

28 May 2019

REPORT NO. EPSH1928

KEY DECISION? NO

**CONSULTATION ON THE DRAFT STATEMENT OF COMMUNITY  
INVOLVEMENT (SCI)**

**SUMMARY AND RECOMMENDATIONS:**

The Council's current Statement of Community Involvement (SCI) that the Rushmoor Local Plan was examined against was adopted in 2013 and since this time, there have been a number of changes to planning legislation that need to be reflected. Therefore, an updated SCI has been prepared for public consultation to take account of these changes.

**It is recommended that Cabinet, approve the publication of the Draft Statement of Community Involvement (2019) for the purposes of six weeks public consultation.**

**1. INTRODUCTION**

- 1.1. The purpose of this report is to present to Councillors the draft Statement of Community Involvement (SCI) (attached as Appendix A) and recommend that it be subject to six weeks public consultation commencing on Monday 3 June 2019 at 9am and closing on Monday 15 July 2019 at 5pm.
- 1.2. The production of a Statement of Community Involvement (SCI) is a legal requirement as is the requirement to update the document every five years. The Council's current SCI was adopted in 2013 and since this time, there have been a number of changes to planning legislation that need to be reflected.
- 1.3. The purpose of the SCI is to set out how people and groups can engage with the planning system in the best way by setting out how the public, businesses and interest groups within the Borough can get involved in the creation of local planning policy, neighbourhood planning and the planning application decision-making process.

**2. BACKGROUND**

- 2.1. The preparation of a SCI is a legal requirement of the Planning and Compulsory Purchase Act 2004 (Section 18) as amended by the Planning Act 2008, the Localism Act 2011 and the Neighbourhood Planning Act

2017. This legislation requires the Council to prepare a statement for how it will involve those with an interest in development in the area, including the preparation and review of the Local Plan and Supplementary Planning Documents, Neighbourhood Plans/Orders, Community Infrastructure Levy and the consideration of planning applications.

- 2.2. The draft SCI attached as Appendix A is essentially a factual update to the current SCI to reflect legislation changes and best practice.

### **3. DETAILS OF THE PROPOSAL**

- 3.1. The proposal is to undertake six weeks public consultation on a draft Statement of Community Involvement. Following public consultation the document will be amended as necessary before being presented to Cabinet for adoption, this is anticipated to take place in August 2019. Upon adoption, the document will supersede the 2013 Rushmoor Statement of Community Involvement.

#### **Alternative Option**

- 3.2. The alternative option would be not to update the SCI. However, this would mean that the Council would not be in conformity with the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2017 (as amended).

#### **Consultation**

- 3.3. The draft SCI will be subject to six weeks public consultation following Cabinet approval.

### **4. IMPLICATIONS**

#### **Risks**

- 4.1. There are not considered to be any risks associated with the implementation of the recommendations of this report.

#### **Legal Implications**

- 4.2. There are legal issues to consider in progressing the SCI towards adoption, in relation to satisfying the necessary regulations. The preparation of a SCI is a legal requirement of the Planning and Compulsory Purchase Act 2004 (Section 18) as amended by the Planning Act 2008, the Localism Act 2011 and the Neighbourhood Planning Act 2017.

## **Financial and Resource Implications**

- 4.3. There are not considered to be any financial implication arising from the decision.

## **Equalities Impact Implications**

- 4.4. The purpose of this report is to publish an updated Statement of Community Involvement (SCI) that sets out how the Council will engage with the community, including hard to reach groups. Therefore, there are not considered to be any equalities implications.

## **5. CONCLUSIONS**

- 5.1 Following the adoption of the Local Plan, it is now time to update the Council's SCI to ensure that the planning authority is complying with current planning legislation.

## **BACKGROUND DOCUMENTS:**

**Appendix A** – Draft Rushmoor Statement of Community Involvement 2019.

The adopted Rushmoor Statement of Community Involvement (2013) can be accessed from the following link: <https://www.rushmoor.gov.uk/sci>

## **CONTACT DETAILS:**

**Report Author** – Katharine Makant / [katharine.makant@rushmoor.gov.uk](mailto:katharine.makant@rushmoor.gov.uk) / 01252 398416

**Head of Service** – Tim Mills / [tim.mills@rushmoor.gov.uk](mailto:tim.mills@rushmoor.gov.uk) / 01252 398542



## **APPENDIX A**

### **DRAFT STATEMENT OF COMMUNITY INVOLVEMENT**

**June 2019**

## Consultation

This draft Statement of Community Involvement (SCI) has been published for public consultation to give residents, businesses, stakeholders and other groups the opportunity to have a say in how they want to be involved in planning for land use and future development in Rushmoor. The consultation runs for six weeks from Monday 3 June 2019 to 5pm Monday 15 July 2019.

