

INSPECTOR'S REPORT
CHESTER-le-STREET DISTRICT COUNCIL
STATEMENT OF COMMUNITY INVOLVEMENT

Inspector: Keith Holland BA(Hons) Dip TP MRTPI ARICS
Date: 20th June 2006

Chester-le-Street District Council Statement of Community Involvement (November 2005)

INSPECTOR'S REPORT

Introduction

- 1.1 An independent examination of the Chester-le-Street District Council's Statement of Community Involvement (SCI) has been carried out in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004. Following paragraph 3.10 of Planning Policy Statement 12: Local Development Frameworks, the examination has been based on the 9 tests set out (see Appendix A). The starting point for the assessment is that the SCI is sound. Accordingly changes are made in this binding report only where there is clear need in the light of tests in PPS12.
- 1.2 A total of 11 representations were received all of which have been considered. Further information was requested from the Council in relation to Tests iii, iv and v and this information is contained in Appendix B to this Report.

Test 1

- 2.1 The Council has undertaken the consultation required under Regulations 25, 26 and 28 of the Town and Country Planning (Local Development) (England) Regulations 2004.
 - 2.2 However, having regard to "DPD matters" and "proposals matters", see Regulation 24 (4), the Council should have included a statement regarding notification requests in earlier documentation, including the advertisements. In future DPDs the Council must ensure that this requirement is met.
- (R1)** The Council are to notify all those who made a representation on the submission SCI of the publication of the Inspectors Report and the subsequent adoption of the SCI.
- 2.3 Subject to the recommendation above this test is met.

Test 2

- 3.1 Paragraphs 2.9 – 2.10 recognises the links between the LDF, the SCI and the Community Strategy. The SCI explains in Paragraphs 1.13 – 1.16 the structure of the Local Strategic Partnership, the seven district wide Theme Groups and the four area based Community Partnerships. This also explains how these existing groups will be used in the consultation on Development Plan Documents (DPDs). The SCI also makes reference to other community strategies such as the Corporate Communications Strategy in Paragraph 1.4 and states that consideration will be

given to how these will be linked in terms of objectives and consultation.

3.2 I am satisfied that the Council recognise the links between the strategies, the (Local Development Documents) LDDs and the associated consultation exercises.

3.3 This test is met.

Test 3

4.1 The Council has set out in Appendix 1 of the SCI those groups which will be consulted. This list includes the statutory bodies from PPS12 Annex E. It is stated at Appendix 1 of the SCI that the Council will hold a database of consultees details, and that these bodies will be consulted throughout the LDF process. Furthermore, the Council state in Paragraphs 2.19 – 2.22 that they will consult with additional local stakeholders where appropriate.

4.2 The re-organisation of certain consultation bodies, such as the Strategic Rail Authority, should be acknowledged in the SCI and I recommend an additional sentence be added to this effect.

(R2) Add to the end of Appendix 1 the following:

"Please note, this list is not exhaustive and also relates to successor bodies where re-organisations occur."

4.3 As the Council have confirmed that they do hold a database of consultees the following change should be made to the opening paragraph of Appendix 1:

(R3) Amend the first sentence of Appendix 1 to read:

"The Council holds a database of bodies, organisations, and individuals, and these will be informed throughout the Local Development Framework (LDF) production process."

4.4 Subject to the recommendations above this test is met

Test 4

5.1 Paragraphs 2.11 – 2.15 shows that the Council will involve and inform people from the early stages of DPD preparation and Paragraphs 2.23 – 2.28 set out the range of methods the Council will employ to do this. It indicates that consultation will take place with the key stakeholders during the issues and options stage of DPD production in accordance with Regulation 25.

5.2 However, the SCI does not address the issue of alternate sites, if a DPD is concerned with allocations of land. The Council were asked to provide additional text to address this issue and I recommend accordingly.

