

**Ealing Council
LOCAL DEVELOPMENT FRAMEWORK**

**DRAFT
STATEMENT OF
COMMUNITY
INVOLVEMENT**

**for Public Participation
June 2005**

*How Ealing Council will consult local communities on planning and
development issues affecting the Borough*

Introduction

The planning system affects everyone's lives. Planning decisions determine where we live, where we work, where we take time out, how we get around, the heritage we protect, the places where we shop. For many people however, the planning system remains something of a mystery and of little direct interest most of the time.

The Planning and Compulsory Purchase Act, which came into force in September 2004, aims to change all that. Major changes to the system of planning for the development and use of land have been made, including a significant new emphasis on the involvement of communities in planning.

A key objective of the new planning system is to strengthen community input into plans and proposals for development of land in the borough. This means active, meaningful and continued involvement of local communities and stakeholders in planning processes.

How is this increased involvement to happen?

The purpose of this document, our draft Statement of Community Involvement (SCI), is to set out how and when Ealing Council will engage the community and other key stakeholders in the preparation and revision of its local plans and policies. It establishes who we will be talking to, and when this will be undertaken.

The SCI also explains how Ealing Council intends to involve the community in dealing with planning applications, including the role of developers in that process.

The SCI must set out the minimum requirements that are prescribed in the regulations. For planning applications, these will be the statutory consultation requirements set out in Article 8 of Town and Country Planning (General Development Procedure) order.

As our first SCI, this document will change over time, and in response to comments received from our stakeholders and local communities. Once it has been through the formal adoption process it will be regularly reviewed, and updated where necessary (see Section 12).

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Introduction

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1. Main Principles and Approach

Ealing Council is committed to improving the way in which it engages with the community on planning processes in the borough. Consultation and participation exercises relating to planning processes will be undertaken, as far as possible, in accordance with the Ealing Compact.

1.1 The Ealing ‘Compact’

The Ealing ‘Compact’ is a signed agreement between Ealing Council and the Ealing Community Network (ECN). It sets out shared principles and values underpinning relations between the local authority and the local voluntary and community sector. It includes specific commitments by Ealing Council and ECN with respect to engaging in consultation and partnerships, acknowledging and providing for equality and diversity, and providing for community participation.

The Compact is not a contract, but it is a clear statement of commitments and service standards which local voluntary and community groups, and the Council, can expect from one another. Partnership is at the heart of the Compact. The local authority and ECN have shared roles, and this is reflected in the number of joint commitments in the Compact.

Copies of the Compact are available from ECN or the Council.

1.2 The Statement of Community Involvement and its links with the Ealing Community Strategy and the Local Strategic Partnership

Ealing’s Community Strategy was prepared in June 2003 by Ealing Council, in conjunction with the Ealing Local Strategic Partnership (LSP). Ealing’s Local Strategic Partnership brings together many of the borough’s key public service providers, with business organisations and representatives of the voluntary and community sector. The Community Strategy aims to contribute to the achievement of sustainable development, and sets a long term vision for Ealing, along with some of the key long, medium and short term objectives to achieve this vision. Key themes of the Community Strategy, which are relevant to the SCI, include:

A strong and vibrant community - a cohesive community with strong community and voluntary organisations; active and committed individuals working on a voluntary basis within their communities; and a strong sense of citizenship

and engagement amongst everyone living and working in the borough.

Improved Partnership working – Public consultation, the participation of the voluntary and community sector and the involvement of service users will be key elements in the work of the LSP. Partners will work together to support and develop this area of work through its strategic initiatives, sharing best practice and setting standards.

1.3 Community Involvement in Planning

In relation to planning processes specifically, the approach, based on government policy and past experience, is to undertake community involvement which is -

1. Fit for purpose - based on a clear understanding of the needs of the community.
2. Based on the earliest possible involvement and sense of ownership of local policy decisions ('frontloading').
3. Accessible to the communities concerned – i.e. the right methods of involvement are used.
4. A continuing process, with opportunities for on-going involvement.
5. Transparent and accessible.
6. Properly planned.

Council wants to work in partnership with its community to deliver the new spatial planning framework. We want to deliver a Local Development Framework that reflects the local communities' and stakeholders aspirations for Ealing.

2. Preparing the SCI – The Consultation Process and Legal Requirements

As a document about community involvement and participation, the Draft Statement of Community Involvement is itself subject to a community consultation process, which is set out in the regulations. This draft SCI is now subject to a period of pre-submission public participation, which begins on 24 June and ends on the 23 September 2005. This encompasses a formal six week period comprising three weeks from the 24th June and three weeks to the 23rd September, with the normal summer holiday period in between. In practice, people will be able to participate in the process over the whole three month period.

During this period any person who wishes to have an input on the draft, can do so by sending their comments to the Council, using a representation form which has been prepared for this purpose.

Once the consultation period has finished, the Council will consider the responses received, and make changes to the document. A revised document will be submitted to the Secretary of State, at which time there will be a further formal consultation period of six weeks. Any representations which are received during this period, will be considered by an independent Inspector at a public examination, which is scheduled for early in 2006. Following the Inspector's report, which is binding on the Council, the SCI will be updated to reflect the Inspectors recommendations and then formally adopted.

The Council must comply with the minimum consultation requirements set out in the Town and Country Planning (Local Development) (England) Regulations 2004. Certain bodies must be consulted if the Council considers they will be affected by what is proposed to be covered in a Local Development Document. In the absence of an adopted SCI, a local planning authority can still produce Local Development Documents, provided that it complies with the minimum standards in the regulations.

Ealing has made a commitment to adopt its SCI as the first document in its Local Development Framework. The process for producing our SCI should be complete by March 2006. Following the adoption of this SCI, the Council will be required to demonstrate that the consultation processes set out in the SCI have been followed when preparing any other Local Development Document or assessing major planning applications. If this is not demonstrated satisfactorily, the Local Development Document will have to be withdrawn and a major planning application will potentially be capable of being challenged.

3. The Local Development Framework – Where does the Statement of Community Involvement fit in?

Under the new legislation, Ealing Council is responsible for preparing a local development framework (LDF) to guide development in the borough. This framework will progressively replace the adopted 2004 Unitary Development Plan.

Ealing's LDF will consist of a collection of documents including:

- **Development Plan Documents and Supplementary Planning Documents.** These are known collectively as Local Development Documents (LDDs) that set out planning policy and guidance. Ealing's local development framework will include a **core strategy, site specific allocations** and a **proposals map**. Ealing Council also intends to work with neighbouring boroughs in West London on a **Planning for Waste** document, and to produce additional local development documents by 2010.
- **Statement of Community Involvement** – this is the first draft of this document, and will set out precisely how the community will be involved and consulted on the other documents that we will prepare.
- **Annual Monitoring Report** – a document which will check progress against the Local Development Scheme and outline to what extent our policies are being achieved.