You can view the document and comment online at <https://www.rushmoor.gov.uk/planningpolicy>. This is the simplest, most cost-effective way of sending us your comments. If you are unable to access the internet, paper copies of the document are available to view at the Council Offices in Farnborough during normal office hours.

Comments can be submitted:

**By email:** [planningpolicy@rushmoor.gov.uk](mailto:planningpolicy@rushmoor.gov.uk)

**By writing in person to:**

The Planning Policy and Conservation Team  
Rushmoor Borough Council  
Council Offices  
Farnborough Road  
Farnborough  
GU14 7JU

**Please note:** the comments received during this consultation cannot be treated as confidential so please do not include any personal information within your comments. Responses will be published on the Council's website, together with the name and/or organisation name of the respondent.

You can find out how we will use the information you send us at:

<https://www.rushmoor.gov.uk/article/10359/Keep-up-to-date-with-the-latest-news-on-the-Rushmoor-Plan>

We will consider all comments received on the document and amend it if necessary before deciding whether to adopt it.

## **Foreword**

The Statement of Community Involvement (SCI) sets out the ways in which residents, businesses and other interested parties can become involved in planning for land use and development in Rushmoor. It also helps us, as a Council, to meet the requirements for consultation and engagement that are set out in national planning legislation. The Council will always meet these requirements and, where resources allow, will try to go beyond them to seek broader community involvement in plan-making.

## Contents

Consultation.....	2
Foreword.....	3
Contents.....	4
1. Introduction .....	5
2. National Planning Policy and Guidance .....	7
3. Community Involvement Principles .....	9
4. Local Planning Policy .....	10
5. Neighbourhood Planning .....	18
6. Community Infrastructure Levy (CIL).....	20
7. Community involvement in determining planning applications.....	20
8. How we publicise planning applications.....	22
9. Conclusion.....	23
Appendix 1: Consultation Groups Involved in Local Plan production.....	24



## **1. Introduction**

- 1.1 Planning affects everybody in our community. The decisions that the Council makes as a local planning authority will have an impact on the type of development that takes place in the Borough, where it is located and what it looks like.
- 1.2 Therefore, it is only right that you, as residents, businesses and stakeholders, get the opportunity to be involved in the planning process and influence the decisions we make.

### **What is a Statement of Community Involvement?**

- 1.3 A Statement of Community Involvement (SCI) sets out the ways in which residents, businesses and other interested parties can become involved in planning in Rushmoor. It also helps us, as a Council, to meet the requirements for consultation and engagement set out in national planning legislation.<sup>1</sup>
- 1.4 Our SCI seeks to ensure that as many people as possible can voice their opinion on planning matters. Part of this is making sure that we consult people in the right way and at the right time.
- 1.5 The SCI sets out how you can get involved in:

#### **Planning Policy:**

- The Rushmoor Local Plan
- Supplementary Planning Documents (SPDs)
- Neighbourhood Planning
- Community Infrastructure Levy (CIL)

#### **Development Management:**

- Planning Applications

### **Who will be involved?**

- 1.6 There are statutory requirements for those we must consult when preparing planning policy documents. For example, organisations like other local authorities, Natural England, Historic England and utility companies. A full list of those we must consult (specific consultation bodies) can be found at Appendix 1. It is important that we aim to involve as many people and groups as possible in Rushmoor to help us develop our planning policies. Anyone can make comments on the future planning

---

<sup>1</sup> Planning and Compulsory Purchase Act 2004 (section 18) and Local Government and Public Involvement in Health Act 2007 (Section 138)

for development in Rushmoor and it is particularly important that our local community does so.

1.7 We aim to involve the full cross-section of Rushmoor's community including 'hard-to-reach' groups who are under-represented in the planning process. Such groups may have specific needs and include but are not limited to:

- young people;
- older people;
- ethnic minorities; and
- people with disabilities.

1.8 To achieve wider involvement we intend to:

- use social media (e.g. Facebook, Twitter) where appropriate;
- Involve the Senior Citizens Forum and Rushmoor Youth Forum (once established) in the future development of the Borough;
- Work closely with organisations who represent and / or support young people, older people, people with disabilities and ethnic minorities, including the Nepali community; and
- Understand our communities better, using the most up-to-date information available including census data and other sources, so that we can meet the needs of our community in terms of how best to involve them.

### **Why are we updating our Statement?**

1.9 The preparation of an SCI is a legal requirement of the Planning and Compulsory Purchase Act 2004 (Section 18) as amended by the Planning Act 2008, the Localism Act 2011 and the Neighbourhood Planning Act 2017. As well as new legislation, there have been changes to national planning policy and guidance since the publication of the last Statement of Community Involvement (SCI) in 2013. Amended Planning Legislation introduced in 2017 requires SCIs to be reviewed every five years.

