

# Item no.



District of **easington.**

**Report to:** Executive  
**Date:** 20<sup>th</sup> September 2005  
**Report of:** Executive Member for Environment and Transport  
**Subject:** LDF : Statement of Community Involvement  
**Ward:** All

## **1. Purpose of Report**

1.1 The purpose of this report is to advise the Executive of the outcome of consultation on the Draft Statement of Community Involvement (SCI) prior to submission to the Government Office for subsequent independent examination.

## **2. Consultation**

2.1 Appendix 1 is a list of the organisations/individuals who have been consulted on the Draft SCI. The Chief Executive and Management Team have been consulted and support the proposals recommended in this report.

## **3. Background**

3.1 The Planning and Compulsory Purchase Act 2004 introduces a new planning system which is intended to promote a more proactive, positive approach to managing development. Development plan documents will continue to be the essential framework for planning decisions but, through a process of 'front loading', community and stakeholder involvement must be sought from the outset. This is to achieve local ownership and legitimacy for the policies that will shape the future of the area.

3.2 The Council's proposals to facilitate engagement in the planning process need to be identified in a Statement of Community Involvement (SCI). The document will form part of the Local Development Framework and should set out the Council's policy and standards for involving the community and stakeholders in the preparation of both development plan documents and planning applications, to meet the requirements of the Act.

3.3 In the Local Development Scheme approved by the Council in March 2005, it was proposed that the SCI would be submitted to the government office by the end of October 2005. It will then be subject to independent examination early next year, before it can be formally adopted. The Inspectors report will be binding on the Council.

## **4. Position Statement and Option Appraisal**

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- 4.1 The draft SCI proposed for submission has been previously circulated and is available in the Members Library. It seeks to promote effective community involvement in all aspects of planning, including development plan preparation and planning applications. Whilst consultation on planning matters is largely a statutory requirement laid down by Regulations, the SCI also needs to consider the Council's corporate approach to engagement, using existing mechanisms where possible, to involve all sectors of the community, through a range of communication methods, and to explore opportunities to link to engagement with the Community Strategy. The draft document also reflects the consultation procedures laid down in the Council's Development Control Manual which is accepted good practice.
- 4.2 To meet statutory Regulations, formal consultation was undertaken on a draft document, for a statutory 6-week period, from 22<sup>nd</sup> July to 2<sup>nd</sup> September 2005. Representations are currently being considered and minor amendments will be made to the draft SCI in response to these before the final document is presented to full Council in October for approval to submit to GO-NE.
- 4.3 Thirteen responses were received in total and appendix 2 gives full details of these responses. Responses at the time of this report generally support the core principals of the document but amendments by and large relate to the detail of information in some sections and the layout of the document to improve clarity.

## 5. Implications

### 5.1 Financial

There are no financial implications, funding requirements will be met from existing budgets.

### 5.2 Legal

There are no legal implications.

### 5.3 Policy

The SCI sets out the Council's policy for consultation on planning matters. An amended document will be reported to full Council for final approval.

### 5.4 Risk

As this is a technical document, there is no risk.

### 5.5 Communications

The amended SCI will be submitted to the Government Office in October and advertised for formal public consultation in accordance with the Regulations. Following an independent inquiry anticipated in spring 2006, the Inspector's binding report will be reported back to the Council for final adoption into the LDF.

## 6. Corporate Implications

### 6.1 Corporate Plan and Priorities

The report addresses corporate priorities with regard to quality of service.

### 6.2 Equality and Diversity

The SCI seeks to meet equality and diversity needs

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## **6.3 E-Government**

The SCI addresses e-government requirements

## **6.4 Procurement**

There are no procurement implications

## **7. Recommendations**

It is recommended that the outcome of consultations on the Draft SCI be noted and that the Executive recommend to Council its formal submission to the Secretary of State in accordance with the requirements of the new Planning and Compulsory Purchase Act 2004.

Background Papers/Documents referred to:

PPS12

Local Development Scheme

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## APPENDIX 1 LIST OF CONSULTEES

