

Statement of Community Involvement

**Adopted
August 2012**



Contents

1	Introduction	1
2	General Principles	2
3	Local Planning – General Policies	9
4	Local Plans	16
5	Supplementary Planning Documents	20
6	Planning Applications	24
7	Glossary	32

1.0 Introduction

- 1.1 This document sets out how the Council intends to engage with communities through the planning process. This includes the preparation of new local plans and Supplementary Planning Documents, and procedures for consulting the public on the planning applications we receive.
- 1.2 The Localism Act 2011 introduced the ability for town and parish councils in Mid Devon to draw up their own neighbourhood plans which can add detail beyond the strategic elements of the district council's local plans. They can allocate land for development and include policies to control development. Town and parish councils in Mid Devon can now also prepare neighbourhood development orders and community right to build orders. They are all subject to a similar process to the Council's local plans but a referendum is required before they can come into force. In accordance with planning legislation, the Statement of Community Involvement does not include a policy on neighbourhood planning. However, the Council has a duty to support neighbourhoods in the preparation of their plans, and may set out procedures or intentions for this outside of the Statement of Community Involvement.
- 1.3 The preparation of a Statement of Community Involvement is required under Section 18 of the Planning and Compulsory Purchase Act 2004. The existing Statement was adopted in February 2007, under Regulations that have since been replaced. This revised draft has been written to reflect the current legislation, including the provisions of the Planning Act 2008, Localism Act 2011, The Town and Country Planning (Local Planning) Regulations 2012 and the National Planning Policy Framework. The Council is legally obliged to comply with its Statement of Community Involvement, once it is adopted.

2.0 General Principles

- 2.1 The Council will balance wide involvement in planning processes with the need for efficient and effective operation of the planning system. This difficult balancing act will reflect the level of resources available to the Council, the level of discretion that the Council has over a particular decision and likely social, environmental and economic impact of the policy or proposal under consideration. It therefore sets the following objective for community involvement in planning:

The Council will manage an efficient, effective, responsive and sustainable planning process that works in partnership with others to encourage the development of active, sustainable communities.

- 2.2 Mid Devon District Councillors are an important part of this process, acting as community representatives and decision makers. The Councillors help to provide a link between the planning service and the community. While some planning applications may be determined by the Planning Committee, new planning policies in local plans or other policy matters are debated by a Councillor led Planning Policy Advisory Group, which makes recommendations to the Council's Cabinet.

- 2.3 The achievement of the Council's objective for community involvement will be based on a number of general principles, which apply to the consultation process on local plans, Supplementary Planning Documents and planning applications. The following policies set out these principles and their justification.

SCI/1 Education

The Council will provide literature, training and ad-hoc advice to increase general understanding of the planning system.

- 2.4 The planning system, including dealing with planning applications and production of Development Plans, involves processes that can appear opaque or convoluted from the outside. Promoting involvement must rely on those involved understanding the planning process and how they can influence it. It is therefore important that the Council uses every opportunity to enhance that understanding.
- 2.5 Different approaches to this education will be required, depending on the audience. The Council will target those most heavily involved, particularly town and parish councils and other voluntary or community groups regularly involved in planning issues, with training and presentations to keep them up to date with the latest issues and developments. The provision of leaflets and information on the Council's website will be aimed at promoting a more general understanding by the public. The Council will seek to use the expertise of voluntary and other groups where this helps.

SCI/2 Equal Opportunities

The Council will seek to give all individuals an equal opportunity to get involved and express their opinions in the planning process. It will:

- a Make relevant documents available free for viewing and downloading on the Council's website, and paper versions for sale at a reasonable cost;
- b Use plain and clear language in planning documents, explaining the meaning of technical or legal terms where these are unclear;
- c Provide documents in alternative formats where necessary;
- d Make special efforts to involve groups that are underrepresented in consultation responses.

- 2.6 Planning decisions affect the whole community, both positively through the provision of jobs, houses and services, and the protection of valued environments, as well as negatively. However, some groups and individuals may feel discriminated against and therefore it is important to promote equality of opportunity and combat unfair treatment and unlawful discrimination. The Council acknowledges the importance of equal opportunities in planning and is committed to openness and fairness in its service to the public.
- 2.7 The Council will adopt an inclusive approach to community involvement ensuring as far as possible all sections of the public can be involved in plan preparation or planning application processes. Anyone who may have a role or have an interest in the plan-making process will be given full opportunity to get involved. No one will be unfairly discriminated against or receive less favourable treatment on grounds of race, colour, ethnic or national origin, sexuality, gender, disability, age, religious beliefs or social class.
- 2.8 All documents will be written in plain and clear language, aimed at being understood by non-planning professionals. Jargon will be avoided and glossaries will be included to explain the necessary technical terms. The layout and design of documents will seek to provide visual interest and clarity.
- 2.9 People with particular requirements will not be overlooked. Documents in other formats will be available where necessary, for example, large print, audio or translation in other languages.
- 2.10 The Council will take additional steps to engage groups who do not normally become involved in the planning process, for example, young people and minority groups. The respondents to consultation on the existing Statement of Community Involvement clearly showed a skew towards the older age groups. Less than 2% of the respondents were under the age of 35. The Council will strive to engage these groups in the plan-making process and to reflect their specific needs within available resources. For example, the Council will work with the Local Strategic Partnership and voluntary organisations for help engaging young people or minority groups such as gypsies and travellers.

SCI/3 Early Involvement

The Council will promote the earliest possible consultation with and involvement of interested parties, and promote consensus solutions where possible, subject to any limitations imposed by:

- a Process time constraints;
- b Planning policies and strategies;
- c The statutory planning aim of promoting sustainable development.