## **2. National Planning Policy and Guidance**

- 2.1 National planning policies are set out in the National Planning Policy Framework (NPPF).<sup>2</sup> The NPPF provides a framework within which locally-prepared plans for housing and other development can be produced and it is a material consideration in planning decisions e.g. on planning applications.
- 2.2 Guidance on how the NPPF should be applied is set out in the Government's Planning Practice Guidance, which is a web-based document that is regularly reviewed and updated.<sup>3</sup>
- 2.3 The rules governing how the Council's local planning policy documents must be prepared, including public consultation, are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)<sup>4</sup>.

### **Duty to Co-Operate**

- 2.4 Local authorities have a duty to co-operate with specific bodies in relation to planning of sustainable development and strategic matters.<sup>5</sup> A 'strategic matter' is defined as:
- a) sustainable development or use of land that has or would have a significant impact on at least two planning areas, including infrastructure that is; and
  - b) sustainable development or use of land if the development or use –
    - i. is a county matter;
    - ii. has or would have a significant impact on a county matter.
- 2.5 The specific bodies prescribed for the purposes of the duty to cooperate are outlined in Appendix 1.

### **Community Rights and the Localism Act**

- 2.6 The Localism Act came into force in 2011.<sup>6</sup> The Act focussed on devolving power from central government to local communities. A major aim of the Act was to reform

---

<sup>2</sup> <https://www.gov.uk/government/collections/revised-national-planning-policy-framework>

<sup>3</sup> <https://www.gov.uk/government/collections/planning-practice-guidance>

<sup>4</sup> <http://www.legislation.gov.uk/ukxi/2012/767/contents/made>

<sup>5</sup> Section 33A of the Planning and Compulsory Purchase Act 2004 (local development),

<sup>6</sup> <http://www.legislation.gov.uk/ukxi/2012/767/contents/made>

the planning system to make it more effective and democratic, and to give new powers to both individuals and communities.

2.7 As a result of the Localism Act, the following community rights were introduced:

- **Community right to challenge** enables local community groups to procure important local services and deliver them for the borough;
- **Community right to bid** enables local groups to buy buildings that the local authority has placed on a list of community assets;
- **Community right to build** enables members of the local community to bring forward proposals for what they would like to see built in their local area.

2.8 You can find out more about community rights at <http://mycommunityrights.org.uk/> and how to nominate a building or land of local importance to the register of assets of community value at <https://www.rushmoor.gov.uk/communityrighttobid>.

### 3. Community Involvement Principles

3.1 The benefits of early community engagement are:

- a greater focus on the priorities identified by local communities;
- more influence over the provision of infrastructure to ensure that it meets local needs;
- an improved sense of ownership of the plan by the community;
- better understanding of how planning policies are developed and linked to each other;
- more support for local planning policies;
- cutting down on costly and unnecessary conflict.

3.2 We aim to make sure that there is a clear and proper consultation procedure that shows what the community and stakeholders should expect from it. To achieve this we will adhere to the following five principles:

- **Ensuring equal opportunity** – we are committed to ensuring that all members of the community involved in engagement are treated fairly without discrimination;
- **Keeping the community informed** - we will inform the community when we are consulting and how the consultation process will work, aiming to provide balanced and objective information to help people understand the process;
- **Ensuring the community is involved** – we want as many interested parties to be involved as possible, so we want to make the process of having your opinion heard as easy as possible throughout the process. Community engagement will be readily accessible, with the relevant documents available for inspection at specified public places and on the Council’s website. Electronic forms of communication will be used where it is best placed to serve the community;
- **Ensuring community engagement is relevant** – we aim to focus our engagement on the groups/individuals to which the subject matter is relevant. This includes those who are not recognised as a statutory consultee.
- **Providing feedback** – we will analyse all responses to consultations and respond as appropriate. This may be in the form of consultation statements, reports following any research and the Authority Monitoring Report, which will show how we are performing against our adopted Local Plan policies.

#### Data Protection

3.3 We will comply with our obligations under the General Data Protection Regulations 2018, and the principles of the Data Protection Act 2018, in how we manage any personal data collected through consultation processes. You can find out more on our website at <https://www.rushmoor.gov.uk/dataprotection>.

## **4. Local Planning Policy**

- 4.1 Every local authority is required to produce a development plan for its area.<sup>7</sup> The plan must include strategic policies (over a minimum 15-year period) to address the priorities for the development and use of land in the area and can also contain more detailed non-strategic policies.
- 4.2 We also produce [Supplementary Planning Documents](#) (SPDs) that provide additional detail to enable us to implement the planning policies contained within the adopted Local Plan. These documents are required to go through one stage of public consultation and do not go through the Examination in Public process. The Council is able to adopt SPDs subject to completion of the consultation period and any subsequent changes considered appropriate in the light of responses.
- 4.3 The Council's [Local Development Scheme](#) sets out the programme for preparing our future planning documents. It outlines what documents we are working on and the timetables for producing them.

