

# North York Moors National Park Authority Planning Committee

17 April 2014

## Statement of Community Involvement

### 1. Purpose of the Report

- 1.1 To seek Members' agreement to consultation on the draft Statement of Community Involvement

### 2. Background

- 2.1 Under the Planning and Compulsory Purchase Act 2004, all planning authorities are required to produce a Statement of Community Involvement. The Statement of Community Involvement sets out how and when a planning authority will carry out consultations and involve the community in both preparation of policy documents and decisions on planning applications.
- 2.2 The National Park Authority adopted its Statement of Community Involvement in 2006, and agreed two addendums in September 2012 and March 2013 to reflect legislative changes. There have been many changes within the planning system since this time which, along with advances and changes in communications technology, have rendered the current Statement of Community Involvement out of date. The current document is particularly lengthy and refers to regulations and requirements that are no longer in place. It is therefore considered timely to produce a revised one.

### 3. Preparation of the Statement of Community Involvement

- 3.1 There are no regulations or guidance governing how a Statement of Community Involvement should be prepared or what it should contain. It is therefore considered appropriate to produce a streamlined, flexible document which will remain relevant should regulations be amended.
- 3.2 The draft revised Statement of Community Involvement has been divided into three parts: General Principles; Planning Policy and Development Management. The General Principles section provides details of the ways in which consultations will be carried out and the methods of communicating, including giving a higher profile to the use of social media. The Planning Policy and Development Management sections provide details of how the community may be involved at different stages of these processes. The draft Statement of Community Involvement is attached as **Appendix 1** to this report.

### 4. Consultation

- 4.1 Although there is no requirement to consult on a draft Statement of Community Involvement as part of its production, it is considered to be good practice to do so. It is therefore proposed that consultation will take place on the draft document for a period of six weeks.

This will involve directly contacting those individuals and organisations on the Policy Team's database, Parish Councils and agents and architects who regularly submit planning applications, as well as targeting wider audiences through the use of social media and the Authority's website. The consultation will focus upon asking people how they wish to be consulted and involved and whether the proposals in the draft Statement of Community Involvement are appropriate.

**5. Next Steps**

- 5.1 Following the consultation, any comments raised will be taken into account in finalising the document. The final document will then be presented to Members for adoption. Following adoption, the document will be used as a reference point for planning officers when carrying out consultations and will be made available to the public on the Authority's website.

**6. Financial and Staffing Implications**

- 6.1 The financial implications of revising the Statement of Community Involvement will be minimal and limited to any postage costs related to the consultation. Staffing requirements can be met through existing staffing in the Policy Team and in Development Management.

**7. Contribution to the National Park Management Plan**

- 7.1 The production of the Statement of Community Involvement will contribute to policies C1 and C3 of the National Park Management Plan which aim to ensure that communities will be involved in plan making.

**8. Legal Implications**

- 8.1 The Authority is required to produce a Statement of Community Involvement under the Planning and Compulsory Purchase Act 2004.

**9. Recommendation**

- 9.1 That Members approve the draft Statement of Community Involvement for consultation.

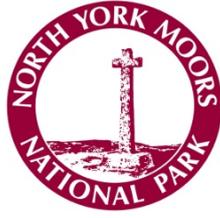
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**Background documents to this report**

**File ref**

1. North York Moors National Park Authority Statement of Community Involvement 2006

3050



# **Statement of Community Involvement**

**Draft for Consultation**

**April 2014**

## 1. Introduction

The Statement of Community Involvement sets out how the Authority will involve residents, businesses, community groups and organisations in plan making and in taking decisions on planning applications. Reference to 'communities' throughout this document relates to all of these groups.

The Authority is required to produce a Statement of Community Involvement under the 2004 Planning and Compulsory Purchase Act. This aside, the Authority understands that it is useful for communities to be aware of when they may have an opportunity to be involved and how this may take place.

The Statement of Community Involvement will be used in preparing planning policy documents and considering planning applications when considering the best way to involve communities and stakeholders. The Statement of Community Involvement does not set out rigid procedures to be followed but suggests appropriate ways in which people may be involved at different stages.

The Statement of Community Involvement is split into three parts:

- General Principles – which sets out the general principles of consultation and involvement and provides a summary of the different methods of consultation;
- Planning Policy – which sets out how communities can comment on and influence planning policy;
- Development Management – which sets out how communities can comment on and influence planning applications.