Title	Company	Address1	Address2	Address3	Address4	PostalCode
Mr I.A.Goodrich	Clerk Castle Eden Parish Council	198 Hatfield Place	Peterlee	Co. Durham	SR8 5TA	
Mr J.Abbott	Clerk Dalton le Dale Parish Council	6 Midsomer Close	Moorside	Sunderland	Tyne and Wear	SR3 2RN
Mr A.Forster	Clerk Easington Colliery Parish Council	Parish Hall	Crawlaw Road	Easington Colliery	Peterlee	SR8 3LP
Mr W.S.Day	Clerk Easington Village Parish Council	Seaton Holme	Hall Walks	Easington Village	Peterlee	SR8 3BS
Mr M.Preston	Clerk Haswell Parish Council	4 Lyster Close	Seaton	Seaham	Co. Durham	SR7 0PH
Miss S.Irving	Clerk Hawthorn Parish Council	4 High West Lane	Hawthorn	Seaham	Co. Durham	SR7 8RY
Mrs S.Shippen	Clerk Horden Parish Council	Council Offices	Horden Social Centre	Seventh Street	Horden	SR8 4LX
Mrs M.Wilson	Clerk Hutton Henry Parish Council	14 Hart Lane	Hartlepool	Cleveland	TS26 8NN	
Mrs S. Peacock	Clerk Monk Hesleden Parish Council	4 Crimdon Terrace	Blackhall Rocks	Hartlepool	TS27 4BQ	
Mrs L.Armstrong	Clerk Murton Parish Council	The Glebe Centre	Durham Place	Murton	Seaham	SR7 9BX
Mr J.Arthur	Clerk Peterlee Town Council	Shotton Council	Shotton Hall	Old Shotton	Peterlee	SR8 2PH
Mr S.Cudlip	Clerk Seaham Town Council	Civic Offices	4 Adelaide Row	Seaham	Co. Durham	SR7 7EF
Mr E.Chaffe	Clerk Seaton with Slingley Parish Council	2 Wharton Close	East Rainton	Houghton le Spring	Tyne and Wear	DH5 9RN
Mr A.P.Abbot	Clerk Sheraton with Hulam Parish Council	The Mansion House	Sheraton	Castle Eden	Co. Durham	TS27 4RB
Mr S.Wardle	Clerk Shotton Parish Council	14 Claypool Farm	Hutton Henry	Hartlepool	Cleveland	TS27 4QZ
Mr M.Laverick	Clerk South Hetton Parish Council	12 Colepike Road	Lanchester	Co. Durham	DH7 0HJ	
Mr D.Moore	Clerk Thornley Parish Council	8 Fleetham Grove	Hartburn	Stockton	Cleveland	TS18 5LH
Mr R.H.Gott	Clerk Trimdon Parish Council	41 Beaumont Crescent	Sedgefield	Co. Durham	TS21 3AL	
Ms J. Wilson	Clerk Wheatley Hill Parish	3 Maslin Grove	Peterlee	Co. Durham	SR8 1QN	

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Title	Company	Address1	Address2	Address3	Address4	PostalCode
	Council					
Mr G.Reid	Clerk Wingate Parish Council	6 Southside	Easington Village	Co. Durham	SR8 3AX	
	Director of Environment & Technical Services(Highways Consultation)	Durham County Council	County Hall	Durham	DH1 5UQ	
W. Drea	Director of Environment & Technical Services(Design Consultation)	Durham County Council	County Hall	Durham	DH1 5UQ	
John Webster	Director of Economic Development & Planning	Durham County Council	County Hall	Durham	DH1 5UQ	
Lenny Hope	Northumbrian Water	Leat House	Pattinson Road, District 15,	Washington	Tyne & Wear	NE38 8LB
Susan Davison	Environment Agency	Tyneside House	Newcastle Business Park	Newcastle upon Tyne	NE4 7AR	
	The Coal Authority	Mining Reports	200 Lichfield Lane	Mansfield	Nottinghamshire	NG18 4RG
Mr. A. Burns	Easington District Association for the Disabled	The Studios	Castle Eden	Hartlepool	Cleveland	
Steve Spink Regional Manager	Highways Agency	City House	New Street Station	Leeds	Yorkshire	LS1 4US
	English Heritage	Bessie Surtees House	41-44 Sandhill	Newcastle upon Tyne	NE1 3JF	
Dr David Mitchell	English Nature	Northumbria Team	Stocksfield Hall	Stocksfield	Northumberland	NE34 7TN
	Durham Wildlife Trust	Rainton Meadows	Chilton Moor	Houghton le Spring	Tyne & Wear	DH4 6PU
Alex Keddie	Health & Safety Executive	Arden House	Regent Centre, Regent Farm Road	Gosforth	Tyne & Wear	NE3 3JN
Barry Thorpe, Asset Protection Manager	Railtrack	A101 Hudson House	Toft Green	York	YO1 6HP	