### **The Local Plan**

- 4.4 The [Rushmoor Local Plan](#) is the main planning policy document produced by the Council. The Rushmoor Local Plan was adopted on 21 February 2019 following public consultation and examination by a Planning Inspector. It has replaced the 2011 Core Strategy and saved policies from the 2000 Local Plan Review and provides the planning policies that will guide new development within the Borough to 2032. The policies in Local Plans must be reviewed every five years - sooner if there are significant changes in national policy, local circumstances or housing requirements. Updates to the adopted Local Plan, or certain policies within it, must follow the statutory plan-making procedure, including public consultation.
- 4.5 A new Local Plan (or any significant change to it) is required to go through two stages of public consultation and is then examined by a Planning Inspector before the Council can formally adopt it. Early community engagement is essential to ensure that residents, businesses and stakeholders have the greatest possible input to the shaping of the Plan. As plan preparation proceeds through the statutory process, opportunities to comment become more focussed on the wording of the policies.

### **How you can be involved**

- 4.6 The minimum legal requirements for community involvement and public participation are set out in the 2012 Regulations (as amended). The consultation

---

<sup>7</sup> Town and Country Planning (Local Planning) (England) Regulations 2012 (the 2012 Regulations)

methods utilised by the Council will depend on the type of document being produced and its subject matter.

- 4.7 Tables 1 and 2 below outline both the statutory requirements and some of the additional ways in which we may seek to involve people in respect of the Local Plan and Supplementary Planning Documents. It is not an exhaustive list - we will use the methods that we consider are most effective in terms of resources and outcomes.

### **What happens to the comments received?**

- 4.8 We will acknowledge the written comments we receive and anyone making comments on early stages of a document will be added to our consultation database (unless they request otherwise) and automatically consulted at later stages. At the end of the consultation period, we may analyse the written responses and/or the results from the community involvement process and create a summary report. This will then be made available on our website, reported to the relevant Council elected members group and referred to in the relevant documents.
- 4.9 All representations received will be made available to the public via the Council's website, except where consultation responses (e.g. libellous or threatening comments) are deemed inappropriate for publication by the Council.

### **Monitoring**

- 4.10 If necessary, we will review our procedures for involving the community and monitor their effectiveness in our [Authority Monitoring Report](#), which is usually published annually. Wherever possible we will look to make improvements to ensure that we are as effective as we can be when involving our local communities in the planning process.

### **Statement of Community Involvement**

- 4.11 This Statement of Community Involvement (SCI) is reviewed regularly to ensure it is in accordance with the regulations and the Council's consultation procedures. Should fundamental changes take place that warrant a new SCI, the Council will undertake public consultation for a minimum period of six weeks.
- 4.12 There is no legal requirement to notify specific consultation bodies, however the Council will notify those bodies considered relevant. Reference copies will be made publicly available at the Council Offices. A summary of public representations submitted during consultation will be provided within the Schedule of Officer Responses to Representations Received and will be made publicly available on the Council's website. Those who submitted representations can request to be notified of when the document has been adopted.

## **Local Plan Sustainability Appraisal**

- 4.13 A sustainability appraisal is a systematic process that must be carried out during the preparation of a Local Plan. Its role is to promote sustainable development by assessing the extent to which the emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.
- 4.14 When undertaking sustainability appraisals, as required by the Environmental Assessment of Plans and Programmes Regulation 2004, the Council will:
- Consult stakeholders, including the Environment Agency, Natural England and Historic England (required bodies) on the scope of the appraisal;
  - Consult key stakeholders and the public on Sustainability Appraisal Reports as part of public participation in the preparation of the Local Plan;
  - Undertake public consultation on the final Sustainability Appraisal which supports the Proposed Submission Local Plan.



Table 1 The Local Plan

Activity	Involvement & Notification  What we will do  <i>(Legal requirements are italicised)</i>	When will you be involved?  <i>(Legal requirements are italicised)</i>	How will you be involved?  <i>(Legal requirements are italicised)</i>
<b>Initial evidence gathering and informal community engagement</b>	<p>We may employ the following engagement techniques as deemed appropriate, depending upon the subject matter:</p> <ul style="list-style-type: none"> <li>• Articles in the Council’s Arena magazine</li> <li>• Issue press release/newsletter</li> <li>• Social media</li> <li>• Workshops for key stakeholders</li> <li>• One-to-one meetings</li> <li>• Presentations to interested parties</li> </ul>		<p>Register your contact details on the Planning Policy Consultation Database</p>
<b>Issues and Options Stage/Preferred Approach (Regulation 18)</b>	<p><i>Notify specific and general consultation bodies (see Appendix 1) as the local planning authority consider appropriate.</i></p> <p><i>Publish information on our website</i></p> <p>Dependent upon the subject matter of the Local Plan, we may employ further engagement techniques such as</p> <ul style="list-style-type: none"> <li>• Workshops for key stakeholders</li> <li>• One-to-one meetings</li> </ul>	<p><i>Specific and general consultation bodies will be notified of the consultation period prior to the publication of the document.</i></p> <p><i>The consultation will run for a period not less than 6 weeks.</i></p> <p>In addition, we will contact all those on our consultation database who have asked to be consulted on planning</p>	<p><i>Documents will be published on the website and placed in the Council Offices and local libraries.</i></p> <p>Dependent upon the subject matter of the Local Plan, we may employ further engagement techniques as deemed appropriate.</p> <p>We encourage comments to be submitted online wherever possible. For</p>