- 2.11 The Council believes that the earlier interested parties are involved in planning discussions, the more likely it is that consensus can be found. It therefore will promote early consultation on its own planning documents and on planning applications.
- 2.12 However, it is accepted that such a consensus cannot always be found, such is the controversial nature of some planning issues and proposals. Where conflicting views cannot be resolved, the Council will take into account the various points of view, and will aim to take a balanced decision based on the full facts.
- 2.13 There may be limitations on the possibility of early consultation, and on the range of solutions which can be pursued. For instance, where there are statutory or other time limits on decision-making, this will limit the opportunity for consultation. However, these limitations do not imply that the minimum standards for consultation will not be met. In addition, it is important that consultation does not raise impossible expectations. Accordingly, where there are clear planning policies these should be set out at the beginning of the process.

SCI/4 Access to Information

The Council will ensure easy access to its information in accordance with the Freedom of Information Act 2000 and the Data Protection Act 1998. Information and comments provided to the Council during planning involvement will be made publicly available, unless there are specific and justifiable reasons for it to be confidential.

2.14 Good access to information is fundamental to public involvement. This will help the public understand the issues and form a basis for discussion or debate. The Freedom of Information Act 2000 and the Data Protection Act 1998 are the two information related Acts. The Environmental Information Regulations 2004 also require the Council to make environmental information available. The Council will ensure information is held and made accessible to the public in accordance with these two Acts and the Regulations.

SCI/5 Fitness for Purpose

The level of consultation on a planning issue will be “fit for purpose” to reflect:

- a The extent of its social, economic and environmental impact;
- b Any time limits on a decision; and
- c The extent of available consultation resources.

2.15 Developments with a limited impact are likely to be uncontroversial, while major proposals or significant policies will be of interest to a wide audience. It is important that involvement is “fit for purpose” and does not prevent or delay appropriate development unduly. Therefore, the consultation on a planning decision will reflect the implications of that decision. For example, a planning application to extend an unlisted dwelling outside a Conservation Area, with only a minor or local impact, will need only limited consultation. By contrast, proposals for substantial housing development may have a widespread and significant effect on the locality, requiring considerable public involvement.

2.16 Many planning decisions, whether on a planning application, or in the preparation of a local plan, are subject to legal or other time pressures. Consultation processes must be designed to conform to such timetables.

2.17 Consultation is a resource-intensive process, in terms of staff time, consultation material and possibly external consultants. The Council has limited resources to provide a wide range of services. The limitation of resources may act to limit the involvement methods. However, these limitations do not imply that the minimum standards for consultation will not be met.

- 2.18 Apart from the resources within the Council, there are external resources available for planning matters, for example, South West Planning Aid provides free, independent and impartial advice on town planning matters to community groups and individuals who cannot afford professional fees. It is part of the Royal Town Planning Institute, a charity and the professional body for planning. It has paid staff as well as a strong volunteer network. South West Planning Aid can prepare communities for their involvement with local authorities and the development plan process (e.g. through advice and training). It also provides help and support on planning applications. More information can be found at www.planningaid.rtpi.org.uk

SCI/6 Feedback

The Council will consider all comments received as a result of consultation exercises, and will set out public responses to issues raised when decisions are made, informing all respondents.

- 2.19 Feedback provision is important to public involvement. Providing feedback to respondents creates an interactive process and prevents cynicism about future involvement. The Council aims to build consensus solutions where possible, subject to the achievement of planning policies and principles and time constraints. This is set out in policy Sci3.
- 2.20 In order to encourage wide community involvement in the plan-making process, the Council will give feedback on comments received during consultations. For planning applications feedback will take place through officer reports rather than through direct responses. Reports will be available through the Council's public access system. Anyone who makes comments on any draft local plan or Supplementary Planning Document will be included in our consultation database and be kept informed at subsequent stages of the plan preparation process. This will include reporting back to those making comments on the Council's decisions and where appropriate the Inspector's recommendations.