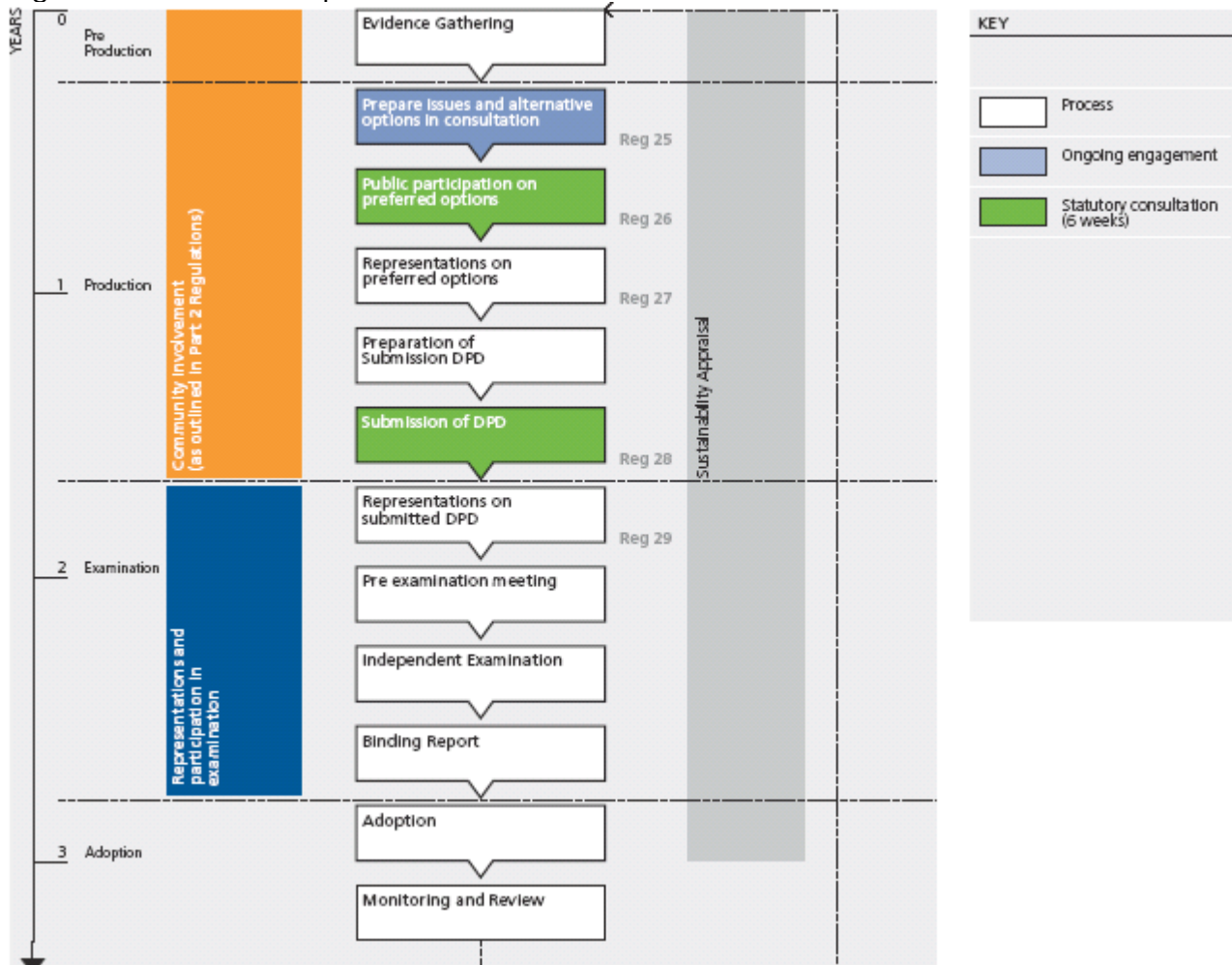
(R4) Replace Paragraph 2.13 with the following:

“2.13. Once the Council has analysed all of the responses received from the public and made all necessary amendments, we will submit the DPD to the Secretary of State, and publish it for a further six weeks of public consultation. The community can comment on policies and proposals at this stage even if they have not been involved in the earlier preparation stages. If at this stage anyone puts forward alternative sites, for example for housing, the Council must also publish them for public consultation for a further six weeks following the original six week period for consultation. At the Submission stage we must also prepare a statement of compliance, which details how we have complied with the SCI.”

(R5) Add the following to Paragraph 2.14:

“Figure 1 shows the preparation process for Development Plan Documents. This is broken down into 4 stages, pre-production, production, examination and adoption.

