

**STATEMENT ENLARGING  
SUBMISSIONS IN RESPECT OF THE  
EXAMINATION CONSIDERING THE  
SOUNDNESS OF NORFTH  
NORFOLK DISTRICT COUNCIL'S  
STATEMENT OF COMMUNITY  
INVOLVEMENT**

**DECEMBER 2005**

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Managing Community Involvement**

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## **INTRODUCTION**

1. Representations with respect to the North Norfolk Statement of Community Involvement (SCI) were made on behalf of Tesco Stores Ltd during the consultation period which extended between 26<sup>th</sup> September and the 4<sup>th</sup> November 2005.
2. At that time it was requested that the representations be considered at an Examination to consider the soundness of the North Norfolk SCI. This has been scheduled for 11:00am on Tuesday 24<sup>th</sup> January 2006 at the North Norfolk District Council offices in Cromer.
3. The purpose of this Statement is to expand upon the concerns set out within the representations including why they are important and what changes should be made to address them.
4. It is considered that PPS1, PPS12, document "*Creating Local Development Frameworks – A Companion Guide to PPS12*" and the ODPM's research document titled "*Statements of Community Involvement and Planning Applications*" are documents that already form part of the material that will be used to consider the soundness of the North Norfolk SCI. Copies have not therefore been provided.

## **PARTS OF THE SCI THAT HAVE CAUSE FOR CONCERN**

5. The representations made relate specifically to Section 5 of the SCI. This deals with "*Community Involvement in Planning Applications*".
6. The SCI makes a distinction at paragraph 5.2.2 between major and minor planning applications. It is appropriate to make this distinction as the Council is bound by different performance targets relating to the time frames within which the applications are to be determined. The scale of applications will also have a bearing upon the extent to which there is a need for both pre and post application consultation.

7. It is not however appropriate to define major applications by scale alone and to then prescriptively use this definition of an application as the basis for determining what the Council might expect in terms of pre-application community engagement.
8. The first concern raised with respect to North Norfolk's SCI is the inadequacy of the definition of what constitutes a major application. This has implications as it forms the basis for determining if wider community engagement is to be expected. Those applicants submitting what are defined as minor applications will not be required to undertake any pre application consultation.
9. The second concern raised relates directly to the first. It is inappropriate to use the rigid definition of a "*major*" application as a basis for determining if wider community engagement is required. Whilst it might be appropriate to then identify specific types of applications i.e. residential and retail development etc, that might require further consultation, it is inappropriate for this and scale to be the sole basis for expecting the additional steps set out in paragraph 5.3.2.
10. The third item of concern relates to matters of commercial confidentiality. Some reference is made to this at paragraph 5.1.3. Here it is suggested that the Council will not seek to give publicity to pre-application discussions. However reference is made to the Freedom of Information Act which it is stated generally obliges the Council to respond to written requests to disclose the written outcomes of pre-application discussion. Potential applicants proposing both major and minor development will more often than not be concerned with matters relating to the commercial sensitivity associated with the type of development proposed or potentially through the assembly of the land required to deliver the development (the latter would depend on how early the potential applicant met with officers). Some reference needs to be included within the document text at this point which will give developers some comfort that, in coming forward with potential proposals and discussing matters with officers, will not compromise the viability or deliverability of their schemes. Of key relevance here is the matter of timing. The current SCI text

does not include a reference to what may be appropriate timing in terms of pre application discussion or when it may be appropriate to engage the community.

11. The following section of this Statement expands upon why it is considered that these matters of concern should be addressed as part of the Examination considering the soundness of the North Norfolk SCI.

### **REASONS FOR CONCERN**

12. Each of the three matters of concern raised in the previous section are addressed separately here. In doing so regard has had to the policy basis for SCI's.
13. PPS1: Delivering Sustainable Development, sets out as a "*key principle*" the basis for greater community involvement in the planning process. It advises that:

*"Community involvement is an essential element in delivering sustainable development and creating sustainable and safe communities. In developing the vision for their areas, planning authorities should ensure that communities are able to contribute to ideas about how that vision can be achieved, have the opportunity to participate in the process of drawing up their vision, strategy and specific plan policies, and to be involved in development proposals"* (paragraph 13(vi)).

14. The Government's suggested approach to community involvement is set out in more detail in "*Community Involvement in Planning: The Government's Objectives*" (ODPM 2004).
15. PPS 12 sets out the Government's policy on the preparation of Local Development Documents which will comprise the Local Development Framework. This document is supported by '*Creating Local Development Frameworks: A Companion Guide to PPS12*' which sets out advice on how to prepare Local Development Frameworks. Of specific interest within this

companion guide is Chapter 7 which addresses the management of community involvement. This chapter was informed by the ODPM's Research Report titled '*Statements of Community Involvement in Planning Applications*', ODPM December 2004.

16. It is predominantly these documents that form the policy and good practice basis for Statements of Community Involvement. It is the guidance contained within them that should be used by Local Planning Authorities to determine the content of their SCIs.

### Defining Tiers or Categories of Planning Applications

17. The first matter raised with respect to North Norfolk's SCI is that which relates to limiting the categories of planning applications to major and minor. It is recognised that there is a further division with respect to major applications at paragraph 5.3.2 based on the type of proposal alone i.e. retail, residential (paragraph 5.3.2). In this regard the research document '*Statements of Community Involvement in Planning Applications*' (ODPM 2004) recommended at paragraph 4.8.3 that a "*tiered approach be adopted when considering the potential thresholds for determining which applications should be subject to wider community involvement*". This is reflected in the advice contained within '*Creating Local Development Frameworks: A Companion Guide to PPS12*' at Section 7.7.4 where it is explained that "*the Statement (SCI) should adopt a fit for purpose approach ...*" and that Authorities "*should ensure that they propose appropriate types and scales of involvement reflecting the nature of the planning application*".
18. The second paragraph within this section then explains that "*authorities may wish to consider adopting thresholds to help determine the most relevant type and level of community involvement within each stage of the application process*". The text then proposes a three tiered approach where those applications requiring the highest level of community involvement fall into tier one and those requiring the lowest level of involvement falling into tier three.