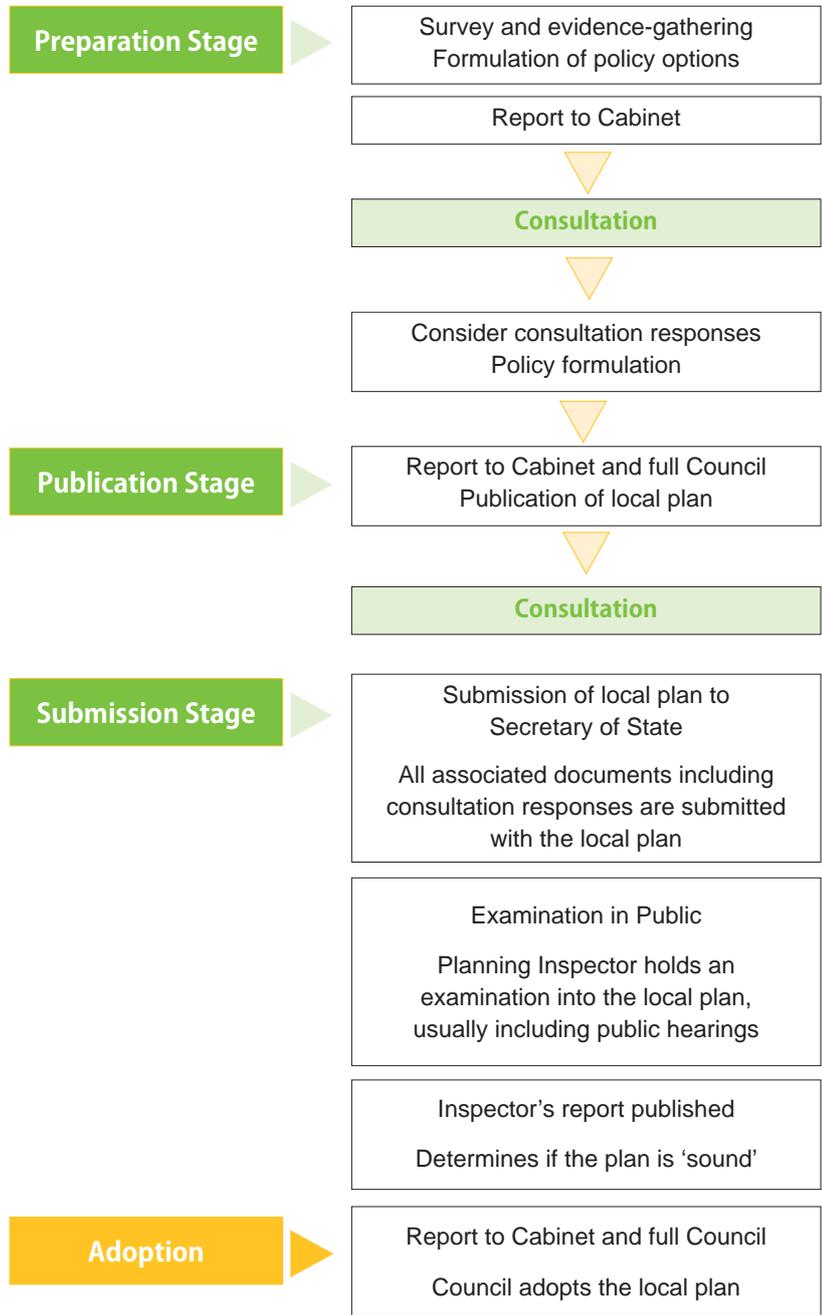
SCI/7 Monitoring and Review

The Council will regularly monitor the effectiveness of community involvement in the planning process and use the results to review policies and practices. If indicated as necessary the Council will review the Statement of Community Involvement.

- 2.21 Monitoring forms an integral part in plan-making as it provides a mechanism for ensuring that requirements have been met, and allows for review and improvement. The Council publishes its monitoring report in December, setting out how the council's planning policies have been implemented for the previous financial year and whether it has achieved the milestones set out in its Local Development Scheme. The SCI will be reviewed and updated when a need is indicated in the monitoring report.

3.0 Local Planning - General Polices

- 3.1 The Planning and Compulsory Purchase Act 2004 introduced the Local Development Framework (LDF), which includes a series of documents designed to guide development in the area. Local plans (also known as Development Plan Documents) set out strategic planning policy, land allocations for development, and detailed policy on development management and allocated sites. Supplementary Planning Documents provide additional detail on any environmental, social, design and economic objectives that help to achieve sustainable development.
- 3.2 The LDF contains not only planning policy documents but also the monitoring report, the Statement of Community Involvement, and the Local Development Scheme. The contents of the LDF are set out in a document called a Local Development Scheme. This contains a timetable for production of local plans and other documents as appropriate.
- 3.3 Consultation requirements are set out within the Town and Country Planning (Local Planning) (England) Regulations 2012. A summary of these requirements is set out on pages 11 and 12 for information. To understand the full legal requirements please refer to the published regulations. It is the role of the Statement of Community Involvement to provide an approach to public involvement tailored to the local area by supplementing these.
- 3.4 The Mid Devon Local Plan (or parts thereof) will go through clear stages of preparation and scrutiny. A simplified illustration of the process is shown overleaf.



3.5 Regulation 18 (preparation of a local plan) requires consultation with:

- Various “specific consultation bodies” (essentially statutory national and local organisations) that are affected by the subject matter of the local plan.
- Any of the “general consultation bodies” (essentially any body interested in the social, economic or environmental development of the district) considered appropriate.

The Council must make all relevant documents available, including a ‘statement of the representations procedure’. Documents must be made available for inspection at the Council’s principal office and elsewhere as appropriate (e.g. local area offices and public libraries) and on the Council’s website.

The Council must take into account any representations received.

3.6 Regulation 20 (representations relating to a local plan) involves a six week consultation process.

3.7 Regulation 22 (Submission of documents and information to the Secretary of State) requires the Council to submit to the Secretary of State all associated documents including the sustainability appraisal report, submission policies map and a comprehensive statement on the consultation that has taken place, including copies of the representations received. The Council must then make these documents and the local plan available for public inspection, give specific notification to the people who made representations and to anyone else who has requested to be notified at this stage.

3.8 Regulation 23 (consideration of representations by appointed person) requires that any representations on the submitted local plan received in the six-week period must be considered by the Inspector who carries out the examination.

3.9 Supplementary Planning Documents go through the following stages:

- Pre-production survey and evidence gathering.
- Public participation seeking comments on a draft of the SPD.
- Adoption the Council considers all comments received and adopts the SPD, whether amended or not.

- 3.10 The regulations set the following minimum involvement requirements for Supplementary Planning Documents:
- 3.11 Regulation 12 (Public Participation) requires that there is a minimum four week public participation period before which the Council must prepare the following:
- Consultation statement identifying bodies consulted, summary of main issues raised and how those issues have been addressed in the Supplementary Planning Document.
 - Details of how representations should be made and by what date.

The Council must make the Supplementary Planning Document available for inspection at the Council's principal office and elsewhere as appropriate (e.g. local area offices and public libraries) and on the Council's website.

- 3.12 Regulation 14 (adoption of supplementary planning documents) requires the Council to make the Supplementary Planning Document publically available as soon as reasonably practicable after it is adopted, along with an adoption statement, and send a copy of the adoption statement to anyone who asked to be notified of adoption.