Figure 1 – The Development Plan Document Process



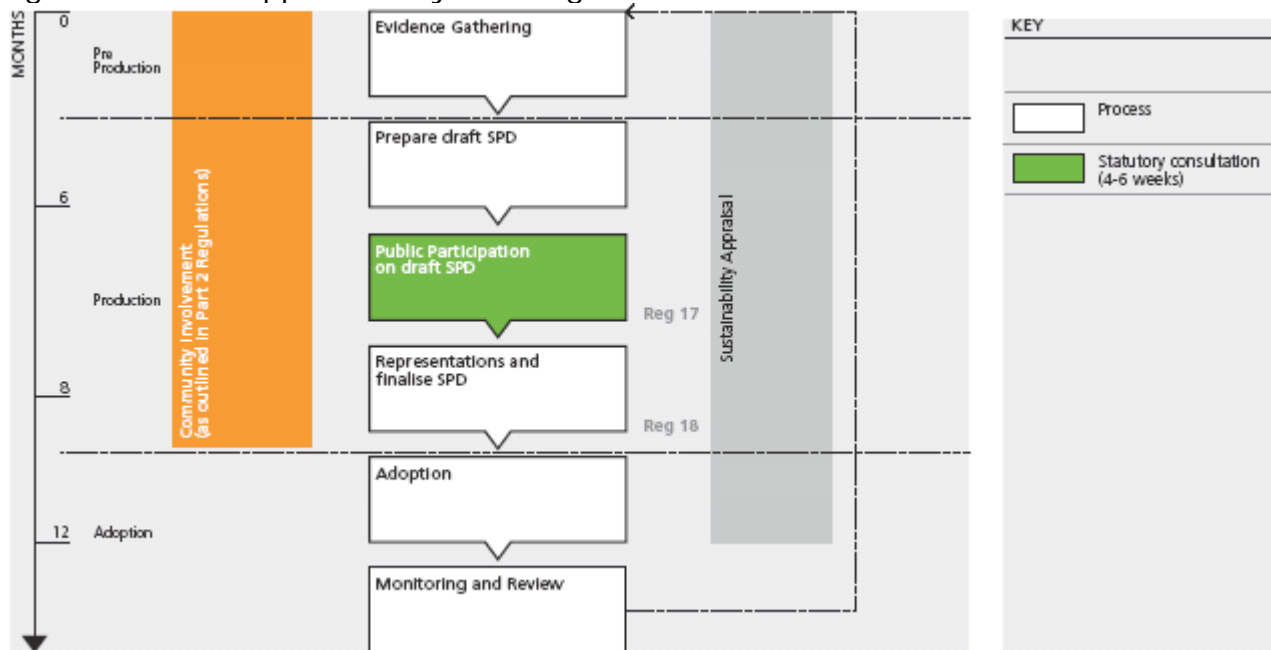
(R6) Add beneath the DPD diagram the following:

"Please note that this figure does not take into account a discrete stage of DPD production, if a document is concerned with allocations of land. In that event, if alternate sites are put forward during the submission consultations, the Authority will advertise these sites and request comments during an additional six week period of consultation."

5.3 Chapter 2 also failed to make mention of Supplementary Planning Documents. Once again, the Council were asked to provide information on this and I recommend that the following be added after the text accompanying proposed Figure 1.

The process for the preparation of SPDs is shown in Figure 2 below. It involves the same early engagement as DPDs but has only one round of consultation on a draft document. There is no independent examination of the document although the Secretary of State can require them to be modified."

Figure 2 – The Supplementary Planning Document Process



5.4 I am satisfied that providing these stages are followed the consultation proposed will be undertaken in a timely and accessible manner.

5.5 Subject to the recommendations above this test is met.

Test 5

- 6.1 Paragraphs 2.23 – 2.28 set out the methods that the Council propose to use to involve the community and stakeholders. These cover a range of recognised consultation techniques that will present information via a range of different media. Although the Council indicate through Appendix 2 which of these methods is considered appropriate to each DPD there is no indication in what stages of LDD preparation these various methods might be employed or who will be consulted at these stages.
- 6.2 The Council were asked to clarify the stages at which consultation will take place and who will be consulted at those stages and I recommend accordingly.
- (R7)** Insert the new Consultation Matrix as given in Appendix B to this report.
- 6.3 The SCI at Paragraphs 2.21 – 2.22 acknowledge that the Council may have to provide extra support to facilitate consultation with certain groups or individuals, and proposes (in Appendix 2) how they might do this. Paragraph 2.17 explains how the Council will make their information accessible to all members of society, and thus meets the requirements of the Race Relations Act 2000 and the Disability Discrimination Act 1995 though I do have one recommendation to reinforce their position.
- (R8)** Add the following to the end of Paragraph 2.17:
- “LDF documents and any related literature can be made available in a variety of formats e.g. Braille, large print, audio cassette, languages other than English. If you require documents in another format please contact 0191 387 2025.”
- 6.4 As a result I am satisfied that the methods of consultation proposed in the SCI are suitable for the intended audiences and for the different stages in LDD preparation.
- 6.5 Subject to the recommendations above this test is met.