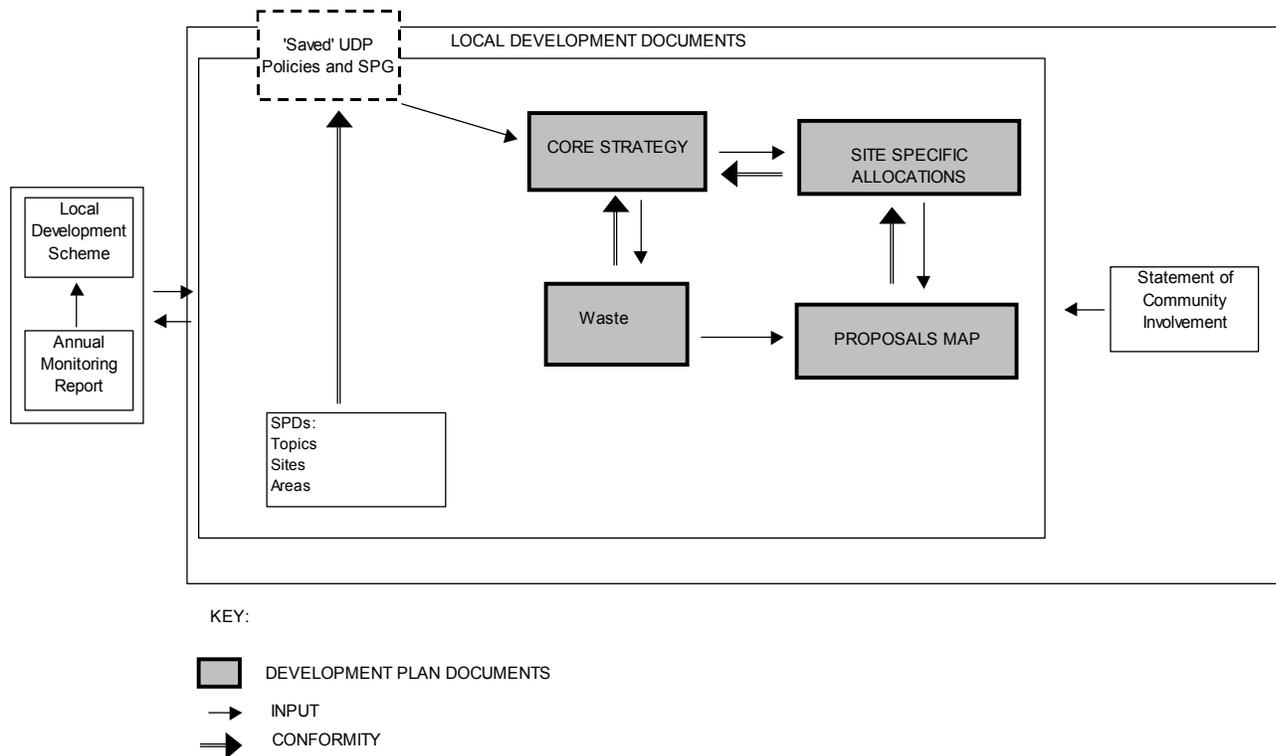
Other documents to be produced as part of the process will include:

- **Sustainability Appraisals**, including **strategic environmental assessment** of each LDD (except the SCI). This is a check on how far the LDF contributes to sustainable development. The appraisal will assess the social, environmental and economic effects of each of the development plan documents and supplementary planning documents. The community will be consulted on these appraisal documents.
- **Background documents** that will inform the production of LDDs. Examples of these include the housing capacity study, which is currently underway.
- **The Local Development Scheme** – This document outlines the Council's work programme in terms of delivering the various documents in the Local Development Framework. If you wish to find out more about the LDF and how to get involved, you should refer to this document first and foremost. The LDS sets out the subject matter of the various documents that will be

produced, the timescales for doing so, and the stages at which the public can most effectively get involved. There may of course be some variation in the scheme over time, and the Council is committed to publishing an updated version in March of every year. Our current LDS was published in March 2005 and is available on our website: www.ealing.gov.uk/planpol.

The way these documents relate to each other is illustrated in Figure 1. There is more information on each of the Ealing documents in our Local Development Scheme.

Figure 1: Documents in the Ealing Local Development Framework



The SCI also includes requirements in respect of consultation on planning applications. Section 8 of this document looks at the consultation processes for planning applications in more detail.

4. When can the Community get involved in the Planning Process?

Continuous community involvement and an ongoing dialogue with interested parties is a primary objective of the new planning system. There are two key stages of the planning process, where local communities can get involved:

- in the preparation of the new Local Development Framework, through participation and consultation on Local Development Documents; and
- in the consideration of planning proposals and applications received by the Council (including for Lawful Development Certificates, Conservation Area consents, Listed Building consents and Advertisement consents).

Section 9 of this document covers the process of community involvement in planning proposals and applications.

5. Consultation on Development Plan Documents

Each Development Plan Document that the Council prepares has to go through a number of stages, with consultation taking place at certain points along the way. The flowchart in Figure 2 outlines these stages.

The following process will be followed for each of the Development Plan Documents.

5.1 Stage 1 - Issues and Options

This stage is formally known as the “Pre-Submission Consultation” stage. It represents the first step in preparing the Development Plan Document. At this point, Council gathers evidence and information about the borough, in order to identify the area’s needs, opportunities and constraints. In other words, Council will be examining the “issues” and the “options” for dealing with them. The Council will involve groups and organisations to identify the range of issues, in order to develop a comprehensive information base.

The consultation process for the Development Plan Documents will be kick-started by the publication of an ‘Issues and Options’ paper designed to focus the debate and provide a starting point for discussion.

5.2 Stage 2 - Preferred Options Consultation

Having regard to the issues raised in Stage 1, the Council will set out its chosen way forward in a Preferred Options Report. This document will set out policy issues and our reasons for choosing our preferred options for addressing them. The document will also list the alternatives that were considered and suggest possible sites for development. This will be followed by a six-week consultation period, during which the public will be invited to comment on the Preferred Options Report.

The Council will consider all the responses it receives to this report and will have regard to them in preparing for the next stage, which is the submission of the Development Plan Document to the Government.

5.3 Stage 3 – Submission to Government

After taking account of the consultation on its preferred options, the Council will prepare the Development Plan Document and submit it to the Secretary of State for “independent examination”.

At the same time as the Council submits the document to the Secretary of State, it will make it available for public comment over a six-week consultation period. At this point, the public will have the opportunity to comment formally on the policies and proposals in the Development Plan Document.

5.4 Stage 4 - Further consultation on site allocations

Where Development Plan Documents include proposed development sites on which people will be invited to comment - they may suggest alternatives or changes to the sites. If any revised or additional sites are included as a result of this process, the new sites, together with any proposed boundary changes, will be advertised. A further six-week consultation period will then be held to allow further comment on the new, or changed, sites.