SCI/8 Duty to Cooperate

The Council will cooperate with neighbouring local authorities and other relevant public bodies on strategic planning matters.

- 3.13 The Localism Act 2011 introduces a Duty to Cooperate on strategic planning matters that are 'larger than local'. The Council will cooperate with its neighbouring local authorities and public bodies as defined in The Town and Country Planning (Local Planning) (England) Regulations 2012. Strategic planning priorities for cooperation are further defined in the National Planning Policy Framework as follows:

- The homes and jobs needed in the area
- The provision of retail, leisure and other commercial development
- The provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat)
- The provision of health, security, community and cultural infrastructure and other local facilities
- Climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape

SCI/9 Document Availability

The Council will make local plans and supplementary planning documents widely available. They will be:

- a Placed on the Council's website for viewing and downloading;
- b Deposited at Council offices and public libraries within Mid Devon during consultation periods;
- c Sold at a price reflecting their production cost;
- d Provided free to parish and town councils and on request to other statutory consultees and local voluntary organisations.

- 3.14 The Council will use its website to provide the opportunity for everyone to view and print copies of any document within the LDF. Consultation documents, approved policy documents and other papers of planning interest will be made available to download.
- 3.15 Copies of all local plans and supplementary planning documents, as they are produced, will be available for inspection during normal office hours at: Mid Devon District Council Main Office, Phoenix House, Tiverton
Credon Area Office at Market Street, Credon
Public libraries within Mid Devon (Bampton, Credon, Cullompton, Tiverton, Uffculme and the mobile library).

- 3.16 Anyone wishing to purchase a paper copy of the plan will be charged a reasonable price. Parish and town councils will be sent a free copy. In the case of other statutory consultees and local voluntary organisations, free paper copies will be provided where requested. However, people are encouraged to use the website wherever possible.

SCI/10 Links with other plans and strategies

The Council will seek to co-ordinate the preparation and consultation processes of local plans and other relevant plans and strategies. Relevant planning consultation summaries will be shared with bodies preparing such plans, and the contents of such plans will be assessed for their spatial implications during the preparation of local plans.

- 3.17 The Local Government Act 2000 requires local authorities to produce Community Strategies to promote the economic, social and environmental well-being of their areas. The Mid Devon Sustainable Community Strategy was prepared by the Local Strategic Partnership in 2010.
- 3.18 The Planning and Compulsory Purchase Act specifically pinpoints the connection between the LDF and the Community Strategy to achieve sustainable development. The LDF is seen as one of the key mechanisms for delivering the spatial implications of Community Strategy objectives. Parts of the Community Strategy have spatial aspects that can be addressed through the planning system (for example, housing, economy, community safety, rural access and the environment.).
- 3.19 During any future review of the Community Strategy, the Council and its partners in the Local Strategic Partnership will seek to link consultation on any relevant document within the LDF with the Community Plan. For instance, summaries of local plan consultation responses will be provided to the Local Strategic Partnership, and conversely, the results of Community Strategy consultations on matters relevant to spatial planning issues will be used as evidence in the preparation of local plans.
- 3.20 Parish Plans, neighbourhood plans and other local strategies will also influence the contents of planning documents and will form part of the LDF evidence base.

- 3.21 The Council has produced its Corporate Plan for 2012-2015. Any review of the Corporate Plan may affect the contents of planning documents.

Sustainability Appraisal and Strategic Environmental Assessment

- 3.22 Under the Planning and Compulsory Purchase Act 2004 a Sustainability Appraisal (SA) is mandatory for all local plans. The planning authorities must also conduct a Strategic Environmental Assessment (SEA) to fulfill the requirement of the European Directive (2001/42/EC) on Strategic Environmental Assessment. Neither of these requirements apply to the Statement of Community Involvement. Both assessments aim to provide information on potential sustainability implications of proposed policies for decision-making.
- 3.23 The Council will combine the SA and SEA into one assessment process and produce one combined report. The SA/SEA report will be published alongside the corresponding local plan.

4.0 Local Plans

- 4.1 The Council will consult a range of stakeholders on all local plans and Supplementary Planning Documents. Technical guidance from other organisations such as the Environment Agency or Natural England may be sought specifically, and will carry significant weight. In more general terms the Council will publicise its plans and seek to engage the community in the planning process through a wide range of methods. The Council will create opportunities for all sections of the community to contribute to the planning process and have a real say in the shaping of Mid Devon.

SCI/11 Local Plan Preparation

The Council will prepare a report setting out the subject, scope and potential content of a local plan. Relevant stakeholders will be invited to comment on what the local plan ought to contain. The Council will use direct contact methods to consult the following stakeholders:

- a Relevant specific and general consultation bodies
- b Parish and town councils adjoining or within Mid Devon
- c Residents or other persons carrying on business in the area, who are registered on the Council's Forward Planning consultation database and have requested to be notified

The Council will publicise the local plan to notify all other stakeholders, using the following methods:

- i) Press release
- ii) Newspaper notice
- iii) Information on the Council website
- iv) Public exhibitions
- v) Public meetings if requested by town and parish councils
- vi) Site notices when development allocations are proposed
- vii) Specific methods for underrepresented groups

The Council's report will be made available for public inspection at Council offices and public libraries within Mid Devon.

In preparing the local plan, the Council will take into account any representation made in response to this consultation.

