



Newark & Sherwood Local Development Framework

Draft Statement of Community Involvement

Statement of Consultation

February 2015

1 Introduction

1.1 This Statement of Consultation sets out how Newark & Sherwood District Council carried out consultation on the Draft Statement of Community Involvement (Draft SCI). A summary of all the comments received about the Draft SCI and the Council's response to these is included. This document has been written in accordance with Regulation 12 (a) of the Town and Country Planning (Local Planning) (England) Regulations 2012.

2 Consultation details

2.1 Consultation on the Draft SCI ran from 7th January 2015 until 17th February 2015. Twelve responses were received in total, including two which were submitted after the closing date of the consultation. Six of these responses were from specific consultees, three were from general consultees and three were from District residents.

2.2 The range of methods that were used to publicise the consultation on the Draft SCI included:

- Publishing the Draft SCI on the Council's website along with supporting documents, comments forms and information about the consultation;
- Contacting everyone on the Council's LDF consultation database by email or letter to inform them about the consultation, and how they could view the document and submit comments;
- Placing notices in local newspapers announcing the consultation and providing information about how to participate;
- Placing copies of the Draft SCI in libraries throughout the District along with supporting documents, comments forms and information about the consultation; and
- Using social media to make people aware of the consultation, and provide information about how to participate.

3 Summary of consultation responses

3.1 The table below sets out comments received about the SCI, the District Council's response and any actions that will be taken. Private individuals have been anonymised and some material not relevant to this consultation has not been included.

Respondent	ID	Comment	NSDC response	Proposed action
The Environment Agency	001	The Environment Agency has no comments to add.	Noted.	None.
Trent Valley Internal Drainage Board	002	Paragraph 3.6 table. Recommend that developers consult Flood Risk Management Authorities. Paragraph 3.16 Should drainage and flood risk be considered a material planning consideration. Appendix 4 Trent Valley Internal Drainage Board to be included in list of specific consultees.	Paragraph 3.6 – the table here is specifically about developers consulting with local communities, so the suggested amendment is not considered appropriate. Paragraph 3.16 – drainage and flood risk are material considerations and these can be included in the illustrative list, as the Trent Valley Internal Drainage Board considers that this would be beneficial. Appendix 4 – The Trent Valley Internal Drainage Board are specific consultees and they can be named in this appendix.	Paragraph 3.16 – a new bullet point will be added: ‘Environmental constraints including flood risk and water management’. Appendix 4 – The Trent Valley Internal Drainage Board will be included in the list of specific consultees.
Cromwell Parish Meeting	003	The Localism Act 2011 seeks to give more power to communities, so it seems perverse not to consider the level of any local opposition when considering a planning application. I would suggest that "whether a lot of other people have objected " should be removed from the list of excluded planning considerations and placed on the list of material planning considerations .This would make the SCI consistent with the legislation. How much weight is given to the level of public feeling will remain a matter for the planning officer or committee.	While the point that Cromwell Parish Meeting make is understood, it is beyond the remit of the SCI to alter what can be taken account of as a material consideration within the planning system.	None.
Collingham resident	004	Para 2.2 There is inadequate attention paid to ensuring that the reports, research papers etc	The Core Strategy has been subjected to examination in public by an	None.