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Title	Company	Address1	Address2	Address3	Address4	PostalCode
Allan Simpson	City of Durham	Byland Lodge	Hawthorn Terrace	Durham	DH1 1XE	
Rob Hepplewhite	Hartlepool Borough Council	Bryan Hanson House	Hanson Square	Hartlepool	Cleveland	TS24 7BT
John Litherland/Steve Barker	Sedgefield Borough Council	Civic Offices	Green Lane	Spennymoor	Co. Durham	DL16 6JQ
William Ault/Keith Lowes	Sunderland City Council	Civic Centre	Sunderland	SR2 7DN		
Tom Watson	Chester le Street District Council	Civic Centre	Newcastle Road	Chester le Street	Tyne & Wear	
	Hetton Town Council	Hetton Centre	Welfare Road	Hetton-Le-Hole	Sunderland	DH5 9E
Mr R. Gray	Hart Parish Council	12 John Howe Gardens	Hartlepool	TS24 9NQ		
Mrs B. Bird	Elwick Parish Council	Naisberry Farm	Elwick	Hartlepool	TS27 3EA	
Mr E. Benson	Dalton Piercy Parish Council	9 Belsay Court	Sedgefield	Stockton On Tees	TS21 2JA	
Mrs L K Swinbank	Sedgefield Town Council	Council Offices	Advice and Information Centre	Sedgefield	Stockton-on-Tees	TS21 3AJ
Mr L Oliver	Trimdon Parish Council	85 Meadow Road	Trimdon Village	Co Durham		
	Forestry Commission	1 Walby Hill	Rothbury	Northumberland	NE66 7NT	
Mr. M. Potter	Social Services	Essington House	Essington Way	Peterlee	Co. Durham	SR8 5AZ
Anna Lynch, Director of Public Health & Health Development	Easington Primary Car Trust	Health Partnership Centre	Fern Court	Brackenhill Business Park	Peterlee	SR8 2RR
	Architectural Liaison Officer	Police Headquarters	Aykley Heads	Durham	DH1 5TT	
Chief Inspector I MacDonald	Police Headquarters	Aykley Head	Durham	DH1 5TT		
Mr A. Caygill,	East Durham Homes	Council Offices	Seaside Lane	Easington,	Co Durham	SR8 3TN

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Title	Company	Address1	Address2	Address3	Address4	PostalCode
Chief Executive				Peterlee		
Mr J. McGowan	Dewhirst Ltd	1 Mill Hill	North West Industrial Estate	Peterlee	Co Durham	SR8 2HR
Neil Charlton	Deputy Director of Education	Durham County Council	County Hall	Durham	DH1 5UQ	
Peter Richards, Chief Executive	Groundwork East Durham	Seaton Holme	Hall Walks	Easington Village	Co. Durham	
Mr N. Mackie, Coordinator	Community Empowerment Network	1 – 3 Upper Chare	Castle Dene Shopping Centre	Peterlee	Co Durham	SR8 1BW
	North East Assembly	Guildhall	Quayside	Newcastle Upon Tyne	NE1 3AF	
Mrs J Owston, Clerk to Parish Council	Shadforth Parish Council	Hill House Farm	Shadforth	Durham	DH6 1 NL	
Mr P Thorpe, Clerk to Parish Council	Cassop-cum-Quarrington Parish Council	33 Scargill Drive	Spennymoor	Co Durham	DL16 6LY	
Mr P McCutcheon, Clerk to Parish Council	Pittington Parish Council	Buddle House	High Pittington	Durham	DH6 1AL	
Mrs E Briggs, Clerk to Parish Council	West Rainton Parish Council	17 Church Vale	Pittington	Durham	DH6 1AH	
Mr T Ivison	Kelloe Parish Council	80 Canterbury Road	Newton Hall	Durham	DH1 5XA	
Mobile Operators Association	c/o Mono Consultants Ltd	48 St Vincent's Street	Glasgow	G2 5TS		
Mrs S. Slaven	East Durham Business Services	1 Palmer Road	Peterlee	Co Durham	SR8 2HU	
Mr B. Chambers	Countryside Agency	North East Region	Cross House	Westgate Road	Newcastle Upon Tyne	NE1 4XX



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Title	Company	Address1	Address2	Address3	Address4	PostalCode
Mr W. Hill	One NorthEast	Cavendish House	Tessdale Park	Stockton On Tees	TS17 6QY	
British Gas	Trans Co	North LDZ	1 Emperor Way	Doxford International Business Park	Sunderland	SR3 3XR
Mrs Maureen Marshall	NEDL	Kepier Farm	Durham	DH1 1LB		
Mary Edwards	Government Office for the North East	Citygate	Gallowgate	Newcastle Upon Tyne	NE1 4WH	
Emily Clark, Society for the Promotion and Advancement of Romany Culture	C/o S.V.D.A	27 Yarm Road	Stockton On Tees	TS18 3NJ		
Valerie Moody, National Education Liason Officer	The Showmens Guild of Great Britain	PO Box 122	Middlesbrough	Cleveland	TS3 6WZ	
Mr P. Southgate	Churches Regional Commission in the North	Ushaw College	Durham	DH7 9RH		
Ijou Derrache Thompson	Darlington & Durham County Racial Equality Council	32 Claypath	Durham	DH1 1RH		
Tony Lindsay, Acting Director	Darlington & Durham County Racial Equality Council	CVS Building	Church Row	Darlington	DL1 5QD	
Mr J. McCaffrey	Chinese Association North East Region	7 Hillcrest	Gilesgate	Co Durham	DH1 1RB	
North East Christian Churches Together	Ushaw College	Durham	DH7 9RH			
Chamber of Commerce	Aykley Heads Business Centre	Aykley Heads	Durham	DH1 5TS		
Marie Higgins	Sport England	Northern Region	Aykley Heads	Durham	DH1 5UU	
M. Johnson/G.	House Builders Federation	Westerdale Suite	Tower Court	Oakdale Road	Clifton Moor	York, YO30