Activity	Involvement & Notification  What we will do  <i>(Legal requirements are italicised)</i>	When will you be involved?  <i>(Legal requirements are italicised)</i>	How will you be involved?  <i>(Legal requirements are italicised)</i>
	<ul style="list-style-type: none"> <li>• Presentations to interested parties</li> <li>• Articles in the Council’s Arena magazine</li> <li>• Issue press release/newsletter</li> <li>• Social media</li> </ul>	policy documents, with details of how they can comment.	those who find this difficult, we will provide comment forms that can be completed electronically or in hard copy and submitted via email or post.
<b>Publication of a Local Plan (Regulation 19) and Representations relating to a Local Plan (Regulation 20)</b>	<p><i>Make available for inspection the pre-submission plan, supporting documents and information on how to respond (the “statement of representations procedure”)</i></p> <p><i>Invite statutory consultation bodies and general consultation bodies to make representations under Regulation 18 and provide them with:</i></p> <ul style="list-style-type: none"> <li>• <i>A statement of the representations procedure;</i></li> <li>• <i>A statement of the fact that the Submission Documents are available for inspection and of the places and times at which they can be inspected.</i></li> </ul> <p>Dependent upon the subject matter of the</p>	<p><i>Specific and general consultation bodies will be notified on publication of the pre-submission plan.</i></p> <p><i>The consultation will run for a period not less than 6 weeks.</i></p> <p>In addition, we will contact all those on our consultation database who have asked to be consulted on planning policy documents, with details of how they can comment on the pre-submission plan.</p>	<p><i>Documents will be published on the website and placed in the council offices and local libraries.</i></p> <p><i>Any person may make representations about a Local Plan which the local planning authority proposes to submit.</i></p> <p>We encourage comments to be submitted online wherever possible. For those who find this difficult, we will provide comment forms that can be completed electronically or in hard copy and submitted via email or post.</p>

Activity	Involvement & Notification <b>What we will do</b> <i>(Legal requirements are italicised)</i>	When will you be involved? <i>(Legal requirements are italicised)</i>	How will you be involved? <i>(Legal requirements are italicised)</i>
	<p>Local Plan, we may employ further engagement techniques such as</p> <ul style="list-style-type: none"> <li>• Social media</li> <li>• Articles in the Council's Arena magazine</li> <li>• Issue press release/newsletter</li> <li>• Presentations to interested parties</li> </ul>		
<b>Independent Examination (Regulation 24)</b>	<p>A Pre-Examination Hearing may occur 6 weeks prior to the Examination in Public (EiP)<sup>8</sup>.</p> <p><i>At least 6 weeks before the examination starts, the Council will</i></p> <ul style="list-style-type: none"> <li>• <i>Publish details on website</i></li> <li>• <i>Notify people who made representations of the date the examination starts and name of person appointed to hold examination</i></li> </ul>	<p><i>All those who have submitted a representation will be notified of the dates and times of both the Pre-Examination Hearing (if held) and the EiP.</i></p> <p>In addition, the oral hearings are open to the public to attend although only those who have submitted objections to the Plan have the right to be heard by the Planning Inspector.</p>	<p><i>All those who have objected to the Plan have the right to appear before the Planning Inspector at the oral hearings.</i></p> <p><i>An independent Programme Officer appointed to oversee the Examination process will advise objectors and other participants of the timetable and check that those who have previously stated their intent to provide oral evidence at the EiP still wish to do so.</i></p>

<sup>8</sup> The Planning Inspectorate - Examining Development Plan Documents: Procedure Guidance June 2016 (4<sup>th</sup> Edition)