- 4.2 The Council will seek to understand the policies and priorities of a range of stakeholders in order that these can be reflected in the local plan if possible. If necessary, the Council will meet with interested parties to discuss proposals for the local plan. Should the Council consider it necessary when considering strategic planning matters, specific and general consultation bodies and those who have made representations will be invited to attend workshops in which particular issues will be debated in detail. Direct contact will be made by letter, email or other such communication. As a minimum, these will give details of the location of documents on the Council's website. Specific methods will be made to reach underrepresented groups. These could include attendance at relevant community group meetings or forums, and publicity of local plans via social media.
- 4.3 To be taken into account, representations must be made in writing and include the sender's full name and postal address. The Council will comply with Policy SCI/4 of this document, to ensure appropriate data protection. Comments made during the course of workshops will be gathered and summarised by the Council, then taken into account as the plan progresses.
- 4.4 Public consultation does not commence until the Council's Cabinet has considered the report on the proposed local plan and approved it for consultation. When a local plan proposes the allocation of specific sites for development, the Council's Cabinet will hold separate meetings in Tiverton, Crediton, Cullompton and Bampton to discuss the sites relevant to that area.

SCI/12 Local Plan Publication

The Council will publish the local plan before it is submitted to the Secretary of State for examination, to enable interested parties to make formal representations on its contents. The following consultation methods will be used:

Direct contact with:

- a Relevant specific and general consultation bodies
- b Parish and town councils adjoining or within Mid Devon
- c Residents or other persons carrying on business in the area, who are registered on the Council's Forward Planning consultation database and have requested to be notified

General contact methods to notify all other stakeholders, using the following methods:

- i) Press release
- ii) Newspaper notice
- iii) Information on the Council website
- iv) Public exhibitions
- v) Public meetings if requested by town and parish councils
- vi) Site notices when development allocations are proposed
- vii) Specific methods for underrepresented groups

The local plan will be made available for public inspection at Council offices and in public libraries within Mid Devon.

- 4.5 When a local plan proposes the allocation of specific sites for development, the Council's Cabinet will hold separate meetings in Tiverton, CREDITON, Cullompton and Bampton to discuss the sites relevant to that area.
- 4.6 If the Council approves the local plan at this stage, there is a formal period of consultation followed by submission to the Secretary of State. Any representations received at this stage are submitted to the Secretary of State along with the local plan, Sustainability Appraisal and all other relevant documents. The Inspector who will hold the examination into the local plan must take account of public and other opinion in judging whether the plan is sound.
- 4.7 The Inspector will determine the procedure to be adopted at examination, subject to the right to attend and be heard. Informal hearing sessions may be held over several days or weeks. When all matters have been considered the Inspector will prepare a report. The Council must publish the Inspector's recommendations as soon as reasonably practicable after receiving the report, and notify anyone who has requested to be notified at this stage. The Council must make the local plan and associated documents available for public inspection once the plan has been adopted.

5.0 Supplementary Planning Documents

SCI/13 Preparation of Draft Supplementary Planning Document

A report will be prepared setting out the subject, scope and potential content of a Supplementary Planning Document. Relevant stakeholders will then be invited to comment on what the document ought to contain. Direct contact methods will be used to consult the following stakeholders:

- a Relevant specific and general consultation bodies
- b Parish and town councils adjoining or within Mid Devon
- c Residents or other persons carrying on business in the area, who are registered on the Council's Forward Planning consultation database and have requested to be notified

Site-specific Supplementary Planning Documents will also be publicised as follows:

- i) Press release
- ii) Newspaper notice
- iii) Information on the Council website
- iv) Public meetings if requested by town and parish councils
- v) Site notices
- vi) Specific methods for underrepresented groups

In preparing the Supplementary Planning Document, the Council will take into account any representation made in response to this consultation.

- 5.1 This is an informal stage of consultation, primarily aimed at gathering evidence and information before a Supplementary Planning Document is produced. A Supplementary Planning Document often builds upon more strategic policies in a local plan, providing detail on the Council's environmental, social, design or economic objectives for development. At the evidence-gathering and research stage, consultation is targeted towards those who are known to have technical expertise, relevant knowledge or have asked to be notified of any new Supplementary Planning Documents. Direct contact will be made by letter, email or other appropriate means. Site-specific Supplementary Planning Documents will receive additional publicity due to the direct effect they may have on a particular neighbourhood. When a development brief or masterplan is being considered for an area within Mid Devon, early community involvement is to be encouraged. In addition to the methods listed in Policy SCI/13, the Council will consider whether further measures such as leaflet-dropping, exhibitions or workshops are warranted. The level of consultation will be proportionate to the likely impact of the plan.

SCI/14 Publication of Draft Supplementary Planning Document

The Council will prepare a draft Supplementary Planning Document and make this available to view on its website and in public libraries and district Council offices. The following consultation methods will be used:

Direct contact with:

- a Relevant specific and general consultation bodies
- b Parish and town councils adjoining or within Mid Devon
- c Residents or other persons carrying on business in the area, who are registered on the Council's Forward Planning consultation database and have requested to be notified

General contact methods to notify all other stakeholders, using the following methods:

- i) Press release
- ii) Newspaper notice
- iii) Information on the Council website
- iv) Public meetings if requested by town and parish councils
- v) Site notices when a site-specific document is proposed
- vi) Specific methods for underrepresented groups

The Council will take into account any representation made in response to this consultation.