5.5 Stage 5 – Post-submission involvement

Once the Inspector has received the document, he/she will consider what sort of consultation and public involvement is necessary as part of his or her independent examination of it. The Inspector will look at how closely the process of preparing the Development Plan Document has followed the Council’s Statement of Community Involvement, and will check that the DPD is in general conformity with the London Plan. A date for the Independent Examination and any Hearing will then be set, usually within three months of the Planning Inspectorate receiving the document.

5.6 Stage 6 – Examination

Following the Independent Examination, the Planning Inspector will prepare a

report advising on any changes to the Development Plan Document which are considered appropriate. The Inspectors Report will be binding on the Council. Council must amend the Development Plan Document on the basis of this report. A six week period for legal challenge exists at this stage, after which the Development Plan Document can be formally adopted and incorporated into the Local Development Framework.

5.7 Consultation on the Sustainability Appraisal of the DPD

A key aim of the LDF is to contribute to the delivery of sustainable development. To ensure that this is achieved, the LDF will be subject to an ongoing Sustainability Appraisal (SA) process, incorporating the requirements of the European Union Directive on Strategic Environmental Assessment (SEA).

The purpose of the sustainability appraisal process is to appraise the social, environmental and economic effects of the strategies and policies in a local development document. This process forms an integral part of all stages of the Local Development Framework preparation and runs alongside the development of plan objectives, options and policies.

For Development Plan Documents, this process will include:

- A Scoping Report – this will be prepared at the pre-production stage (see Stage 1 as outlined above). The Council must consult the four SEA Consultation Bodies required by the SEA Directive (Countryside Agency, English Heritage, English Nature, Environment Agency), and other appropriate social and economic consultees.

Consultation will cover the scope of the appraisals and the key issues and possible options for solutions. Consultation at this stage helps to ensure that the SA will be comprehensive and robust enough to support the DPD during the later stages of full public consultation and examination.

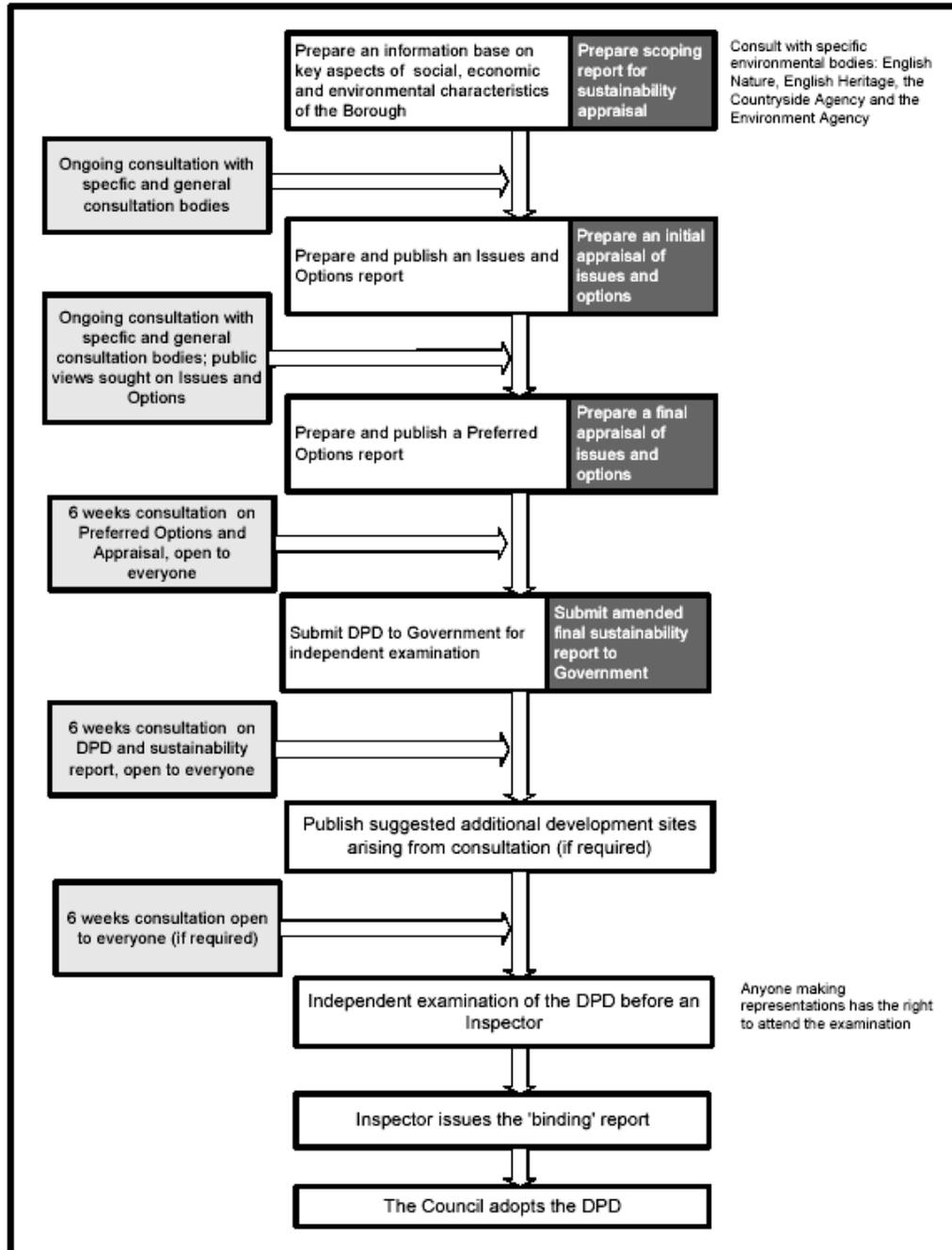
- Sustainability Appraisal – the appraisal itself will take place during the production stage. This will involve developing the SA through consultation with relevant stakeholders, and consulting on issues and options and an initial SA Report. Consultation on the final SA Report will be undertaken during the preferred options consultation stage (stage 2).

Consultation on the SA Report must comply with the requirements of the SEA Directive and requirements for consultation on the plan. The findings of the appraisal and any consultation responses will be taken into account by the Council, and the decision-making process documented.

Once the DPD has been adopted, Council will issue a statement summarising how the SA results and consultees' opinions were taken into account, the reasons for the options chosen (i.e. a particular policy approach or site

allocation), and proposals for monitoring, in relation to any recommended changes. The SA Report will be made available to the public and other stakeholders alongside the adopted DPD.

Figure 2: The Consultation Process for Development Plan Documents



Source: ODPM

The proposed methods that Council will use at each stage in the process to consult with the community, are outlined in Section 8.

6. Consultation on Supplementary Planning Documents

The aim of Supplementary Planning Documents is to explain and provide more detail on the policies and proposals contained in the Council's Development Plan Documents. The process for preparing them is similar, except that the Council does not need to produce a Preferred Options report, and the documents do not have to be submitted to an Independent Examination.

The Council is committed to involving the community in the production of Supplementary Planning Documents, although the level of involvement will vary from document to document. Ealing's Local Development Scheme sets out which Supplementary Planning Documents we will be preparing and when consultation on these documents will take place.