	<p>supporting the LDF Documents are accurate, objective and reliable. These sources of information may be produced by agencies outwith the Council and wrongly assumed to be accurate, objective and reliable solely by virtue of the originators being deemed "expert". They are not yet adequately subject to challenge by Members, Officers, consultees or the public. An example of when this has adversely effected planning is the 2007 Tribal GTAA Report (itself surely due for review very soon). This work was clearly undertaken with a biased preconception as to its outcome and used fundamentally flawed methodology guaranteed to achieve that outcome. The report was subsequently used to establish flawed policy objectives in the Core Strategy as well as misguiding decision makers in individual planning applications. Para 3.3 All planning applications involving gypsy & traveller caravan accommodation sites should be required to receive pre-application verbal advice and comment before such applications will be accepted for formal consideration. This should still be the case even if the applicant uses an agent - the applicant should be present in person. The Planning Inspectorate recognises that this group often has difficulty engaging with the written word, as well as digital technology, to the extent that no appeal by this group is allowed to proceed by the submission of correspondence alone. Since NSDC receives a significant number of such applications, most of which go to appeal, it seems to me that a mandatory discussion with an Officer before the application is submitted would save all parties much time and expense.</p>	<p>independent Inspector and was found to be sound.</p> <p>All planning applications are considered on their own merits.</p>	
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District resident	005	<p>Regarding my comments on the Sci I feel that putting large housing projects in certain areas will put too much strain on small local services. Spreading housing for local people over the county in small as well as large villages would be a much better option. It seems ridiculous to overpopulated big areas and let small villages become unsustainable therefore, producing even more traffic as especially parents try and find the smaller schools for their children.</p> <p>I have a daughter with her partner who wishes to stay in the village she has spent her whole life in, yet when we tried to get a modest planning application through your planning policy we were turned down because our village is UNSUSTAINABLE. Despite having a very good primary school a busy schedule of events the young are not encouraged to stay here because of your planning policy. I would urge you to consider these points when consulting with your planners.</p>	<p>The spatial policies set out in the Core strategy are intended to facilitate sustainable development, as is the whole Local Plan. This is in line with national planning policy and guidance.</p> <p>Limited development in smaller villages within the District may be considered acceptable if the criteria of Spatial Policy 3 of the Core Strategy are fulfilled and other material considerations do not indicate otherwise.</p>	None.
Caunton resident	006	<p>The new Plan review is beginning and I'm happy to help with county planning, especially with affordable housing and young people's planning, mainly if they are local as we have a school to support and don't want to lose it.</p> <p>You cannot allow villages to fade away, so a small amount of building should be allowed by local people - for local people suitable to surroundings.</p>	<p>These comments are noted and welcomed. It is the policy of the District Council to permit some development in smaller villages if local need has been demonstrated and the other criteria of Spatial Policy 3 of the Core Strategy have been fulfilled, unless other material considerations indicate otherwise.</p>	None.
The Coal Authority	007	<p>I am pleased to see that The Coal Authority is on your list of 'Specific Consultees (Appendix 4 – Consultation bodies). However, having reviewed your document, I confirm that we have no specific comments to make on this document at this stage.</p>	Noted.	None.

Southwell Town Council	008	<p>Southwell Town Council notes that a considerable amount of work seems to have already been undertaken prior to this consultation which in itself seems to be contrary to the idea of 'Community Involvement'.</p> <p>The Town Council suggests NSDC engages with people at the start of any process to obtain their thoughts and then incorporate into any proposed consultation. A recent example of this being the process of community involvement undertaken when developing the Southwell Neighbourhood Plan.</p>	<p>The document being consulted on is an updated version of the existing SCI which was adopted in 2006. This new version represents a review of council procedure rather than an entirely new document and is in draft form. It is intended that comments made about this draft will be taken account of in the production of the finalised document.</p>	None.
English Heritage	009	<p>Thank you for consulting English Heritage upon the draft SCI. I confirm that we have no detailed comments to make.</p>	Noted.	None.
Farndon Residents Environment Group (F.R.E.G.)	010	<p>NB – The Farndon Residents Environment Group raised points and asked questions that were unconnected with the consultation on the draft SCI. These have not been included in this document and will be addressed by other means.</p> <p>Thank you for the opportunity to comment on this statement.</p> <p>We have been a group that has had a long engagement with you in the planning process – particularly the last 2 LDFs and the Newark Growth point.</p> <p>Overall the planning process is particularly difficult to follow as a non-expert group.</p> <p>We also attended the Regional Assembly and felt that</p>	<p>The supportive nature of these comments is welcomed. It is acknowledged that the planning system is complicated and members of the public can feel at a disadvantage when participating in it.</p> <p>The draft SCI sets out how planning officers in Newark & Sherwood seek to engage with local communities when forming planning policy and determining planning applications. The resources that are available are limited and it is not always possible to brief individual parishes and community organisations about every issue. Consultations and events need to be targeted so that they are most</p>	None.