Activity	Involvement & Notification <b>What we will do</b> <i>(Legal requirements are italicised)</i>	When will you be involved? <i>(Legal requirements are italicised)</i>	How will you be involved? <i>(Legal requirements are italicised)</i>
<b>Main Modifications to the Local Plan</b>	<p><i>We will consult on any proposed Main Modifications to the Plan which may arise as a result of the examination process.</i></p> <p>At this stage, the consultation will focus ONLY on the wording of the proposed modifications – general comments on the Plan will not be accepted.</p>	<p><i>Specific and general consultation bodies will be notified on publication of the proposed main modifications.</i></p> <p><i>The consultation will run for a period not less than 6 weeks.</i></p> <p>In addition, we will contact all those on our consultation database who have asked to be consulted on planning policy documents, with details of how they can comment on the proposed main modifications.</p>	<p><i>The modifications will be published on the website and made available for inspection at the council offices.</i></p> <p><i>Any person may make representations about the proposed main modifications.</i></p> <p>We encourage comments to be submitted online wherever possible. For those who find this difficult, we will accept written comments by email or post.</p>
<b>Adoption (Regulation 26)</b>	<p><i>As soon as is reasonably practicable after we adopt a Local Plan, we will:</i></p> <ul style="list-style-type: none"> <li>• <i>Make available the adopted Plan, adoption statement and sustainability appraisal report for inspection</i></li> <li>• <i>Notify anyone who requested to be notified of adoption</i></li> <li>• <i>Send an adoption statement to the Secretary of State</i></li> </ul>		<p><i>All statutory consultation bodies and anyone else who submitted a representation will be sent the adoption statement. The adopted Local Plan will be made available at the Council Offices, local libraries and on our website.</i></p>

**Table 2 Supplementary Planning Documents**

<b>Activity</b>	<b>Involvement &amp; Notification</b> <b>What we will do</b>	<b>When will you be involved?</b>	<b>How will you be involved?</b>
<p><b>Public Participation (Regulation 12) and Consultation (Regulation 13)</b></p>	<p><i>Copies of the SPD document and a consultation statement setting out who has been consulted, issues raised and how they have been addressed will be made available for inspection at the Council Offices, local libraries and on our website.</i></p> <p>The Council will also notify the general public via social media and, where deemed appropriate, press releases and carry out targeted engagement with local residents for site specific SPD's.</p>	<p><i>Specific and general consultation bodies, identified by the Council as relevant to the context of the SPD, will be notified of the consultation on publication of the document.</i></p> <p>The consultation will run for a period of not less than 4 weeks. However, the Council will usually consult for 6 weeks to ensure maximum opportunity for engagement.</p>	<p>For site-specific SPD's, the Council will seek to engage with local residents/businesses through events and focus groups in the early stage of developing the SPD and continue engagement through to adoption.</p> <p>For issue-based SPDs, appropriate groups and organisations will be involved in developing options and approaches. Where the issue has wider public interest general surveys may also be undertaken.</p>
<p><b>Adoption (Regulation 14)</b></p>	<p>As soon as reasonably practicable after adoption, we will:</p> <ul style="list-style-type: none"> <li>• Make the SPD and adoption statement available for inspection</li> <li>• Notify anyone who requested to be notified of adoption</li> </ul>		<p><i>All relevant statutory/general consultation bodies and anyone else who submitted a representation will be sent the adoption statement.</i></p>

## 5. Neighbourhood Planning

- 5.1 Neighbourhood planning was introduced by the Localism Act 2011 and updated by the Neighbourhood Planning Act 2017. It gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. They can choose where they want new homes, shops and offices to be built, have their say on what those new buildings should look like and what infrastructure should be provided, and (through Neighbourhood Development Orders) grant planning permission for the new buildings they want to see go ahead.
- 5.2 The policies set out within neighbourhood plans must be ‘in conformity’ with national planning policy and the up-to-date Local Plan. Communities may decide that they could achieve the outcomes they want to see through other planning routes, such as incorporating their proposals for the neighbourhood into the Local Plan or through pre-application consultation on development proposals.
- 5.3 Once confirmed, neighbourhood plans become part of the Local Plan and the policies within them are used in the determination of planning applications. In areas where there are no Town or Parish Councils, such as Rushmoor, only designated neighbourhood forums are allowed to produce neighbourhood plans and the plans must be approved by an independent examiner and local referendum before they can be formally approved.
- 5.4 You can find out more about neighbourhood planning on our website <https://www.rushmoor.gov.uk/planningpolicy>, at the Government’s website at <https://www.gov.uk/guidance/neighbourhood-planning--2> and there are further details, including financial and technical support available for communities interested in creating a neighbourhood plan, at <https://neighbourhoodplanning.org/>.
- 5.5 The Council will offer the following support to communities interested in preparing neighbourhood plans:
- We will provide advice on the statutory criteria for setting up a neighbourhood forum to develop a neighbourhood plan for a designated neighbourhood area and how to go about applying to us for formal designation;
  - On receipt of a valid application for designation as a neighbourhood area and/or neighbourhood forum, we will publicise and invite comments on the application and determine it according to the statutory timescales;
  - Should we decide to designate a smaller neighbourhood area than has been applied for, or should we refuse an application for designation as a neighbourhood forum, we will explain our reasons;

- We will take a proactive and positive approach, working collaboratively with designated neighbourhood forums on each key stage, sharing our evidence base and seeking to resolve any issues, including potential conflicts with national policy and the Local Plan, to ensure that the draft neighbourhood plan has the greatest chance of success at independent examination;
- Following the submission of the draft neighbourhood plan, we will undertake the relevant public consultation and organise and fund the examination and referendum within the statutory timescales.