- 5.2 There is only one formal consultation period for a Supplementary Planning Document. It is therefore important that the draft document is clear about the proposals which are likely to be approved. In order to ensure that those involved in the previous consultation are made aware of how their comments have been dealt with, a report will also be prepared setting out the consultation results and how these have influenced the draft Supplementary Planning Document.
- 5.3 Consultation will be carried out using a mixture of direct contact and general publicity, with additional measures to reach underrepresented groups, which could include attendance at relevant community group meetings or forums, and publicity of local plans via social media. Site-specific Supplementary Planning Documents will receive additional publicity due to the direct effect they may have on a particular neighbourhood. When a development brief or masterplan is being considered for an area within Mid Devon, early community involvement is to be encouraged. In addition to the methods listed in Policy SCI/14, the Council will consider whether further measures such as leaflet-dropping, exhibitions or workshops are warranted. The level of consultation will be proportionate to the likely impact of the plan.
- 5.4 To be taken into account, representations must be made in writing and include the sender's full name and postal address. The Council will comply with Policy SCI/4 of this document, to ensure appropriate data protection. Comments made during the course of any site-specific workshops will be gathered and summarised by the Council, then taken into account as the final Supplementary Planning Document is produced.

6.0 Planning Applications

Summary of planning applications processes

- 6.1 A planning application is an application to the Council for the development of land and may include changes in use and extension to property. Applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. Applications can be made as follows:
- Outline; to establish the principle of development. Outline applications can only be made for the erection of buildings.
 - Full; all details of the application should be submitted when the application is made.
 - Approval of Reserved Matters; details submitted following the grant of outline permission
- 6.2 There are other forms of consent considered by the Local Planning Authority, such as Listed Building and Tree Preservation Order consents. These are not covered by the Statement of Community Involvement.
- 6.3 The Council has an adopted 'Scheme of Delegation' to exercise all the powers of the Council as a Local Planning Authority to determine certain planning applications that do not need to be referred to the Planning Committee.
- 6.4 Amendments and variations – an amendment may be made to an application for planning permission before consent has been granted, provided that (i) it is of a very minor nature and would not need re-advertising or re-consulting, or (ii) it is of a minor nature and any consultation or re-advertising could be conducted within the timeframe for determination of the application. Where re-consultation is required, neighbours and those who have made objections or representations on an application may be notified, depending on the significance of the changes to be made. In cases where changes are material and are likely to have an impact a new application would normally be required. Amendments and variations can also be made once planning permission has been granted. A non-material amendment is for very minor changes and will not require neighbour notification. Minor material amendments can be made via a 'variation of condition' application and in this case neighbour notification must be undertaken.

- 6.5 Section 106 Obligations are binding legal agreements between the Council, developers and sometimes others associated with a grant of planning permission. They relate to matters linked to the proposed development, for example contributions toward public open space, affordable housing and education or infrastructure works to highways, sewage works or flood defences. The Community Infrastructure Levy introduces an alternative system for infrastructure provision outside of a development site. Section 106 agreements will still be used for onsite matters such as public open space and affordable housing.
- 6.6 There are legal minimum requirements for publicity on planning applications, set out in The Town and Country Planning (Development Management Procedure) (England) Order. These require publication on the Council's website and that a site notice is published and/or neighbours are notified directly (dependant on the type of planning application). In some cases, such as for major developments, an advertisement is required in the local newspaper. Section 122 of the Localism Act 2011 has amended the Town and Country Planning Act 1990 to require applicants to carry out pre-application consultation where a proposed development is of a description specified in a development order.
- 6.7 Pre-application discussions can significantly reduce the length of time it takes to determine a planning application, allowing for potential barriers to development to be identified early and addressed if possible. The level of consultation required will vary with the significance of the proposal and the likely impact. The Council is committed to seeking consensus solutions where possible, subject to planning policies and principles. It is proposed to set up a three tier approach to planning applications relating to their scale. The following two policies set recommended pre-application approaches depending on the scale and nature of the proposal.

Major Applications

- 6.8 Major developments are proposals containing a minimum of:
- For residential developments: 10 or more dwellings, or a 0.5 hectare site area; or
 - For non-residential developments, 1000 sqm gross floor area or a 1 hectare site area.

SCI/15 Major Applications Pre-Application Consultation

- a Promoters of development proposals which would fall into the category of major applications (unless they are clearly of a non-controversial or straightforward nature) are strongly recommended to contact the Council at least 12 months before they expect to make an application to discuss the contents of their proposal and agree any necessary public involvement methods. Scheme promoters will be expected to resource the necessary surveys and consultation procedures.
- b The Council will recommend to the promoters a level of local pre-application consultation, which reflects the scale, complexity, controversy, and policy/sustainability issues raised and the sensitivity of the area to change. It will offer assistance in carrying out such consultation as appropriate and subject to the availability of resources.
- c In the most significant cases, the Council may advise promoters to prepare a Development Brief as a Supplementary Planning Document, in accordance with the procedure in policies SCI/13 and SCI/14. The Council will work collaboratively with promoters on the preparation of any development brief. In cases where a Supplementary Planning Document is not considered necessary, the following methods of local involvement on pre-application proposals may be appropriate:
 - i Newspaper Notice
 - ii Press Release
 - iii Public meetings if requested by town and parish councils
 - iv Individual or group discussions
 - v Public exhibitions
 - vi Site notice
 - vii Specific Methods for affected underrepresented groups
 - viii Summary leaflets
 - ix Response forms
 - x Letters to specific landowners/residents.
- d The scheme promoter will need to submit a document outlining the nature and results of this public consultation exercise for consideration with the planning application.