Test 6

- 7.1 Paragraph 1.12 of the SCI explains how the Council will seek to ensure that sufficient resources are put in place to achieve the scale of consultation envisaged. Although little detail is provided it is clear that the Council is aware that the SCI is likely to depend on assistance from several Council Departments. I am satisfied that the Council is alert to the resource implications of the SCI.
- 7.2 This test is met.

Test 7

- 8.1 Paragraphs 2.16 – 2.17 explain how the results of community involvement will be taken into account by the Council and used to inform decisions. The Council also propose to prepare reports at the end of the consultation period explaining how views have been considered and documents changed in light of the community involvement. The SCI states at the end of Paragraph 2.17 where these will be made publicly available.
- 8.2 This test is met.

Test 8

- 9.1 Paragraphs 1.19 – 1.20 explain that the Council continuously monitors and reviews all consultation documents and that the SCI will be formally reviewed as part of this process and reported on through the Annual Monitoring Report.
- 9.2 I am satisfied that the Council has mechanisms for reviewing the SCI and have identified potential triggers for the review of the SCI.
- 9.3 This test is met.

Test 9

- 10.1 The SCI at Chapter 3 clearly describes the Council's policy for consultation on planning applications. Paragraphs 3.4 – 3.8 meet the minimum requirements and provide additional methods of consultation whilst Chapter 4 distinguishes between procedures appropriate to different types and scale of application.
- 10.2 The SCI does not explicitly deal with the question of how the results of consultation will be reported and how the results will be used to inform the decision making process.

(R9) Add to the end of Paragraph 3.7 the following:

"The results of any such consultation will be reported and taken into account in decisions made by, and on behalf of, the Council."

- 10.3 The SCI also does not address the longer statutory time period for consultation that may be applicable in certain circumstances

(R10) Insert after the second sentence of Paragraph 3.6 the following:

"Bodies such as English Nature will be allowed a longer period of time to comment on applications where this is prescribed by legislation."

10.4 Subject to the recommendations above this test is met.

Conclusions

11.1 The Council were asked to provide a schedule of editorial changes to the submission document in order to correct any information that would become redundant once the document is adopted. This information is given as Appendix C to this report and I recommend accordingly.

(R11) Implement the changes detailed in Appendix C to this report.

11.2 Subject to the implementation of the recommendations above the Chester-le-Street District Council SCI (November 2005) is sound.

A handwritten signature in black ink, appearing to read 'KHolland', written in a cursive style.

Keith Holland

Inspector

APPENDIX A
TESTS OF SOUNDNESS

Examination of the soundness of the statement of community involvement

3.10 The purpose of the examination is to consider the soundness of the statement of community involvement. The presumption will be that the statement of community involvement is sound unless it is shown to be otherwise as a result of evidence considered at the examination. A hearing will only be necessary where one or more of those making representations wish to be heard (see Annex D). In assessing whether the statement of community involvement is sound, the inspector will determine whether the:

- i. local planning authority has complied with the minimum requirements for consultation as set out in Regulations;¹
- ii. local planning authority's strategy for community involvement links with other community involvement initiatives e.g. the community strategy;
- iii. statement identifies in general terms which local community groups and other bodies will be consulted;
- iv. statement identifies how the community and other bodies can be involved in a timely and accessible manner;
- v. methods of consultation to be employed are suitable for the intended audience and for the different stages in the preparation of local development documents;
- vi. resources are available to manage community involvement effectively;
- vii. statement shows how the results of community involvement will be fed into the preparation of development plan documents and supplementary planning documents;
- viii. authority has mechanisms for reviewing the statement of community involvement; and
- ix. statement clearly describes the planning authority's policy for consultation on planning applications.