5.6 Like local plans, there are regulations covering the preparation of neighbourhood plans, including consultation requirements. Up to the submission of the draft plan, the neighbourhood forum is responsible for public consultation and engagement with relevant consultees (e.g. infrastructure providers) in its preparation.

## **6. Community Infrastructure Levy (CIL)**

- 6.1 The Community Infrastructure Levy (CIL) is a charge which local authorities can set to require contributions from developers bringing forward new development, in order to help deliver infrastructure. As of February 2019, Rushmoor Borough Council has not introduced CIL and relies on a different method of developer contributions (known as Section 106 legal agreements) to fund infrastructure that is required to support development. Information about how much has been collected in developer contributions and what it is spent on is set out in the Authority Monitoring Report.
- 6.2 If we do decide to introduce CIL, we can only do so once we have prepared and adopted a CIL charging schedule. This must go through a process of consultation and independent examination before we can adopt it. Under current regulations, councils must carry out a two-stage process for consulting on a draft CIL charging schedule. However, the latest draft amendments to the regulations, published for consultation in December 2018, propose that this is reduced to one stage of public consultation.
- 6.3 Further information about our approach to CIL is set out on the website at: <https://www.rushmoor.gov.uk/CIL>

## **7. Community involvement in determining planning applications**

- 7.1 With any planning application, we must display a site notice or advise neighbours by letter and take into account any relevant responses we receive. However, in some cases, especially where the development is on a large scale, there are further requirements for us in terms of publicity.<sup>9</sup>
- 7.2 To encourage developers and agents to discuss their plans for developments, we can provide some informal advice before they make a formal application. We offer more detailed written pre-application advice on a fee-paying basis. Pre-application advice aims to ensure that the application is complete and valid when we receive it, and to address any issues which might make it unacceptable. This also helps with the aim of seeing the community fully involved in shaping and deciding the development that occurs in Rushmoor, as at this point we strongly encourage developers of major or potentially controversial proposals to carry out their own consultation of the local community. We believe this is the most helpful time for developers to engage with the community, as it will allow their views to be heard and considered before the

---

<sup>9</sup> As set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015



process is too far along, and allow them to understand what the proposal may look like.

7.3 Community consultation by developers will be expected in relation to the following types of development:

- Residential schemes over 100 units;
- Employment and warehouse/distribution schemes over 10,000 square metres;
- Retail schemes totalling over 5,000 square metres;
- Leisure schemes totalling over 2,000 square metres;
- All applications for telecommunication development.

7.4 Any consultation by developers will need to adhere to the same principles that we use ourselves, although we are happy for developers to use a range of methods and techniques to engage with the community. Potential applicants are advised to discuss their proposals for community consultation with the Council beforehand. Their methods could include:

- Identifying and contacting all key stakeholders and members of the community directly or indirectly affected by the proposals;
- Using websites, social media and emails;
- Producing newsletters, leaflets and posters to keep people informed;
- Organising local exhibitions;
- Holding stakeholder workshops and focus groups;
- Informing consultees through local media and specific newsletters;
- Producing a public consultation statement.

7.5 This statement is required to be submitted at the same time as the planning application. The results of the consultation will be reported and taken into consideration in any decisions made by, and on the behalf of, the Council.