The Council will consider all the comments it receives on draft Supplementary Planning Documents and make any changes it feels are appropriate. It will publish a summary of the main issues raised and explain how they have been addressed. That summary will be available on the website and at the Council's Environment Services Reception and local libraries.

The final ("adopted") Supplementary Planning Document will include a statement explaining what consultation has been undertaken and how the Council addressed the issues raised by the consultation, together with a copy of the final Sustainability Appraisal statement.

The flowchart in Figure 3 sets out this process.

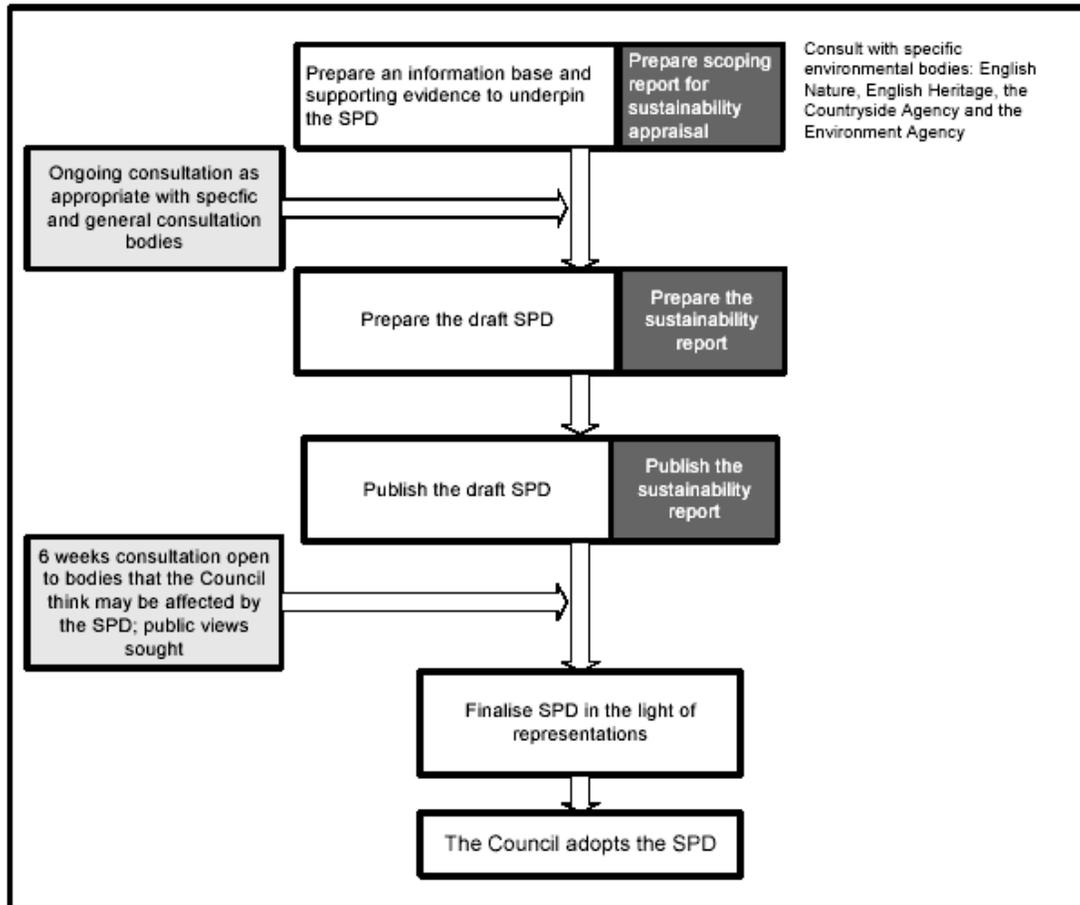
6.1 Consultation on the Sustainability Appraisal of the SPD

Sustainability Appraisal of the SPD is an ongoing process, and is also subject to public consultation. This includes:

- The preparation of a Scoping Report - which will be subject to consultation with a number of environmental authorities, as required by the Regulations. This takes place alongside preparation of the information base and supporting evidence for the SPD.
- A Sustainability Appraisal – which must be undertaken during preparation of the SPD. Council will consult with the public and statutory authorities on the issues and proposed options, as well as the initial SA report.

- Publication of a Sustainability Report - the report will accompany the draft SPD at the public participation stage and the public have an opportunity to comment on its content in representations to the Council.

Figure 3: The Supplementary Planning Document Consultation Process



Source: ODPM

7. Ealing's Communities and Stakeholders

In developing policy on land use and development, a wide range of groups of people and individuals need to be involved and consulted. The Regulations identify two groups that Council must consult; specific consultation bodies, and general consultation bodies.

Specific Consultation Bodies – these are agencies that are specifically identified in the planning regulations:

- Government Office for London
- Mayor of London (The Greater London Authority)
- Highways Agency
- London Development Agency
- Department of Environment, Food, and Rural Affairs – DEFRA
- Adjoining Local Planning Authorities – Brent, Harrow, Hillingdon, Hounslow and Hammersmith & Fulham
- The Environment Agency
- The Countryside Agency
- English Nature
- Historic Buildings and Monuments Commission for England (English Heritage)
- Strategic Rail Authority
- Telecommunications companies
- Strategic Health Authority
- Electricity and gas companies
- Sewerage and water undertakers

With regard to the Statement of Community Involvement, the statutory requirements are to consult the following bodies:

- Government Office for London
- Greater London Authority
- Adjoining Planning Authorities
- Highways Agency

General Consultation Bodies – these are other groups which cover the wide range of voluntary, community, special interest, amenity and business interests in the borough. The government has defined 'general consultation bodies' as voluntary organisations whose activities benefit any part of the authorities area, together with bodies representing:

- different racial, ethnic or national bodies in the authority's area;
- different religious groups in the authority's area;
- disabled people;
- business people.

As well as these groups, Council would like to involve as many local people and organisations as possible in drawing up the planning framework for Ealing. In particular, we are keen to engage those groups that have in the past been excluded from the planning process, those ‘hard-to-reach’ groups such as young people, ethnic minority groups, disabled people, those with special needs or others who might otherwise be excluded from the process. The SCI will need to be flexible enough to ensure that information not only reaches the right people, but reaches them in a way that allows them to respond to it.

The Council has identified the following groups that we feel should be consulted:

- The Local Strategic Partnership
- Transport for London
- Amenity and conservation groups
- Environmental groups
- Welfare groups
- Cultural organisations/groups
- Educational institutions
- Women’s/men’s groups
- Black and minority ethnic groups
- Housing interest groups
- Housing Associations
- Local businesses/business groups
- Local disability groups
- Local residents associations/groups
- Older people’s associations/groups
- Planning agents/consultants
- Religious groups
- Young peoples associations/groups
- Health care groups
- Other action/interest groups
- Gypsies/Travellers

The Council keeps a database of community contacts, and those who respond to planning consultation documents. Any person or any organisation can request to have their details added to the LDF Consultation Database. They will then be contacted as we progress with development of our various local development documents.