- 6.9 Pre-application discussion is a good way for the scheme promoter to confirm the principle of development and clarify the supporting information required by the planning authority. Pre application consultation by promoters for some applications is now required under the Town and Country Planning Act 1990 as a result of the Localism Act 2011.
- 6.10 Early public involvement in a scheme is beneficial to applicants, especially on major or controversial development proposals. It facilitates the process as applicants can understand local concerns before submitting the formal application. Applicants will be in a position to negotiate and build consensus with the public on the development proposal to avoid objections and subsequent delay during the formal application stage.
- 6.11 The level of public involvement should increase with potential difficulties and controversy. This will allow for misunderstandings to be reduced, key areas of concern to be clarified and potential compromise solutions to be reached. In order to ensure that sufficient time is allowed for these discussions, promoters are strongly advised to approach the Planning Authority 12 months before they plan to submit an application. This will allow time to undertake any necessary surveys, discuss alternative approaches and carry out appropriate local consultations. Where a major application is clearly uncontroversial or straightforward, then a shorter timetable is appropriate.
- 6.12 It will sometimes be appropriate to prepare a site specific Supplementary Planning Document (known as a Development Brief). Policies SCI/13 and SCI/14 apply. This will be for particularly major sites, where there are complex or contentious issues, or in other circumstances where a comprehensive examination of the issues is required. There are significant benefits to the scheme promoter from this approach, as the SPD once adopted will be a material consideration in the consideration of any planning application, carrying a significant commitment from the Council. A Supplementary Planning Document can only be prepared where it is in line with the policies of a local plan. Therefore, departures from the Development Plan cannot be treated in this way.
- 6.13 Where a Supplementary Planning Document would not be necessary or appropriate, it is nevertheless important that approaches to development are aired and public opinions gathered before any application is submitted. The policy sets out a range of possible measures. The Council does not necessarily endorse a proposal by assisting in pre-application consultation.

Minor Applications

- 6.14 Minor applications are defined as any which are not a major application, a change of use or a householder application.

SCI/16 Minor Applications Pre-Application Consultation

Promoters of development proposals which would fall into the category of minor applications, are strongly recommended to contact the Council at least 3 months before they expect to make an application to discuss the contents of their proposal and agree any necessary public involvement methods. Scheme promoters will be expected to resource the necessary surveys and consultation procedures.

- a The Council will recommend to promoters that they carry out local pre-application consultation where there is likely to be some controversy or the area is particularly sensitive to change. It will offer assistance in carrying out such consultation as appropriate and subject to the availability of resources.
- b The following methods of local involvement on pre-application proposals may be appropriate:
 - i Newspaper Notice
 - ii Press Release
 - iii Individual or group discussions
 - iv Public exhibitions
 - v Site notice
 - vi Specific Methods for affected underrepresented groups
 - vii Summary leaflets
 - viii Response forms
 - ix Letters to specific landowners/residents.
- c The scheme promoter will need to submit a document outlining the nature and results of this public consultation exercise for consideration with the planning application.

- 6.15 Minor applications are unlikely to raise issues of the scale and complexity of a major application, but they can be contentious in their own right. Accordingly, the Council may wish to recommend to scheme promoters that they consider some forms of public consultation before submitting. The Council does not necessarily endorse a proposal by assisting in pre-application consultation.

Other Applications

- 6.16 There are no specific policies for other applications, which are all of a minor nature. Applicants are recommended to talk informally to their neighbours before submitting an application. This will minimise refusals and the possibility of neighbour disputes.

SCI/17 Application Consultation

The Council will undertake the following on receipt of a planning application:

- a Consult all relevant statutory bodies once a planning application has been validated. Whilst 21 days will usually be allowed for a response, it should be noted that some bodies will be allowed a longer period of time to comment on applications where this is prescribed by legislation.
- b Consult relevant town and parish councils with a request for observations, allowing at least 21 days for a response. Adjoining parish and town councils will also be consulted on development proposals for:
 - i) wind turbines exceeding 10m height (to hub)
 - ii) ground-mounted solar arrays
 - iii) agricultural buildings over 500m² gross floorspace
 - iv) anaerobic digesters.
- c Publicise all planning applications by means of a notice posted on or near the site and/or write to notify immediately adjoining neighbours giving 21 days for response.
- d Publish a list of planning applications received in a local paper and on the Council's website.

- e Make copies of live applications and any supporting information available for inspection at the main Council office and provide copies for a small charge. Copies will also be made available for inspection at Crediton office for planning applications within Crediton and nearby parishes.
- f Keep a register of planning applications and decisions for public inspection at the main Council office.
- g The results of any consultation will be taken into account in decisions made by, and on behalf of, the Council.
- h Take account of written comments on applications.
- i Notify anyone making representations if the application is to be determined at the Planning Committee Meeting and make the agenda and reports for these meetings publicly available on the website prior to the committee.
- j Notify anyone making representations of the decision, and reasons, and publish the information on the Council's website.
- k When an appeal has been lodged against the refusal of a planning application or to remove or vary conditions the Council will notify those who have made representations on the application and advise them of the process for making further representations.

6.17 Once a planning application has been submitted, there is a limited time period within which a decision should be made. It is therefore difficult to carry out more than the minimum legal requirements on public involvement. This emphasises the importance of pre-application consideration and involvement on the more significant proposals. It should be noted that there is no requirement to specifically consult certain bodies where they have published standing advice detailing their requirements for proposed development.

- 6.18 The Council has an adopted 'Scheme of Delegation' to exercise all the powers of the Council as a Local Planning Authority to determine certain planning applications that do not need to be referred to the Planning Committee. Planning Committee meetings are public, and provide an opportunity for applicants, objectors and town/parish councils to make representations directly to the committee.
- 6.19 Policy SCI/17 applies only to applications for planning permission, when Mid Devon District Council is the Local Planning Authority responsible for determining the application. Express consent is not always required, and development or works may be subject to a prior notification procedure only. Policy SCI/17 does not apply to the following notification procedures:
- Agricultural or forestry development
 - Hedgerow Removal Notice
 - Telecommunications development
 - Demolition
 - Works to trees in a Conservation Area

7.0 Glossary

Allocations -

are proposals that a certain site or area of land should be developed for particular uses and/or buildings. They are shown on a Proposals Map, contained within the Local Plan or Local Development Framework. There will be a related policy setting out any parameters and criteria for the site, contained within the local plan.

