement you should receive notification of the planning decision in due course. Please note that due to the volume of correspondence received we are unable to respond to specific issues identified in individual letters or enter into general correspondence.
- 3.13 Generally town and parish councils and statutory consultees have twenty one days to comment on an application from the date of letter or notification. However, as with neighbour comments, if a response is received after this time but before a decision is made, it will be taken into account wherever

possible but dependent upon the administrative stage reached in concluding the application.

- 3.14 We may need to re-notify consultees if amendments are made to an application, but this will be dependent upon the scale of changes and their impact. The timescale allowed for additional comments will be clearly outlined in the letter advising of changes.

How can you get involved if an application is determined by a Planning Committee?

- 3.15 The majority of applications are decided by the Head of Development and Planning under powers delegated by the Council. In all those instances all due regard will be given to comments made by interested parties.
- 3.16 If an application is to be determined by a planning committee, we will notify the applicant and all those who submitted comments advising of the date, time and location of the committee meeting. We publish meeting dates, agendas and planning officers' reports on our website and committee reports are available five working days before the meeting.
- 3.17 We embrace public speaking and allow town/parish councils, objectors and supporters to address committees. Councillors can then raise questions with speakers in order to seek clarification upon points raised. (Separate information on Public Speaking at Committees is available on the Council's website.)
- 3.18 Minutes of all meetings and decisions on all planning applications, whether decided by committee or under delegated powers, are published on our website.
- 3.19 Where an application is refused and the applicant appeals, we notify all those who commented upon the application, town or parish council and any consultee previously consulted. Councillors and parish and town councils are positively encouraged to play their part in any appeal, and to liaise with the case officer in order to present a united case based around the stated reasons for refusal.

Pre-application discussions on applications

- 3.20 Pre-application discussions between the developer, the Council and the community are positively encouraged. We have adopted a formalised process for our pre application advice service through which we will reinforce the guidance contained in the NPPF which encourages developers towards an appropriate level of community involvement.
- 3.21 In appropriate cases, developers will be required to provide details of how they have involved the community in preparing and finalising their proposals,

and to summarise the results of that consultation and describe the impacts that community input has had on the final proposal.

- 3.22 There will be many occasions though where we have no prior knowledge of an application before it is formally submitted, so there will be no opportunity to influence pre-application consultation and discussion.
- 3.23 Once an application has been submitted, the Council will assess any pre-application consultation that has been undertaken by the applicant and if necessary, we will supplement our usual process and statutory requirements for consultation during the application stage by choosing appropriate consultation techniques. In practice, it is anticipated that in those instances where additional consultation is considered necessary the Council will, in the main, use public meetings and presentations as a means of involving the wider public in a particularly significant application.

How to contact us

If you have any queries you can contact us in the following ways:

Planning Policy Team, Development & Planning, West Berkshire Council, Council Offices, Market Street, Newbury. RG14 5LD

Tel: 01625 551111

Email: planningpolicy@westberks.gov.uk

Minerals and Waste Planning Team, Development & Planning, West Berkshire Council, Council Offices, Market Street, Newbury. RG14 5LD

Tel: 01625 551111

Email: mwdpd@westberks.gov.uk

You can also follow our Planning Policy news page:

<http://www.westberks.gov.uk/planningpolicynews>

Appendix A: Organisations and other bodies to be consulted when preparing DPDs

The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) **require** the Council to consult the following **specific consultation bodies**:

- South Oxfordshire District Council
- Vale of White Horse District Council
- Reading Borough Council
- Wokingham Borough Council
- Bracknell Forest Borough Council
- Basingstoke and Deane District Council
- Test Valley District Council
- Wiltshire Council
- Oxfordshire County Council
- Hampshire County Council
- Parish and Town Councils in West Berkshire
- Parish and Town Councils adjoining West Berkshire
- Neighbourhood Forums in or adjoining West Berkshire
- Coal Authority Environment Agency
- Highways England
- Historic England
- Homes England
- Marine Management Organisation
- National Health Service Commissioning Board (known as NHS England)
- Natural England
- Network Rail Infrastructure Limited
- Police and Crime Commissioner
- Thames Water (as water supply and sewerage undertaker)
- any person to whom the electronic communications code applies by virtue of a direction given under section 106(3)(a) of the Communications Act 2003, and who owns or controls electronic communications apparatus situated in any part of West Berkshire
- if it exercises functions in any part of West Berkshire - a person to whom a licence has been granted under section 6(1)(b) or (c) of the Electricity Act 1989;
- if it exercises functions in any part of West Berkshire - a person to whom a licence has been granted under section 7(2) of the Gas Act 1986

and the following **general consultation bodies when appropriate**:

- voluntary bodies some or all of whose activities benefit any part of West Berkshire
- bodies that represent the interests of different racial, ethnic or national groups in West Berkshire
- bodies that represent the interests of different religious groups in West Berkshire
- bodies that represent the interests of disabled persons in West Berkshire

- bodies that represent the interests of businesses in West Berkshire

The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) also set out the list of prescribed bodies to which the **duty to cooperate** applies. Those of relevance to West Berkshire are:

- Civil Aviation Authority
- Historic England
- Environment Agency
- Highways England
- Highway Authorities
- Homes England
- Marine Management Organisation
- Mayor of London
- National Health Service Commissioning Board (NHS England South East)
- Natural England
- Newbury and District Clinical Commissioning Group
- North and West Reading Clinical Commissioning Group Office of Rail Regulation
- Relevant Integrated Transport Authorities Transport for London

Although not covered by statute, the Regulations also make clear that when preparing plans we should also have regard to

- Local Enterprise Partnerships (LEP) and
- Local Nature Partnerships (LNP).

In addition, the National Planning Policy Framework (NPPF) states that “local planning authorities should also work collaboratively with private sector bodies, utility and infrastructure providers.”

Appendix B: Organisations and other bodies to be consulted when preparing the Community Infrastructure Levy (CIL)

The Community Infrastructure Levy Regulations 2010 (Part 15) defines the consultation bodies that a Charging Authority must engage with during the different stages of CIL preparation:

- County Council (note: there is no County Council applicable to West Berkshire)
- each Parish Council whose area is in the charging authority's area
- any other person exercising the functions of a Local Planning Authority (within the meaning of TCPA 1990) for an area within, or which adjoins, the charging authority's area.
- a responsible regional authority

The charging authority must also invite representations on the preliminary draft charging schedule from:

- persons who are resident or carrying on business in its area
- bodies which represent the interests of persons carrying on business in the charging authority's area
- voluntary bodies some or all of whose activities benefit the charging authority's area

Appendix C: Glossary

Term	Definition
Adoption	Formal approval by the Council whereupon a document achieves its full weight
Annual Monitoring Report (AMR)	Annual statement produced by the Council analysing the implementation of planning policies.
Council	In this context, the local planning authority; in this case West Berkshire Council. References to full Council are to the meeting of all elected members.
Development Plan Document (DPD)	A statutory document which is the primary consideration in determining planning applications. It is required to undergo public testing (examination before an independent inspector).
Examination	In this context the forum at which an independent inspector considers the soundness of a Development Plan Document (DPD), whether the DPD has complied with legal and procedural requirements and whether the Duty to Cooperate has been met.
Executive	The Council's lead decision making body comprised of elected members
Independent examination	See Examination above
Local Development Scheme (LDS)	The Council's timetable for the production of Development Plan Documents
"made available"	This may be in either electronic or hard copy format
Material consideration	A factor or document which can be taken into account in deciding a planning application.
National Planning Policy Framework (NPPF)	Sets out the government's planning policies for England and how these are expected to be applied
Parish Plan	Non land use five year vision produced by and for local communities which includes an action plan
Planning Inspectorate (PINS)	National agency which supplies independent planning inspectors.
Policies Map	Map showing policy areas on an Ordnance Survey map base
Public examination	See Examination above
Saved Plans or Policies	Development Plans or Policies which have been saved by the Secretary of State beyond their life span until they are replaced by a DPD or particular policy
Stakeholder	In this context an organisation or individual with an interest in local planning matters

Submission	Stage at which a prepared Development Plan Document (DPD) is presented to Secretary of State
Supplementary Planning Document (SPD)	A local development document (LDD) which does not have Development Plan Document (DPD) status but which is taken into account as a material consideration in the determination of planning applications.
Sustainability Appraisal (SA)	Sustainability appraisal is a tool which provides for the identification and evaluation of the economic, social and environmental impacts of a DPD throughout its preparation
Strategic Environmental Assessment (SEA)	Strategic Environmental Assessment (SEA) is usually undertaken in conjunction with a SA. Its purpose is to increase the consideration of environmental issues during the preparation of a plan by identifying significant environmental effects that are likely to result from the implementation of the plan or alternative approaches to the plan.