7.1 Engaging with ‘hard to reach’ groups

‘Hard to reach’ groups are often unable to participate effectively in planning processes when conventional consultation methods are used. ‘Hard to reach’ groups might include people from ethnic minority groups, people whose first language is not English, young people, children, older people, people with disabilities, travellers or gypsies, as well as people who lack the time or

resources to participate effectively. Some techniques that might be used to engage with hard to reach groups might include:

- Community Drop-In Clinics
- Translation/Interpretation service
- Community visioning events
- Use of other media such as text messaging and telephone hotlines
- Use of Plain English
- Holding consultation events at a range of times and venues
- Combining consultation with community events e.g. markets, fairs, meetings

The above methods and techniques may be suitable at different stages in the preparation of Local Development Documents and during consultation on planning applications.

Ealing Council recognises that active efforts are needed to encourage effective engagement of groups with limited experience of planning processes, or limited capacity to respond to formal consultation processes. Council also recognises that specific barriers to engagement may include language and cultural differences, physical, mental or sensory disabilities, childcare or dependency care responsibilities, lack of a permanent residence, lack of access to ICT, or economic disadvantage such as the cost of travelling to meetings. Where requested, Council can make copies of consultation documents available in large print, braille or cassette tape, or provide a translation or interpretation service.

Council will endeavour to avoid consultation exercises during school holiday periods, except where deadlines are set by external agencies or government. Council will also endeavour to avoid holding consultation events on major religious or cultural holiday dates.

Council also recognises the need to develop a diverse range of consultation and communication methods, beyond traditional written documents.

Council would like to discuss with the community what ideas they have about how to engage with 'hard to reach' groups or sectors of the community.

7.2 A Partnership Approach and Capacity Building

Chapter Four of the Ealing Compact sets out our joint commitments on 'Consultation and Partnerships' with the community, through the framework of the Ealing Community Network (ECN). It includes a commitment by ECN to 'work constructively with Ealing Council officers to plan and co-ordinate effective forward consultation and communication programmes'. ECN has also made a commitment to make its resources available to assist Council with its consultation programmes and to encourage voluntary and community

groups to respond to the Council's consultation documents and participate in consultation events.

In turn, Ealing Council has made a commitment to better co-ordination between departments, to avoid overload on local voluntary and community groups from an excess of partnership meetings, consultation activities and communication exercises.

Capacity building involves equipping members of the community with the resources and skills to participate effectively. An example of capacity building might include training community members to facilitate community workshops. With these skills, communities will be better able to express their concerns and participate more effectively in planning and community processes.

Ealing Council also recognises the specific role of umbrella bodies such as ECN and other groups in assisting consultation and communication, and will look to provide practical support and training where appropriate.

8. Ways in which Ealing Council will engage with the community

The Council intends to use a range of consultation mechanisms in the preparation of our Local Development Framework documents.

These mechanisms will range from the very formal statutory processes, to the very informal.

The benefits, method and resource implications of each consultation method will be considered, and presented in this SCI.

We will identify which types of involvement are appropriate for each document, and at which stage of its preparation. A description of how these methods will be applied will be included, to increase certainty for those involved in the process. We will undertake a similar exercise for consultation on planning applications.

As a starting point, the following table sets out the sorts of methods we are considering.

Table 1: Potential Methods of Community Involvement

Method	Considerations & Benefits	Type of Document
Documents made available for inspection at local planning authority offices during the prescribed consultation period.	A minimum statutory requirement. Documents under consultation will be available in the Ealing Libraries and the Environment Services Reception area for the public to view. These offices and documents are accessible to those with disabilities. This method is best for providing information to people without internet access at home.	<ul style="list-style-type: none"> ▪ Core Strategy ▪ SPD ▪ Site Specific Allocations ▪ Proposals Map ▪ SCI ▪ Sustainability Appraisals
Letters to statutory bodies (as listed in the Regulations)	A minimum statutory requirement. Statutory bodies will be identified as considered necessary, and consulted in writing. This is the most appropriate method for notifying statutory bodies. It may be helpful to include multiple documents in an LDF 'package'.	<ul style="list-style-type: none"> ▪ Core Strategy ▪ SPD ▪ Site Specific Allocations ▪ Proposals Map ▪ SCI ▪ Sustainability Appraisals
Internet (website) <i>Ealing Examples:</i> Planning Policy webpage: www.ealing.gov.uk/planpol Planning Services webpage: http://www.ealing.gov.uk/services/planning/planning+services/default.asp	A minimum statutory requirement. This method is useful in providing detailed information to all parties (both public and professionals). Documents produced as part of the LDF process will be published on the internet and e-mail comments will be invited. The website should be user-friendly and will include all relevant documents in pdf and Word format. This method is a useful means of providing feedback on consultation exercises.	<ul style="list-style-type: none"> ▪ Core Strategy ▪ SPD ▪ Site Specific Allocations ▪ Proposals Map ▪ SCI ▪ Sustainability Appraisals ▪ Reporting results of Consultation on DPDs
Media (local press, TV, radio, etc) <i>Ealing Examples:</i> 'This is Ealing' Ealing Gazette – planning application notices, statutory consultation notices	A minimum statutory requirement for some planning processes (public notices, statutory notifications). Options for using other media include interviews, media release for local newspapers and advertisements. This medium gets information to a wide audience and is useful in raising the profile of the LDF. It is useful throughout the consultation period, but advantageous early in the process.	<ul style="list-style-type: none"> ▪ All DPD documents ▪ Public notices on planning applications and appeals
Public exhibitions/ displays/stalls	This type of event should be held locally in an accessible venue, at various times, to encourage all sections of the community to attend. Material must be presented in a format that is easy to understand. A good medium for providing information and allowing the community to state their views. Resource-intensive as material cost is high and moderate-high staff time required. May be more feasible if initiated and resourced by the applicant.	<ul style="list-style-type: none"> ▪ Major Planning Applications ▪ Core Strategy ▪ Site Specific Allocations ▪ Proposals Map