### **How to comment on the draft Statement of Community Involvement**

We would like your views on how you wish to be consulted on plans and planning applications and on the proposals in the draft Statement of Community Involvement. You may wish to comment on this consultation process itself as a way of letting us know how you think future consultations could be carried out.

Comments are invited on this draft Statement of Community Involvement by **????? 2014**. A comments form is available at [www.northyorkmoors.org.uk/????](http://www.northyorkmoors.org.uk/????). Please send your completed comments forms to Planning Policy, North York Moors National Park Authority, The Old Vicarage, Bondgate, Helmsley, YO62 5BP or email to [policy@northyorkmoors.org.uk](mailto:policy@northyorkmoors.org.uk). If you would like to discuss the draft Statement of Community Involvement or the consultation please contact Planning Policy on 01439 772700.

## 2. General Principles

The following principles of consultation will be followed in relation to any planning related consultation exercise carried out by the Authority:

- Minimum legal requirements for consultation will be met, exceeding these where practical and reasonable to do so and resources allow;
- Consultations will be open to everyone, although more specialist or technical consultations may be targeted at specific groups;
- Consultations will be clear and in plain English where possible, whilst recognising that technical content may be needed in some cases;
- We will allow sufficient time for people to respond to / be involved in consultations;
- We will be clear about what is open for consultation;
- Efficient use will be made of the Authority's and consultees' time and resources;
- Electronic forms of communication will be used wherever possible provided this is appropriate for the consultee and the nature of the consultation;
- Those who get involved will be kept informed of progress.

There are a number of ways in which consultation can be carried out and publicised, a brief account of some of these is given below:

- Letters and emails to consultees – these will directly alert likely interested parties to the consultation being carried out.
- The Authority's website – the website, [www.northyorkmoors.org.uk](http://www.northyorkmoors.org.uk), can provide full details of a consultation including electronic versions of the consultation documents and online response forms. The website contains space for direct links to consultations from the planning home page to ensure that a wide audience is aware of the consultation.
- Press releases – if an article appears in the press, on the radio or on a news or interest website this is likely to reach a relatively large audience, but the content of the article or broadcast is at the discretion of the media organisation.
- Moors Messenger – this is the Authority's own publication which is sent to all households and businesses in and around the National Park in November and May each year and enables the Authority to communicate with every resident.
- Drop-in sessions – these provide an opportunity for interested parties to discuss the consultation with officers from the Authority and/or others such as applicants. These may be linked to existing groups / meetings which take place across the Park.
- Press adverts – these provide limited but specific details of consultations and potentially reach a wide audience in and around the National Park.
- Social media (For example Twitter or Facebook) – These can alert a potentially wide audience (in interest and location) to a consultation, although can usually only contain a limited level of detail and will often feature a link to the Authority's website where more information will be held.

### 3. Planning Policy

The Authority produces a collection of documents which are used as the basis for taking decisions on planning applications. These include Local Plans<sup>1</sup> and Supplementary Planning Documents. Any Local Plans produced by the Authority form the Development Plan and planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Local Plans can contain strategic policy, detailed criteria covering specific issues and site allocations. Local Plans should be accompanied by a Policies Map. Supplementary Planning Documents add further detail to policies contained within Local Plans and are a material consideration which can be taken into account in determining planning applications. The National Park Authority also produces Planning Advice Notes which provide technical advice to accompany Local Plans and Supplementary Planning Documents and are also a material consideration.

Local Plans and Supplementary Planning Documents must be prepared in accordance with the relevant regulations in force<sup>2</sup>. These regulations will set out the required procedures for consultation, but these are often viewed as minimum requirements.

The table below summarises the possible stages in Local Plan and Supplementary Planning Document preparation, depending upon the nature of the plan being produced and the regulations in force at the time. This table provides an idea of how the Authority may engage with communities and interested parties throughout plan production. Whilst the Authority sees involvement of others as an ongoing and integral part of the process of plan preparation, there are specific stages when the Authority will actively seek to engage and consult with interested parties.

Stage of Plan production	Possible groups involved	Possible method of involvement / consultation
<b>Local Plans</b>		
Evidence gathering	Bodies with technical knowledge Adjoining planning authorities	Discussions Email / letter
Identifying issues	Residents / businesses Interest groups Statutory bodies Adjoining planning authorities	Email / letter Press release Website Social media Moors Messenger Drop-in sessions
Options	Residents / businesses Interest groups Statutory bodies Adjoining planning authorities	Email / letter Press release Website Social media Moors Messenger Drop-in sessions
Draft Plan	Residents / businesses Interest groups Statutory bodies	Email / letter Press release Website

<sup>1</sup> At the time of producing the Statement of Community Involvement the Authority's Local Plan is the Core Strategy and Development Policies 2008 which was produced as part of a Local Development Framework under former legislation and guidance.