Monitoring Report -

a document the Council produces annually, setting out how planning policies have been implemented for the previous financial year and whether it has achieved the milestones set out in its Local Development Scheme.

Community Plan (or Community Strategy) -

is a plan prepared by Local Strategic Partnerships, which include representatives from the Council, and aim to improving the social, economic and environmental well-being of the area.

Core Strategy -

a local plan which sets out the vision and strategy for the district and to which other local plans and Supplementary Planning Documents must comply.

Development Plan Document (DPD) -

a local plan which forms part of the Development Plan and is therefore a primary consideration in decisions on a planning application. It forms part of the Local Development Framework.

Development Order -

an order made under section 59 of the Town and Country Planning Act 1990 which either gives planning permission for certain kinds of development or allows Councils to grant permission if the provisions of an order are met

Development Plans -

are plans which set out policies and proposals for changes of land use, new buildings, changes to existing buildings and other proposals which require planning permission.

General Consultation Bodies -

are organisations with an interest in the social, economic and environmental development of an area, and which may be consulted on the preparation of local plans and Supplementary Planning Documents.

- Local Development Framework (LDF) -
a suite of planning policy documents which together cover the whole of a district (except for any areas within a National Park) and give comprehensive policy coverage at a detailed level. They include the Local Development Scheme, Statement of Community Involvement, local plans and Supplementary Planning Documents.
- Local Development Scheme (LDS) -
a project plan for the preparation of local plans.
- Local Planning Authority (LPA) -
is a council with planning powers. For most purposes, this is Mid Devon District Council, but Devon County Council is the LPA for minerals and waste.
- Local Plans -
are part of the Development Plan, covering the whole of a District (except for any areas within a National Park) and giving comprehensive policy coverage at a detailed level. They are also known as Development Plan Documents.
- Local Strategic Partnership (LSP) -
brings together public, private and voluntary groups to consider local needs and promote working together. The Mid Devon LSP prepares the Sustainable Community Strategy.
- Major Planning Applications -
are applications for residential development with a minimum of 10 dwellings or a 0.5 hectare site area, and planning applications for non-residential development with a minimum of 1000 square metres gross floor area, or a 1 hectare site area.
- Minor Planning Applications -
are planning applications which are not any of the following types: a major application, a change of use application or a householder application.
- Neighbourhood Planning -
Plans and Development Orders produced by parish councils or other designated neighbourhood forums with the support of the local community, including Community Right to Build Orders.
- National Planning Policy Framework -
was published in March 2012 and contains the Government's policies for encouraging sustainable development whilst protecting the environment in England. It has replaced the previous system of planning policy guidance notes and statements. Its provisions form the basis for all the Council's planning decisions and policy documents.

Other Planning Applications -

are change of use applications and householder applications.

Policy -

a written guideline or set of criteria which describes how the planning authority will deal with development proposals. They may relate to the whole district, or defined areas within the district and may be relevant to particular types of development or a range of developments. Policies contained within a local plan are the primary consideration for decisions on planning applications.

Primary Consideration -

planning applications are required by law to be determined in accordance with the Development Plan unless material considerations indicate otherwise. This means that when the local authority determines a planning application it will look at what Development Plan policies and proposals apply to a particular parcel of land or building and then see how closely the development proposal complies with the Plan. It will then consider other relevant issues (known as material considerations) and decide whether these are important enough to outweigh the policies of the Development Plan in that instance.

Proposals -

see Allocations.

Proposals Map / Adopted Policies Map -

a map showing the areas or sites to local plan policies and proposals apply.. It will contain Inset Maps, showing particular areas in more detail.

Registered Bodies -

for the purposes of this Statement, are individuals or organisations which have asked to be consulted on Local Plan and Supplementary Planning Document preparation, details of whom are kept on a Council register. They will include all relevant General Consultation Bodies.

Soundness -

is a term describing the tests against which a local plan will be assessed at the Examination.

Specific Consultation Bodies -

are the bodies defined in the Local Planning Regulations which must be consulted when a local plan is produced. They include parish and town councils, English Heritage and similar statutory bodies.

Statement of Community Involvement (SCI) –

a statement within the Local Development Framework that sets out the Council's policies for the public involvement in the preparation of Local Plans, Supplementary Planning Documents and planning applications.

Supplementary Planning Document (SPD) –

a document within the Local Development Framework that sets out more detailed policies in support of those contained in a local plan. It does not form part of the Development Plan, but is a material consideration on planning applications.

Sustainable Communities

are places where people want to live and work, now and in the future.

Sustainable Development –

is development which meets the needs of the present while not preventing future generations meeting their own needs. The sustainability of local plans must be assessed through Sustainability Appraisals and Strategic Environmental Assessment (SA/SEA).

Underrepresented Groups -

are groups that rarely get involved in planning processes, including young people, minority ethnic groups, people with disabilities, new residents, people on low incomes and people who have difficulty reading, writing and speaking English.

Useful Abbreviations:

CS	-	Core Strategy
DPD	-	Development Plan Document
LDF	-	Local Development Framework
LDS	-	Local Development Scheme
LSP	-	Local Strategic Partnership
SA	-	Sustainability Appraisal
SCI	-	Statement of Community Involvement
SEA	-	Strategic Environmental Assessment
SPD	-	Supplementary Planning Document

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