Method	Considerations & Benefits	Type of Document
Formal written consultation/referenda/ community surveys and leaflets/brochures.	These methods can be a good introduction to the main issues, and can be used to inform a large number of people. Responses are helpful in identifying the key interests and groups. Often this is the most cost-effective method of providing information to a large number of consultees. Multiple documents could be provided in an LDF 'package'. This should be sent out as early as possible in the consultation period. Consultation may be focused around a number of key questions.	<ul style="list-style-type: none"> ▪ Planning Applications ▪ Core Strategy ▪ SPD ▪ Site Specific Allocations ▪ Proposals Map ▪ SCI ▪ Sustainability Appraisals
One-to-one meetings with Stakeholders Drop-in clinic type meetings	One-to-one meetings can be held with those stakeholders most affected by the document/proposal under consultation. They are useful as a means of obtaining in-depth comments regarding the document, resolution of potential issues, and achieving alignment with other strategies/aspirations. Meetings are resource intensive, as they often require senior staff involvement, together with expectation that commitments will be made and fulfilled. Thought needs to be given to suitable locations, timing and number of invitees.	<ul style="list-style-type: none"> ▪ Planning Applications ▪ Core Strategy ▪ SPD ▪ Site Specific Allocations ▪ Proposals Map
Public meetings/ area meetings <i>Ealing Examples:</i> Area Committees	A useful method for informing a large group of people at one time and receiving feedback. Area meetings are especially appropriate for area-based policies (they are not used to discuss planning applications). Independent facilitation of these events is sometimes appropriate. This is a resource intensive method, as meetings must be well advertised and well managed in order to be most effective.	<ul style="list-style-type: none"> ▪ Planning Applications ▪ Core Strategy ▪ SPD ▪ Site Specific Allocations ▪ Proposals Map
Focus groups <i>Ealing Examples:</i> Development Control User Group Ealing Planning and the Community Working Group Ealing Access Committee Central Ealing Working Group	Semi-structured meetings with a small group of representative participants. Consultation is used to obtain the opinion of the representative group of people on a topic, to assist in planning for a target group or the wider community. Provides an opportunity to explore issues in depth, however may need to be complemented by other methods.	<ul style="list-style-type: none"> ▪ Planning Applications ▪ Core Strategy ▪ SPD ▪ Site Specific Allocations ▪ Proposals Map
Pre-existing panels, forums and design teams <i>Ealing Examples:</i> Ealing Conservation Panels Ealing Urban Design Panel	Can provide a forum for the Council to provide information and canvass professional opinion on proposed documents or policies. For example, Ealing's Conservation Panels assist Council in formulating policies and providing design guidance for Conservation Areas. Material cost is usually low and staff time moderate.	<ul style="list-style-type: none"> ▪ Planning Applications ▪ Core Strategy ▪ SPD ▪ Site Specific Allocations ▪ Proposals Map

Method	Considerations & Benefits	Type of Document
Workshops (interactive): e.g. 'enquiry by design' and 'planning for real' exercises	This type of event is likely to be held for key stakeholders and community groups, providing an opportunity to bring those groups together and establish key issues and solutions. Workshops are useful for focusing discussion around difficult issues and key themes. The format of the workshop can be modified to suit the circumstances of the consultation exercise. Significant preparation is required to allow for a structured approach and reporting back to the participants shortly after the event. This method is resource intensive as material costs and staff time is high.	<ul style="list-style-type: none"> ▪ 'Issues and Options' consultation on DPDs ▪ Large Scale Planning Applications
Steering/advisory group <i>Ealing Examples:</i> Ealing LDF Steering Group	Mechanism for getting key internal and external stakeholders involved in overseeing or acting as a sounding board for the production of local development documents or development of large scale sites. This provides a forum for focussed discussion that will progress the document/development and provide options or guidance for resolving issues being considered. Material cost and staff time low.	<ul style="list-style-type: none"> ▪ Core Strategy ▪ SPD ▪ Site Specific Allocations ▪ Proposals Map ▪ Sustainability Appraisals ▪ Large Scale Planning Applications

9. Consultation on Planning Applications

An important element of the Statement of Community Involvement is the Council's approach to consultation on planning applications.

In the SCI we need to identify which types of community involvement are appropriate for which types of planning application (i.e. full planning or householder applications, Lawful Development Certificates, Conservation Area consents, Listed Building consents and Advertisement consents), and at which stage in the application process, i.e. pre-application, application and post-application. The level of consultation that will be required will vary from application to application, depending on the scale and nature of the development, and the extent of the impact on the community of what is proposed.

Council feels that it will be appropriate to establish, in consultation with the community, a set of criteria or thresholds for determining the types of sites which are sensitive to local development pressures, and the types of application which would be the subject of wider community interest; and which should therefore be subject to wider community consultation. However in doing so, we need to recognise the limits of Council's resources, the needs and aspirations of local community groups and the statutory timeframes for assessing planning applications. The nature of the consultation required will usually be better defined following discussion with planning officers at the pre-application stage.

The Government has recommended that a three tiered approach to consultation is adopted for significant applications, where development is controversial, or not fully in accordance with the policies in the Unitary Development Plan (Unitary Development Plan 2004) / Local Development Framework (LDF). The recommended approach set out in government guidance 'Creating Local Development Frameworks – A Companion Guide to PPS12' is reproduced in Figure 4. The guidance also suggests the types of consultation that might be appropriate for each 'tier'.

Ealing Council would like to use this opportunity to develop, in consultation with the community, a set of 'consultation criteria' by which to allocate planning applications to the appropriate tier. The nature of the 'tiers' may also change following discussion with the community.

Figure 4 – Proposed Methods of Community Involvement in Planning Applications

Approach	Tier 1: applications where there are issues of scale and controversy, or are contrary to/out of line with local development framework policy ⁴⁴	Tier 2: applications broadly in accordance with the local development framework but raising controversial issue or detail ⁴⁵	Tier 3: applications of a scale or on a site for which authorities require wider community involvement. Also, applications that fall within sites that are 'sensitive' to development pressures.
Public meetings	✓		
Public exhibition	✓	✓	
Surgeries	✓	✓	
Development briefs	✓		
Workshops	✓		
Enquiry by design and/or planning for real	✓	✓	
Citizen panels	✓	✓	✓
Consultation panel	✓		
Towns/parish councils	✓	✓	✓
Media	✓		
Website	✓	✓	✓
Planning aid	✓	✓	✓
Local architectural or design panel	✓	✓	

Source: ODPM 'Creating Local Development Frameworks – A Companion Guide to PPS12

9.1 Consultation by the Applicant

It is very important that the applicant engages with the Council at the pre-application stage. The objective of pre-application discussions should be to confirm whether the principle of development is acceptable, and to clarify the format, type and level of detail required to enable the authority to determine an application. Council strongly encourages developers to engage with the community at the pre-application stage. The Council should be included in this engagement. This ensures that the proposal benefits from community views from the beginning. It may also prevent objections from being made later in the process.

The applicant will be advised by Council to undertake consultation with the community which is appropriate to the scale of development proposed. Pre-application discussions will establish the level of consultation which the Council considers suitable, in line with the guidance that is outlined in this document. This will help to identify key issues at an early stage.

On many small scale applications, the applicant will not need to undertake pre-application consultation with the community. The consultation process undertaken by the Council would be sufficient.

When significant developments are planned it is important that Council can discuss these fully with the applicant and the developer before the application is submitted. In some cases the application will be so significant that the Mayor of London and/or the Government Office for London (on behalf of the Secretary of State) may also wish to be informed of the proposal. The Secretary of State cannot get involved in any pre-application or post-application meetings however, because of their quasi-judicial role in the planning process.