From: Planning Policy Statement 12: Local Development Frameworks

¹ The Town and Country Planning (Local Development) (England) Regulations, 2004.

INSPECTOR'S REPORT
CHESTER-le-STREET DISTRICT COUNCIL
APPENDIX B – CORRESPONDENCE

Replace 2.13 with

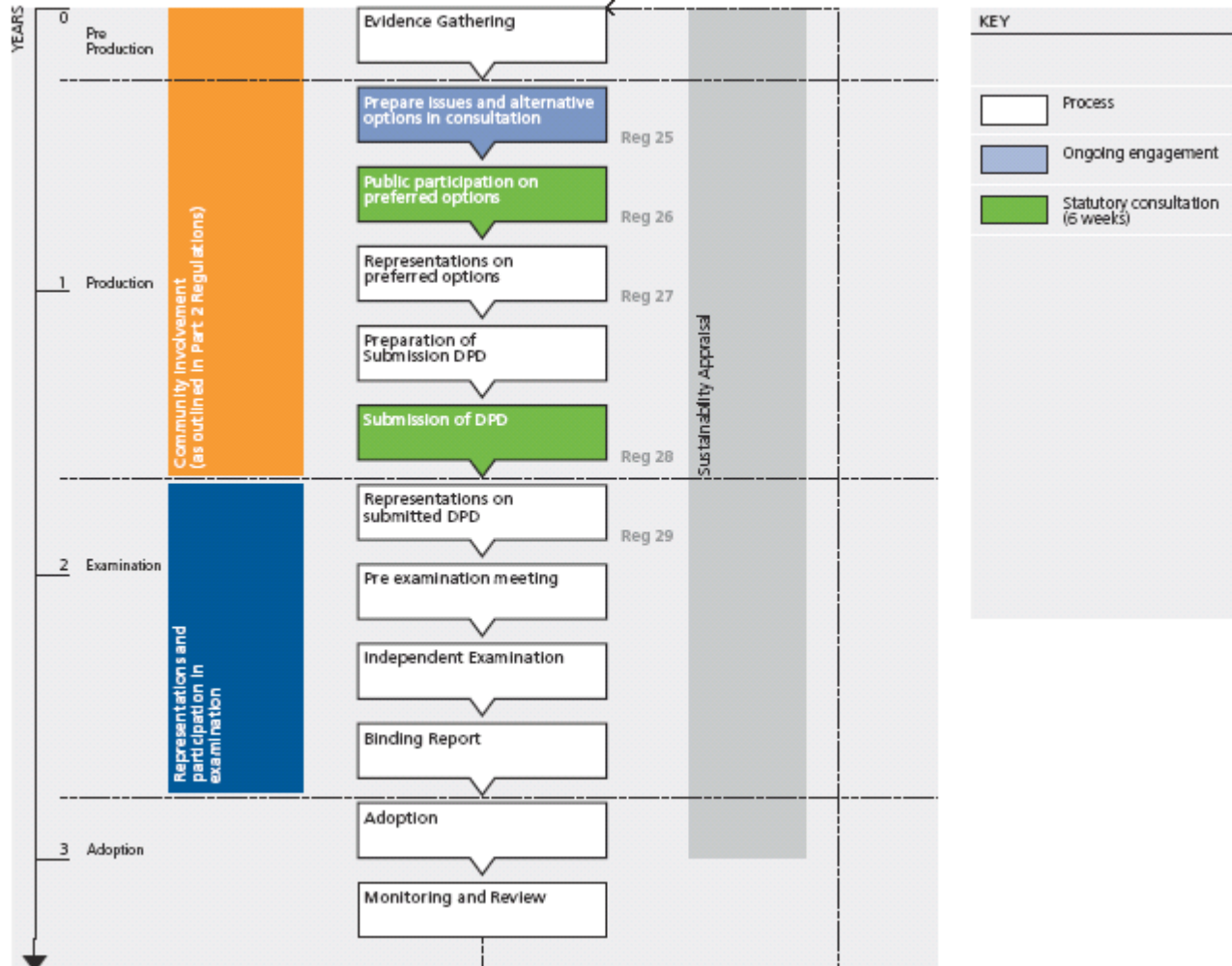
Submission

- 2.13 Once the Council has analysed all of the responses received from the public and made all necessary amendments, we will submit the DPD to the Secretary of State, and publish it for a further six weeks of public consultation. The community can comment on policies and proposals at this stage even if they have not been involved in the earlier preparation stages. If at this stage anyone puts forward alternative sites, for example for housing, the Council must also publish them for public consultation for a further six weeks following the original six week period for consultation. At the Submission stage we must also prepare a statement of compliance, which details how we have complied with the SCI.