## 8. How we publicise planning applications

Type of development	Statutory Requirements	Additional publicity
<p>Application accompanied by an Environmental Impact Assessment (EIA)</p> <p>Development which is contrary to the provisions of the Local Plan</p> <p>Development affecting a public right of way</p>	<p>Site notice display in at least one place on or near the land to which the application relates for not less than 21 days;</p> <p><b>and</b></p> <p>By publication of the notice in a newspaper circulating in the locality in which the land to which the application relates is situated.</p>	<p>Neighbours and properties considered likely to be affected by the proposal notified by letter and given 21 days to respond.</p>
<p>Major development</p>	<p>By site notice display in at least one place on or near the land to which the application relates for not less than 21 days;</p> <p><b>or</b></p> <p>By serving the notice on any adjoining owner or occupier;</p> <p><b>and</b></p> <p>By publication of the notice in a newspaper circulating in the locality in which the land to which the application relates is situated.</p>	<p>Neighbours and properties considered likely to be affected by the proposal notified by letter and given 21 days to respond.</p>
<p>Minor development/ Householder/ Certificate of Lawful Use</p>	<p>By site display in at least one place on or near the land to which the application relates for not less than 21 days;</p> <p><b>or</b></p> <p>By letter to anyone sharing a boundary with the application site.</p>	<p>Neighbours and properties considered likely to be affected by the proposal notified by letter and given 21 days to respond.</p>
<p>Development affecting the setting of a listed building</p>	<p>The Secretary of State may prescribe requirements as to publicity for applications for planning permission in cases where the local planning authority think that the development of land would affect the setting of a listed building.</p>	<p>Advertisement in newspaper;</p> <p><b>and</b></p> <p>Site notice;</p> <p><b>and</b></p> <p>Neighbours and properties considered likely to be affected by the proposal notified by letter and given 21 days to respond.</p>
<p>Development affecting the character or appearance of a conservation area</p>	<p>The Secretary of State may prescribe requirements as to publicity for applications for planning permission in cases where the local planning authority think that the development of land would affect the setting of a listed building.</p>	<p>Advertisement in a newspaper;</p> <p><b>and</b></p> <p>Site notice;</p> <p><b>and</b></p> <p>Neighbours and properties considered likely to be affected by the proposal notified by letter and given 21 days to respond.</p>

8.1 As well as the above, we will publish the following on our website:

- The address or location of the proposed development;
- A description of the proposed development;
- The date by which any representations about the application must be made (usually 14 days from the date on which the information is published);
- Where and when the application may be inspected
- How representations may be made about the application
- That, in the case of a householder application, in the event of an appeal that proceeds by way of the expedited procedure, any representations made about the application will be passed to the Secretary of State and there will be no opportunity to make further representations.

8.2 Public comments received in relation to publicised planning applications will be taken into consideration by the Council as part of the determination process. Comments must be relevant to planning matters in order to be deemed a material consideration for determination purposes.

## **9. Conclusion**

9.1 We hope that this document sets out clearly how all those affected by development in Rushmoor can expect to be involved in helping to shape the growth, expansion and improvement of the Borough.

9.2 If you have any comments on this Statement of Community Involvement or would like to raise any questions, please get in touch with the Planning Policy team on 01252 398735 or via [planningpolicy@rushmoor.gov.uk](mailto:planningpolicy@rushmoor.gov.uk).

## **Appendix 1: Consultation Groups Involved in Local Plan production**

### **Specific Consultation bodies**

The council must involve the following statutory organisations in the Local plan process. These along with the government departments listed below form the specific consultation bodies as defined in the Town and Country Planning (Local Planning) (England) Regulations 2012. These are:

- Environment Agency
- Historic England
- Natural England
- Network Rail
- Secretary of State for Transport
- Highways England
- Hampshire County Council (Strategy, Transport and Planning)
- Adjacent local authorities
- Enterprise M3 (Local Enterprise Partnership)
- Local Nature Partnership
- Civil Aviation Authority
- Clinical Commissioning Groups
- Hampshire Police
- Police and crime commissioner
- Relevant telecommunications companies
- Relevant electricity and gas companies
- Relevant water and sewerage undertakers
- Homes England

### **General consultation bodies**

- Voluntary bodies some or all of whose activities benefit any part of the Borough
- Bodies that represent the interests of different racial, ethnic or national groups in the Borough
- Bodies that represent the interests of different religious groups in the Borough
- Bodies, which represent the interests of disabled persons in the Borough
- Bodies, which represent the interests of persons carrying on business in the Borough.

### **Duty to co-operate bodies**

- Environment Agency
- Historic England
- Natural England
- The Mayor of London
- Civil Aviation Authority

- Homes England
- Clinical Commissioning Groups
- Office of Rail Regulation
- Transport for London
- Hampshire County Council
- Highways England
- Enterprise M3 Local Enterprise Partnership
- Local Nature Partnership

## **Other Consultees**

Many other bodies and individuals are registered on our planning policy database. These have been grouped and include:

- Individual Residents, residents associations, local strategic partnership, community groups, societies and political parties
- Councillors - Local and County
- Local businesses, business associations, chamber of commerce, commercial companies
- Planning Officers in other local authorities, developers, agents, planning consultants, architects, surveyors, landscape architects, housing associations
- Landowners, Estate agents (residential and commercial)
- Disabled groups, public agencies, charity organisations, voluntary organisations, ethnic groups, care providers, health providers, leisure groups, minority groups, religious groups, sports bodies, young people, allotments groups, police, older people, faith groups, equalities groups, community support groups.
- Environment, nature and historic groups, Conservation Area Advisory Committees
- Infrastructure providers, schools and education institutes, transport groups
- Members of Parliament
- Government Departments