9.2 Pre-Application Consultation by Applicants

The extent to which pre-application consultation undertaken by a developer can be taken as contributing to any requirements of the SCI will depend upon a number of factors, including:

- The extent and scope of pre-application discussions with Council and the wider community;
- The extent to which the developer has undertaken consultation in accordance with an agreed approach with Council;
- How transparent and inclusive the process is;
- The extent to which the process and outcomes of the consultation can be 'validated' by Council;
- The submission of a 'consultation' supporting statement with the application; and the degree to which potential problems and possible public objections, that were identified at the initial pre-application stages, have been addressed.

It should be noted that any pre-application consultation undertaken by the applicant is not a substitute for the statutory consultation that will be undertaken by Council following the submission of a planning application.

9.3 Publicising planning applications

Publicising planning applications is important because it gives people a chance to comment on proposals that may affect their quality of life in the future. Council aims to provide the opportunity for residents and businesses to comment on proposed developments that may have an impact on them.

The sort of publicity needed for each application will depend on the type of application. The Council will determine what is appropriate in each case. However, the Council is required to meet the statutory minimum requirements for consultation as set out in the Town and Country Planning (General Development Procedure) Order 1995 and its amendments.

9.4 Written Notification

Neighbours and other affected parties are notified of planning applications by a written letter. The consultation period runs for 21 days from the date of the letter of notification. During the 21 day period, any person can submit written comments on the application to the Council. Any comments made will be considered by the Council in assessing the application. Council has a Code of Conduct which it applies in determining who to notify for particular types of applications. This code is included at Appendix 1.

9.5 Site and Public Notices

Certain applications will require greater notification than is provided through notification by direct correspondence. In these cases, further advertisement of the proposed development may be undertaken through site or public notices.

When a planning application is received, a site notice may be placed on or close to the application site, advertising the details of the proposed development. Site notices are displayed for at least seven days and people have 21 days to respond. (Site notices are required for certain types of development, in accordance with the Regulations, although some wider interest applications may also be advertised in this way). The current practice is that public notices are published on a Friday, in the Ealing Gazette, and that site notices will be erected by the Friday that the application is advertised in the newspaper.

9.6 Finding out more about individual planning applications

The Council publishes a weekly list of all planning applications that are received. Anyone can access this list via the internet (see below), or by a weekly email alert. Some people have requested to have this list posted to them, and Planning Services provide this service. The list is also available to view at the Council's Planning Services Reception.

Plans of proposed developments can also be viewed at the Planning Services Reception (currently at 22/24 Uxbridge Road, Ealing). The office provides guidance and information on what needs planning permission, what happens to planning applications once they are received, Conservation Areas and Listed Buildings and appeals. The office also holds a register of current planning applications. A duty planner is on hand to answer enquiries. This service is currently available during the hours of 8.30am to 4.30pm, Monday to Friday.

9.8 Determining Planning Applications

Most applications are determined by officers under delegated powers, but some are determined by the Planning Committee. The Council gives an opportunity for public speaking at this Committee. Currently, anyone who has commented on an application has the right to request to speak against an application when the Committee considers it, but only one person will be given this right. If more than one person or group requests to speak at the Committee, Council will normally request that the various individuals or groups elect a representative to speak on their behalf. If the various interested parties cannot decide amongst themselves, then the Council will use a lottery system to determine who will be given the right to speak. This person must register their intention to attend the Committee meeting with the Committee Clerk by 5pm, two working days before the date of the Committee meeting. If a person speaks against an application, the applicant has a right to respond. The Committee Agendas, Reports and Minutes are available to view online at:

<http://www.ealing.gov.uk/services/planning/planning+services/default.asp>

9.9 Member Involvement

The Council has drawn up a code of conduct for elected members in relation to planning matters. The Code sets out the standards of practice for both Planning Committee members and others. This code is available from the Council. Members are expected to abide by this code at all times.

9.10 Feedback on planning applications and decisions

If a member of the public chooses to make a representation on a planning application, the Council will deal with this in the following manner.

Firstly, the officer's report will set out the representations that have been received, and what the Council's response is to those issues. Where a case is to be heard by the Planning Committee, Council will write to anyone who has made representations to advise them of the date of the Committee meeting, and how they can address the Committee. Following the Committee meeting, Council will write to anyone who has made representations on an application, to inform them of the decision.

The following information is made available to the general public on the Planning Services website:

<http://www.ealing.gov.uk/services/planning/planning+services/default.asp>

- A weekly list of all applications received by the Council, together with a search function for accessing earlier applications.
- A list of items to be considered at the next Planning Committee (the Committee Agenda), together with the officer reports on these applications, that will be heard at Planning Committee.
- A weekly list of all applications determined under delegated powers (those applications not heard by the Planning Committee).
- A list of all the planning notices placed in the local newspaper.

As set out above, Council also advertises information and decisions on all planning and enforcement appeals in the local newspaper, currently the Ealing Gazette.

9.11 Amendments to Planning Applications

Where amended plans are submitted in respect of a planning application that the Council is considering, consultees will be re-notified in accordance with the scale of the amendment. The minimum notification requirements are set out below.

Major Amendments to Planning Applications

Where a major amendment is submitted, all neighbours that were consulted on the original application, standard consultees and any additional consultees that might be identified, will be notified by written letter. Site notices and press notices will not be repeated. A new 14 day consultation period will commence from the date of the notification letter, and details of the amended application will be updated on the Planning Services website.

Minor Amendments

The Council has an established *Code of Practice for Minor Amendments to Planning Permissions*. This Code sets out how Ealing Planning Services will deal with minor amendments, so that both applicants and their agents, as well as other interested parties, including neighbours, can understand the basis for any decision. A copy of this code is available from the Planning Services Department. For very minor amendments, no formal notification will be undertaken.

9.12 Appeals

The Council's decision to refuse planning permission or other approval, to grant planning permission subject to conditions, or the Council's failure to determine an application within the statutory period can be appealed, but only by the applicant. Applicants will be required to make any appeal within a six month period from the decision date on their application, or in the case of a decision not being made within the appropriate time frame, the expiry of that decision date. Everyone who was consulted on the original planning application will be advised that an appeal has been received and told how they can make their views known.

Notifications of planning appeals are made in accordance with the statutory requirements. Notification is made to:

- All the people notified of the original planning application;
- Any persons that have made representations on the planning application;
- All ward councillors;
- Internal and external consultees; and
- The Chair of the Planning Committee.

10. Reporting Back on Local Development Documents

This section of the SCI sets out how Council will deal with representations which are received from the community during the preparation of local development documents. It also sets out how we will report back on changes made as a result of any community involvement.

Ealing Council recognises that an essential element of public participation is feedback to those who respond, reporting back on the outcomes resulting from their input. Council is committed to informing the community about the results of consultation.

Results will be communicated in a timely manner, however the actual period of time between the event and reporting back will vary, depending on the complexity, scale, and interest associated with the consultation programme. Council will aim to publish the results within 2-3 months of the close of the consultation period, before the political reporting process (for adoption of supplementary planning documents or submission of development plan documents to examination) is complete.

Discussions with key stakeholders will form the basis for drafting development plan documents for the consultation period. All stakeholders involved in these discussions will be notified of the availability of the draft document on the date that the consultation period commences.