	<p>our individual voice was overwhelmed by the battery of lawyers/experts attending on behalf of Developers/Councils.</p> <p>This statement now & your potential policy is important – you need to ensure Community opinion gets a voice that has EQUAL or better weighting against the interests of developers.</p> <p>I complement you on the recent restructure of your website, the key documents are now much easier to access and their relationship to each other and their position on the overall process has been made much clearer.</p> <p>Please be encouraged that generally we feel N&SDC have taken an enlightened approach to trying to engage Community opinion and to consult on recent new topics, such as Wind Turbines, through the SPD process.</p> <p>We intend these comments to be “constructive criticism”, as Cllr Blaney requested, to attempt to strengthen the process.</p> <p>This recent consultation is a welcome initiative as I feel there is still more you can do to make this process more accessible and to engage more meaningfully.</p> <ul style="list-style-type: none"> • There is a mass of detail – we encourage you to produce briefings by Parish - we work closely with Farndon Parish Council – we would like items specific to our 	<p>effective. Farndon Residents Environment Group have been consulted about all policy documents that make up the LDF (the Local Plan), and will continue to be consulted in the future. Their participation in the planning system will be facilitated as much as possible.</p> <p>While a range of methods are used to consult local communities, the publicising of material on the District Council’s website is a cost effective way to make information available.</p>	
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		<p>locale briefed to us more concisely.</p> <ul style="list-style-type: none"> • Publication on a website is NOT engagement. We wish to have more direct contact with your teams on items that concern us. Your document suggests, “consider organising exhibitions, briefing sessions, workshops or meetings”. We strongly support this. Is it not possible to attend Parish Council meetings, come to ours or schedule Parish public briefings when there is a planning issue with significant local impact? <p>As I am sure you can see we are a group passionate about our local Village Character and its environment. We have an understanding and history of engagement with the planning processes. We have a respect for what you do and a desire to engage with you more directly. We welcome your initiative to improve the level of Community engagement. We look forward to feedback on these comments and to seeing how you improve the level of local engagement.</p>		
Nottingham Trent University	011	<p>It is our view that important providers of education including NTU should be added to the list of main consultee groups in paragraph 2.10 of the SCI. The University has an important educational, social and economic role in the district, and is a major landowner in the area.</p> <p>Accordingly, NTU should also be added to the list of specific consultees in Appendix 4 of the SCI.</p>	<p>Specific consultees are defined under regulation 2 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and Nottingham Trent University does not meet this definition.</p> <p>Representatives of Nottingham Trent University are included in the list of general consultees.</p>	None.

<p>Southwell Civic Society</p>	<p>012</p>	<p>The Society welcomes the draft document and is in broad agreement with the proposals put forward. However there are a few comments we would like to make, in particular the right for persons other than parish Councillors to make a verbal contribution at Planning Meetings.</p> <p>Clause 1.9 - We understand that the word “general “ should be added to the first sentence.</p> <p>Neighbourhood plans must be in “general” conformity with existing national and local policy, and compatible with EU obligations and human rights requirements.</p> <p>Clause 3.6 - In the table, middle column first paragraph should be amended to remove “ nearby” and replace it with “having sight of the turbine” as follows :-</p> <p><i>A developer must: Publicise the proposal widely enough that most people living or using premises nearby having site of the turbine will be aware of it;</i></p> <p>The effect of a turbine will, because of it’s height not only affect properties nearby but also those much further afield.</p> <p>Clause 3.7 – We welcome this clause as there are</p>	<p>It is agreed that the wording here could be clearer - neighbourhood plans must comply with national policy and guidance and be in general conformity with local policy</p> <p>The column referred to sets out legal requirements which are beyond the power of the District Council to alter.</p> <p>These supportive comments are</p>	<p>The first sentence will be changed to read: ‘Neighbourhood plans must comply with national policy and guidance and be in general conformity with local policy, and be compatible with EU obligations and human rights requirements.’</p> <p>None.</p> <p>None.</p>
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	<p>many occasions when we cannot judge an application as there is insufficient information provided. Often what is submitted is less than stated on the Council's instructions to applicants.</p> <p>Clause 3.10 The second column in the table should have an "x" alongside every entry. Neighbours should always be informed irrespective of the type of application.</p> <p>Clause 3.22 This Clause should be deleted in its entirety and rewritten to allow members of the public to speak. Our case is set out below:-</p> <p>The existing Statement of Community Involvement (SCI) adopted in March 2006 contained one paragraph defining public participation at a Planning Committee:-</p> <p>3.18 (EXISTING SCI) The public are entitled to attend Planning Committee and if you want to get your views represented at the committee contact your Ward Councillor (that is, District Councillors whose ward includes the location of the application site) or representatives from your Parish or Town Councils or Parish Meetings who</p>	<p>noted and welcomed.</p> <p>While the point that the Civic Society is making is understood, it is sometimes considered appropriate to publicise developments by site notices rather than letters. In all cases, other methods are also employed to publicise developments.</p> <p>Noted. It is for the District Council's Planning Committee to decide who may speak. The procedures currently followed have been chosen for the reasons set out in the SCI.</p>	<p>None.</p> <p>None.</p>
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	<p>can speak on your behalf.</p> <p>The comparable paragraph in the Draft SCI is 3.21 (below). However, paragraph 3.22 has been added in addition as follows:-</p> <p>3.21(PROPOSED SCI) The public are entitled to attend Planning Committee. Ward Councillors (that is, District Councillors whose ward includes the location of the application site) or representatives from their Parish or Town Councils or Parish Meetings are able to speak to set out the considered view of the local community. Members of the public can contact them to make their views known.</p> <p>3.22 (PROPOSED SCI) Neither applicants (those who submit applications) nor objectors (those who object to a scheme) are able to speak at the meeting. This is because the details of the application and comments received (including objections) have already been set out in the report that the Councillors consider. The Council believes that this enables the maximum amount of information to be given to the decision maker, rather than relying on the eloquence of either an applicant or objector to state their case.</p> <p>This proposed policy as set out in 3.21 and 3.22 is flawed for the following reasons:-</p>		
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		<p>1. If all the details of the application have been set out in the report before the committee what can Ward Councillors add in the way of further information, and why should they be given the privilege of addressing the committee when the applicant or an objector cannot do so?</p> <p>2. If committee members fear that they are likely to be misled by the eloquence of an applicant or an objector why do they allow Councillors to speak who might also have some degree of eloquence?</p> <p>3. This policy suggests that Councillors should be allowed to speak “to set out the considered view of the local community”. This would give preferential treatment to the Parish Council or Ward Councillor, and ignores the democratic rights of a supporter or objector whose individual opinion is different.</p> <p>4. In most cases the Parish Council will have voted to support or object to the application, and it is unreasonable to expect that an applicant or objector will have any confidence in a Councillor presenting a case that opposes the Parish Council’s or the Ward Councillor’s own view.</p> <p>5. During the meeting it is possible that</p>		
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	<p>committee members will have questions that have not been covered by the report before them. If applicants and objectors can speak at the meeting then members could ask them questions, and this could prevent the situation where members are forced to make their decision on incomplete information.</p> <p>6. Planning Inspectors at enquiries are assiduous in hearing the public, and they manage to avoid being swayed by eloquence. Planning Inspectors already have all the details in a report but they still listen to the public. Why can the Planning Committee not take a small step towards a similar degree of democracy?</p> <p>7. The majority of Borough/District Councils in Nottinghamshire, as well as Nottinghamshire County Council, permit public speaking at Planning Committees. These Councils have adopted a true interpretation of community involvement. Details of these Councils' procedures for speaking at planning meetings have been taken from their websites which clearly demonstrate their commitment to openness, transparency and impartiality. The details are as follows:-</p> <p><u>Nottinghamshire County Council</u> Nottinghamshire County Council Planning and</p>		
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	<p>Licensing Committee allow up to three speakers to speak in opposition, and up to three speakers to speak in support. The NCC publicise full details of the right to speak at the meetings on their website.</p> <p>http://www.nottinghamshire.gov.uk/thecouncil/democracy/planning/planning-applications/speaking-at-committee/</p> <p><u>Ashfield District Council</u> Ashfield District Council Planning Committee allows one person to speak in support (a resident or the applicant) and one person to speak in opposition. Each is allowed five minutes. Full details are publicised on the Council's website.</p> <p>http://www.ashfield-dc.gov.uk/residents/planning,-property-and-housing/planning/planning-application-guidance/having-your-say-on-planning-applications/speaking-at-planning-committee.aspx</p> <p><u>Bassetlaw District Council</u> Bassetlaw District Council's website contains an eight page booklet entitled "Speaking at Planning Committee" which clearly explains the public's right to speak at planning meetings. One objector and one supporter can speak in addition to the applicant, Parish Council and Ward Member. Each can speak for up to 3 minutes. The Planning</p>		
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section of the Council's website gives a link to the "Speaking at Planning Committee" booklet.