<sup>2</sup> The regulations in force at the time of producing the Statement of Community Involvement are the Town and Country Planning (Local Planning) (England) Regulations 2012

	Adjoining planning authorities	Social media Moors Messenger Drop-in sessions
Publication <sup>3</sup>	Residents / businesses Interest groups Statutory bodies Adjoining planning authorities	Email / letter Press release Website Social media Moors Messenger
<b>Supplementary Planning Documents</b>		
Evidence gathering	Bodies with technical knowledge	Discussions Email / letter
Identifying issues	Residents / businesses Interest groups Statutory bodies Adjoining planning authorities	Email / letter Press release Website Social media Moors Messenger Drop-in sessions
Draft Supplementary Planning Document	Residents / businesses Interest groups Statutory bodies Adjoining planning authorities	Email / letter Press release Website Social media Moors Messenger Drop-in sessions

Planning policy consultations will normally be held for a minimum period of six weeks.

The Authority does not currently consult on the content of its Planning Advice Notes which cover topics of a technical and factual nature.

Planning policy documents can be lengthy and technical (particularly the required supporting documents such as Sustainability Appraisal and Habitats Regulations Assessment) and the Authority may produce a summary where this does not detract from the messages in the full document.

Whilst the Authority aims to carry out planning policy consultations electronically through making documents available on the website and communicating via email, paper copies or copies in other formats, such as large print or Braille, can be made available on request.

Following consultation, once the Authority has had an opportunity to consider all of the responses received, a summary of the responses and an indication of how they have been addressed will normally be made available (except where the volume of responses received renders this task unfeasible in which case a summary of the types of comments made will be produced). This may be published alongside subsequent stages of consultation<sup>4</sup>. Comments made verbally at drop-in sessions will be summarised and reported to the Authority but participants will be encouraged to submit a written response to ensure that we are able to accurately record all comments. Whilst all comments received will be taken into account, it should be noted that the Authority cannot always act favourably upon each one as, in addition to varying views often being put forward, wider considerations must also be taken into account such as national policy and legislation.

<sup>3</sup> This stage is required under the current regulations and requires the Authority to consult on whether the Plan is 'sound'

<sup>4</sup> This is with the exception of any comments made at Publication stage which will be considered through the process of Examination by a Planning Inspector

To be contacted by letter or email your details will need to be held on the Policy Team's consultation database. These details are not used for any purposes other than planning policy consultations<sup>5</sup> and are not shared either within or beyond the National Park Authority without your prior agreement. If you would like to be kept informed of planning policy consultations and would like your details to be stored on our database please email [policy@northyorkmoors.org.uk](mailto:policy@northyorkmoors.org.uk) or telephone 01439 772700.

If you would like to find out about documents that are currently being produced and any current consultations please see the planning policy pages on the Authority's website at [www.northyorkmoors.org.uk](http://www.northyorkmoors.org.uk).

Should any Neighbourhood Plans be prepared within the National Park, appropriate consultation methods would need to be determined by the bodies responsible for their production (in the National Park this would be the Town or Parish Council or Parish Meeting). Nevertheless, the Authority would expect such groups to use this Statement of Community Involvement as a starting point and may be able to advise on or assist with consultations.

In instances where the Authority is working jointly with other planning authorities the approaches to consultation may need to be varied to take into account the requirements of other Statements of Community Involvement and other authorities' established consultation methods.

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<sup>5</sup> Including consultations on the National Park Management Plan

## 4. Planning Applications

### Pre Application Discussions

We encourage pre-application discussions<sup>6</sup> with planning officers, even for minor schemes, in order to assess whether the principle of development is acceptable and to identify any potential issues that can be resolved prior to the submission of an application. Applicants are also encouraged to discuss their proposals with neighbours or others likely to be affected. For certain schemes which are likely to be contentious or have wider community impacts, the applicant will be encouraged to undertake more formal pre-application consultation with the local community. Such community consultation is expected for major development proposals (10 or more dwellings or on a site of 0.5 hectares or more, or other developments with a floor space of 1,000m<sup>2</sup> or on a site of 1 hectare or more) or a significant proposal that departs from adopted policy. Under powers introduced by the 2011 Localism Act, community consultation is now a legal requirement in relation to proposals for two or more wind turbines or where the hub height exceeds 15 metres and similar requirements could be introduced for other forms of development in the future.