Add to 2.4

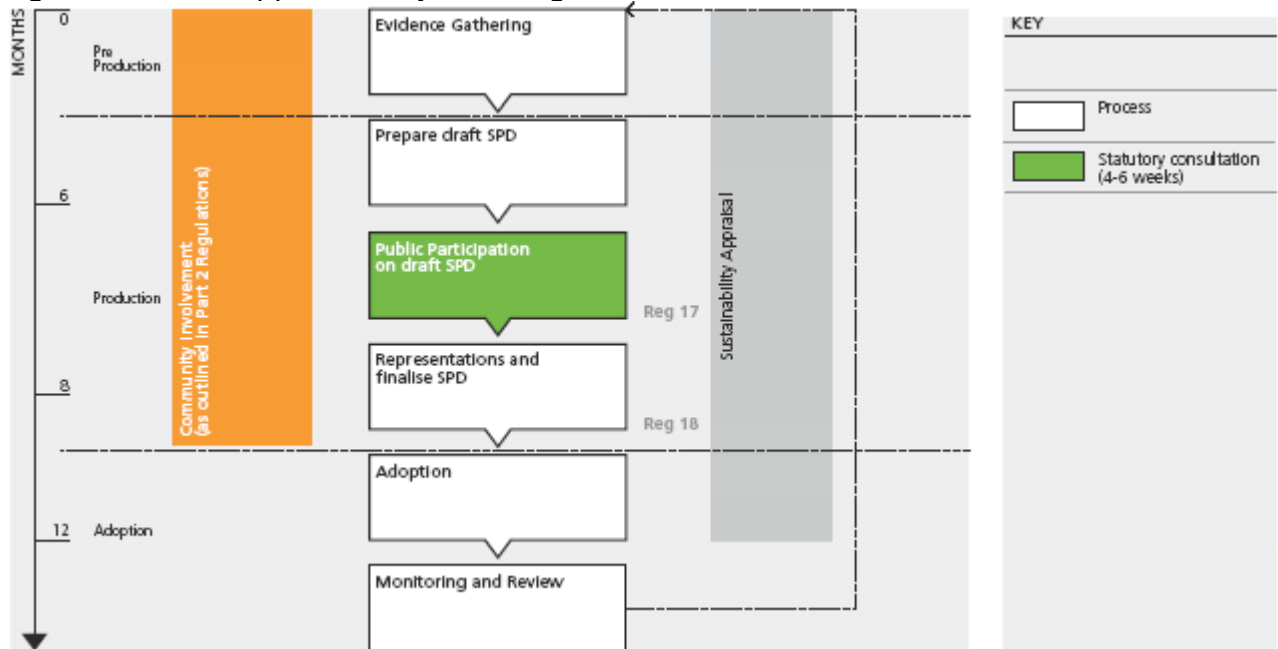
Figure 1 shows the preparation process for Development Plan Documents. This is broken down into 4 stages, pre-production, production, examination and adoption.

Figure 1 – The Development Plan Document Process



The process for the preparation of SPDs is shown in Figure 2 below. It involves the same early engagement as DPDs but has only one round of consultation on a draft document. There is no independent examination of the document although the Secretary of State can require them to be modified.