<http://www.bassetlaw.gov.uk/everything-else/planning-building/development-control/planning-committee.aspx>

Broxtowe Borough Council

Broxtowe Development Control Committee allows one objector and the applicant or one supporter to speak, although this can be varied at the discretion of the Head of Planning. Up to three minutes are allowed for each speaker. The Development Control section of the Council's website gives a link to Advice Leaflet 1 - "Public Speaking at Development Control Committee".

<http://www.broxtowe.gov.uk/index.aspx?articleid=5357>

Gedling Borough Council

Gedling Borough Council Planning Committee allows applicants, residents and residents' associations to speak at meetings. Professional agents representing either applicants or residents are not allowed to speak. A maximum of three minutes per speaker is allowed, so where more than one person wishes to address the meeting, all parties with a common interest must agree who should represent them. Details can be found on the Council's website Planning and Building Control page by using the search facility for

	<p>“Planning Committee Protocol”. http://www.gedling.gov.uk/planningbuildingcontrol/</p> <p><u>Mansfield District Council</u> Mansfield District Council explain on its website the reasoning for allowing public speaking at planning meetings by saying <i>“The purpose of public speaking at Planning Committee is to enable people to make their views directly on development proposals other than just by letter.”</i> Up to two supporters and up to two objectors may speak for up to four minutes each. Full details are publicised on the Council’s website which has a link to its “Public Speaking Booklet”. http://www.mansfield.gov.uk/index.aspx?articleid=1413</p>		
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