Where such consultation takes place it should be based on the following methods:

- Contact with the Parish Council(s);
- Public meeting/display/exhibition;
- Distribution of leaflets to residents;
- Local press coverage;
- Use of Social Media.

However, we suggest that discussions with the Authority take place prior to carrying out any consultation in order to ensure the most appropriate methods are undertaken.

### Application Stage

If pre-application community consultations have been undertaken, details of the methods of consultation that were entered into and how the results of this have informed the proposal should be included with the planning application.

Once a planning application has been received, the Authority will display a site notice on or near the application site and will advise immediate neighbours with a mutual boundary or those considered likely to be affected by letter. A separate consultation letter will be sent to the relevant Town or Parish Council or Parish Meeting, statutory consultees and other organisations in the community, such as amenity bodies. In some cases, particularly major developments, or development affecting a Conservation Area, Listed Building or Public Right of Way, there are extra publicity requirements, including a requirement for the Authority to advertise the proposal in the local paper.

The site notice and all consultations allow 21 days for comments to be made to the Authority and a longer time period will be given on request wherever possible. Officers are available to answer queries on submitted schemes and can be contacted by phone, email, or in person (by appointment), at the Helmsley office. Officers are also available to meet members of a Town or Parish Council/Meeting to help local people formulate their comments on development proposals.

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<sup>6</sup> Please note there is a charge for pre-application advice and the procedure and associated cost is available on the planning pages of our website.

All planning application forms and plans can be viewed at the Authority's offices in Helmsley and on the Authority's website, using the following link:

<http://planning.northyorkmoors.org.uk/Northgate/PlanningExplorer/ApplicationSearch.aspx>

Some Parish Councils also make plans available for inspection locally.

Comments can be made by letter, e-mail or through the web site, and any comments made which constitute a material planning consideration are taken into account.

Where significant changes are proposed to applications that have not yet been determined, those people who commented on the matter in respect of the original application will be reconsulted. Amended plans are available for inspection at the Authority's offices in Helmsley and on the Authority's website.

### **Decision making**

Where an application is to be determined by the Planning Committee, the applicant/agent, one objector, one supporter and the Town or Parish Council/Meeting, can speak at the meeting for 3 minutes in support of their views to supplement and reinforce information contained in the planning application. Anyone who has commented on an application will be informed in writing of the date and time of the meeting and an information leaflet is available explaining the public speaking procedures. Planning Committee meetings can be observed by any member of the public. In addition to considering responses to an application, the Planning Committee is guided by the policies of the adopted Local Plan<sup>7</sup> when reaching decisions on planning applications.

Certain applications are determined by the Director of Planning under the agreed scheme of delegation, which applies to both approvals and refusals. These applications are those where:

- The proposal conforms to the Authority's adopted policies and procedures;
- No comments are received from any interested party which are contrary to the recommendation made by officers, unless these can be addressed by attaching a suitable condition;
- There are no other material circumstances which would warrant decision by Committee.

### **After the Decision**

All decisions are posted on the Authority's website within 24 hours of the decision being made. Copies of decision notices are also available for inspection at the Authority's offices in Helmsley and on the Authority's website. In cases where the decision taken by the Authority is contrary to the views of the Parish/Town Council/Meeting a letter will be sent explaining the reasons for this and the basis of the decision.

Concerns about approved developments not being implemented in accordance with approved plans or conditions can be raised with officers in the Enforcement and Monitoring Team.

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<sup>7</sup> At the time of producing the Statement of Community Involvement the Authority's Local Plan is the Core Strategy and Development Policies 2008 which was produced as part of a Local Development Framework under former legislation and guidance.

If a decision is taken to appeal anyone who commented on the original application will be notified and advised of the appeal process. With the exception of householder applications there is an opportunity for anyone who made comments on the original application to make further comments to the Planning Inspectorate.

## **5. Further Information**

If you would like further information on how you can be involved in planning, please contact us using the details below:

Planning Policy – [policy@northyorkmoors.org.uk](mailto:policy@northyorkmoors.org.uk)

Development Management – [planning@northyorkmoors.org.uk](mailto:planning@northyorkmoors.org.uk)

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