10.1 Feedback on Consultation on Local Development Documents

Following each public consultation stage, the Council will respond to the representations received in the following ways:

- Allocate each respondent a unique reference number and log the representation in a database.
- Write to each respondent to acknowledge receipt of their representations.

- Give full consideration to all of the representations received and engage in further discussions where this will assist the Council in developing the Development Plan Document. Council may contact consultees where necessary to clarify any points raised.

- Investigate any issues, options and points raised by the consultation process.

- Prepare a report summarising the representations received, and the Council's response to these. The report will be considered by the Cabinet Member for Planning and Transport, and by the Cabinet Local Development Framework Committee. It will also be made available on the Council's website (www.ealing.gov.uk/planpol) and at the Council's Environment Services Reception, and in all borough libraries.

- Notify all consultees by either email or letter, to explain where and when the report on the outcome of the consultation process will be made available. All consultation response forms will include an option to receive the report by email or to be sent to a postal address.

10.2 Publicity

Local newspapers and the Council's website will be used to advertise the following events during the Local Development Framework preparation process:

- Notification of pre-submission public participation on a draft Development Plan Document and related information;

- Notification of the submission of a Development Plan Document and related information to the Secretary of State;

- Notification of public participation on a draft Supplementary Planning Document and related information;

- Notification of the Independent Examination on Development Plan Documents;
- Publication of the Inspector's Report;
- Adoption of a Development Plan Document or Supplementary Planning Document;
- Withdrawal of a Development Plan Document or Supplementary Planning Document;
- Direction by the Secretary of State to change or not to adopt a Development Plan Document;
- Call-in of a Development Plan Document by the Secretary of State prior to adoption.

11. Resource Implications

Where possible, Council will co-ordinate consultation efforts with other divisions of Council, and will phase consultation on the various local development documents to run at the same time, in order to reduce demands on the community, and to make best use of Council resources. Ealing Council will also work with Ealing Community Network where possible, to co-ordinate consultation and communication exercises with the voluntary and community sector.

Ealing's Local Development Scheme (LDS) sets out the timetable for production of the various documents that make up the Local Development Framework. Consultation processes must fit within the deadlines set out in the LDS. These commitments have been agreed with the Secretary of State, and must be complied with in order to secure Ealing's Planning Delivery Grant allocation.

The scale of the consultation undertaken will therefore reflect the resources available for the consultation process in terms of staff resources and funding, as well as the timeframes set by our LDS. The resources available will be set through Council budgeting processes. Most of the consultation work on the LDF will be the responsibility of the Planning Policy Team.

12. Keeping the Statement of Community Involvement up to date

The Statement of Community Involvement will be reviewed as appropriate, and as is required, based on our joint working experiences and feedback from the local community and stakeholders. Changes may be required to reflect changing best practice, in order to manage community and stakeholder expectations more effectively, or to address specific problems or concerns which are raised through the joint working processes that we engage in. The Council's Annual Monitoring Report may also raise issues which will require the SCI to be amended in light of the findings in the report.

13. Where to go for Further Information

Ealing Council Contacts

If you have any questions regarding any of the information contained in the Draft SCI, or any related matter on the Local Development Framework, you can contact the Planning Policy Team by any of the following methods:

Planning Policy Team
Ealing Council
Perceval House
14/16 Uxbridge Road
London W5 2HL
020 8825 5428
planpol@ealing.gov.uk
www.ealing.gov.uk/planpol

Translation/Interpretation Service

If you would like a copy of this publication in large print, braille or cassette tape, or a translation or interpretation of this publication in community languages, please contact the Planning Policy Team on 020 8825 5428.

Independent Advice

Planning Aid for London is a voluntary planning organisation which provides information, training and assistance on a range of planning issues. Free, independent advice is available to community groups. Contact details are provided below:

Planning Aid for London
Unit 2
11-29 Fashion Street
London E1 6PX
Tel. 020 7247 4900
Info@planningaidforlondon.org.uk
www.planningaidforlondon.org.uk

Appendix 1: Code of Practice for Neighbour Notification on Planning Applications

CODE OF PRACTICE FOR NEIGHBOUR NOTIFICATION

Type of Development	Notification
1. Householder	
(a) Developments to the side of property (including roof alterations).	<ul style="list-style-type: none">▪ Neighbours in two properties on each side of the development site boundary (including those to the rear of the property). Neighbours opposite and at least the two closest properties; plus for flats, other neighbours within the property.
(b) Development to rear of property (including roof alterations).	<ul style="list-style-type: none">▪ Neighbours in two properties on each side. Neighbours backing on to rear in two closest properties (more in corners).
(c) Developments to front of property (including roof alterations).	<ul style="list-style-type: none">▪ Same as (b) above.
(d) Boundary fencing.	<ul style="list-style-type: none">▪ Neighbours on development boundary.
(e) Vehicular access.	<ul style="list-style-type: none">• Neighbours in two properties on each side and properties directly opposite.
2. Residential	
(a) Conversions.	<ul style="list-style-type: none">▪ All immediately adjoining properties and neighbours in two properties one each side, (including those to the rear of the property), and neighbours opposite in 3 closest properties, plus those in property itself if appropriate.
(b) Conversion and extensions.	<ul style="list-style-type: none">▪ Same as 2(a)
(c) New residential development.	<ul style="list-style-type: none">▪ Same as 2(a) and if new access to residential development is separately located from the main development site, neighbours opposite the access point in the 3 closest properties will also be consulted.
(d) New residential development (over 5 units)	<ul style="list-style-type: none">▪ All adjoining properties neighbours. Three properties on each side of the development site, including any new access points.▪ Neighbours opposite the development site (and new access points) in the 3 closest properties.▪ Neighbours in properties within 50 metres of the development site (measured building to building).

- | | | |
|----|---|--|
| 3. | Re-developments, Erection of Buildings, Structures and Physical Development on, over or under land | ▪ Same as 2(a) above. |
| 4. | Changes of Use | ▪ Same as 2(a) above. |
| 5. | All other Extensions and Alterations | ▪ Same as Householder notification principles. |

Procedure Notes on Neighbour Notification

- (a) This Code of Practice defines a **minimum** neighbour notification. Wider consultation will be at the discretion of the case officer in agreement with his/her line manager.
- (b) By the term 'Neighbour', it is meant current occupier whether or not owner of property.
- (c) The code always refers to 'Neighbours' in the plural in order to ensure that the intention is to notify all those occupiers on neighbouring land which may be divided up into separate properties/units.
- (d) If the development site is divided up into separate properties/units, neighbour notification should also include their notification.
- (e) Neighbour notification will be on the basis of best reasonable knowledge. Notification letters will ask the first recipients to kindly pass the letter/notification information on to other known occupiers.
- (f) A notice should be posted on or adjacent to the site and advert placed in the local press for all sites of wider interest and those in conservation areas, listed buildings, or as required by other legislation.

Planning Policy Team
www.ealing.gov.uk/planpol
Ealing Council