Figure 2 – The Supplementary Planning Document Process



Replace Appendix 2

APPENDIX 2: CONSULTATION METHOD MATRIX FOR THE LOCAL DEVELOPMENT FRAMEWORK

Consultation Options	Development Plan Documents									Supplementary Planning Documents	
	Core Strategy			Housing Allocations			Development Control Policies				
	Pre Consult	Preferred Options	Submission	Pre Consult	Preferred Options	Submission	Pre Consult	Preferred Options	Submission	Pre Consult	Draft
Newspaper Supplements	1,2	1,2	1,2	1,2	1,2	1,2	1,2	1,2	1,2	1,2	1,2
District News	1,2	1,2	1,2	1,2	1,2	1,2	1,2	1,2	1,2	1,2	1,2
Questionnaires	1-6			1-6			1-6			1-6	
Planning for Real				1,2,3							
Public Exhibitions	1,2,3	1,2,3	1,2,3	1,2,3	1,2,3	1,2,3	1,2,3	1,2,3	1,2,3		
Table Scheme Display				1,2,3							
Focus Groups	1-6			1-6			1-6			1-6	
Written Notification	1-6	1-6	1-6	1-6	1-6	1-6	1-6	1-6	1-6	1-6	1-6
Web-based Consultations	1-6	1-6	1-6	1-6	1-6	1-6	1-6	1-6	1-6		1-6

Group 1	Group 2	Group 3	Group 4	Group 5	Group 6
Hard to reach groups, for example young people, ethnic minorities	Groups and individuals with little or no planning background/training, for example residents associations, businesses	Groups and individuals with some planning background, for example Parish Councils, Primary Care Trusts	Groups and individuals with planning background, for example planning consultants and developers	Interest and Pressure Groups, for example, Sport England, CABE, Age Concern etc	Durham County Council, NE Assembly, neighbouring authorities and other statutory consultees

INSPECTOR'S REPORT
CHESTER-le-STREET DISTRICT COUNCIL
APPENDIX C – EDITORIAL CHANGES



Chester-le-Street District Council

Local Development Framework: Submitted Draft Statement of Community Involvement

Schedule of editorial changes for Adoption

This schedule sets out the amendments that the Council proposes to incorporate into the SCI at the adoption stage. These amendments do not affect or change policy. They are for the purpose of clarity and accuracy.

<i>Item/ policy/ proposal</i>	<i>Page/ paragraph/ reference</i>	<i>Proposed editorial change</i>	<i>Reason for change</i>
	Front cover	Removal of text to say “Chester-le-Street’s Statement of Community Involvement”	
	Opening page	Removal of title and date to say “Chester-le-Street District Council Statement of Community Involvement	
	Opening page	Removal of information box detailing how comments are made	To form adoption document
	2 nd and 3 rd Opening pages	Removal of all text from “The Planning and Compulsory Purchase Act 2004....” Before the contents pages.	Information only required for submission draft



The Planning Inspectorate

Room 3/25 Hawk Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Direct Line 0117-372 8468
Switchboard 0117-372 8000
Fax No 0117-372 6239
GTN 1371-8468
e-mail: Stephen.carnaby@pins.gsi.gov.uk
<http://www.planning-inspectorate.gov.uk>

Matthew Gibson
Chester-le-Street District Council
Civic Centre
Newcastle Road
Chester-le-Street
Co. Durham
DH3 3UT

Your Ref:

Our Ref: PINS/G1305/429/3

Date: 20th June 2006

Dear Matthew,

CHESTER-le-STREET DISTRICT COUNCIL STATEMENT OF COMMUNITY INVOLVEMENT EXAMINATION – INSPECTOR’S REPORT

I am pleased to enclose two copies the draft report prepared by Inspector Keith Holland BA(Hons) Dip TP MRTPI ARICS following the written representations examination to consider the soundness of Chester-le-Street District Council’s Statement of Community Involvement.

On behalf of the Inspector I would like to thank your Authority for its assistance. I feel sure that this has helped the Inspector minimise the time taken to produce this report that in turn has made an effective contribution towards achieving the Inspectorate’s objective of expediting its part of the overall Plan-preparation process.

Your Authority should now carry out a factual check of the draft report. Local Planning Authorities may request an amended report within 10 working days from the date of receipt of the Inspector’s draft report, although such amendments must be confined to matters of clarification, or omissions, which need to be resolved. The final report, with amendments from the draft where necessary, will be issued to you without additional charge to the LPA, within 20 working days of the Inspector being asked to consider any amendments. If you do not require clarification, would you please inform the Planning Inspectorate by the end of the 10 day period that you are prepared to accept the draft report as the final version.



The report will be binding upon the Local Planning Authority and will give specific recommendations as to how the Statement of Community Involvement must be changed. I would be grateful if you could notify the Inspectorate beforehand of the date on which the Inspector's final report is to be published. I also welcome, in due course, 2 copies of the adopted Statement of Community Involvement.

Yours sincerely

Steve Carnaby
Local Developments Framework Team