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Title	Company	Address1	Address2	Address3	Address4	PostalCode
Berridge			Business Centre			4XL

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## APPENDIX 2 RESPONSES FROM CONSULTEES

Organisation	Comment
Showmen's Guild - GB	<p>* Other consultees. I was disappointed to note that the Showmens Guild as a recognised body which represents 'show people' at both national &amp; regional level has NOT been included in your list of consultees. I would hope that this omission will be rectified. I note the Gypsy Council &amp; Traveller Low reforum Coalition are included but no US.</p> <p>Planning Policy Statement 1 states, Promoting communities which are inclusive, healthy, safe and crime free, whilst respecting the diverse needs of communities and the special needs of particular sectors of the community. PPS 12 states, Well designed development responds well to the local physical, social and economic context, being safe, clean, attractive and accessible for all users. Local development documents should therefore include policies that set out strategic design and access objectives in line with PPS1 and relevant good practise set out in, By Design, Safer places the Planning System and Crime Prevention. It is therefore important that the Police Architectural Liason Officer is consulted at the earliest stage of development to enable his expertise to be incorporated within the design. This will also ensure that the design meets within the requirements of Sec 17 The Crime and Disorder Act 1998 and The Human Rights Act 1998. With this in mind I feel there is a needs to be upgraded from 'other consultees' to a higher level of consultation.</p>
Durham Constabulary	<p>Attached a document detailing Sport England's role within the Planning System &amp; covering letter stating "Ideally your draft SCI would detail Sport England's entire role but pragmatically it is recognised that the document needs to be kept at a manageable length. One comprise could be to use Sport England as an example of a Statutory Consultee involved in both the Development Plan process &amp; on planning applications. Otherwise the draft SCI is basically sound in that it identifies Sport England in Appendix 1 as an 'Other consultee' in the preparation of the development plan documents"</p>
Sport England NE	<p>This Chapter would benefit from a restructuring to make it easier to understand, there is a lot of information for the reader and it is vital that the structure is clear and logical. Additional diagrams would also help this chapter, for example a diagram showing the content of the LDF and another illustrating the SCI process with dates.</p>
Government Office for the North East	<p>Paragraph 1.2 could incorporate the text in paragraph 2.9 - Effective Community Involvement, as it relates to more than this paragraph. Please expand the bullet points currently in paragraph 2.9 to include all the points in Planning Policy Statement 1 - paragraph 4.3. Paragraph 2.2 also contains similar information.</p> <p>Paragraph 1.4 should give more details of the LDF process and the saving of existing policies for three years i.e. a gradual replacement of thee existing Local Plan.</p> <p>Paragraph 1.5 could be relocated to paragraph 1.5, possibly augmented with a diagram (see above). I would also suggest you give more prominence to the Core Strategy rather than list the documents in chronological order of preparation.</p> <p>a) The diagram should be titled 'stages in development plan document preparation' in order to distinguish this from the SCI process. To aid understanding is it possible to relate the text beneath more closely to the diagram?</p> <p>b) The diagram should also distinguish between the formal consultation periods of six weeks and the informal scoping type of consultation at Regulation 25, which is a process of ongoing engagement.</p>

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Chapter 2 - Corporate Approach to Community Engagement and Involvement - Paragraphs 2.6 and 2.7 could be condensed and more targeted as to the role of the LSP within the community involvement process, possibly incorporating the text in paragraph 3.11.

Chapter 3 - Community Involvement in Development Plans - In paragraph 3.8 could you amend the list of hard to reach groups to include 'gypsies and travellers' rather than just 'travellers' ?

Para 3.10 to 3.27 (Consultation methods) - could be incorporated into a matrix which could show which the participation techniques to be used for the different types of documents and stages of the production process (ref 'Creating Local Development Frameworks' page 75 step 5). This would enable the SCI to better satisfy the Tests of Soundness, particularly Test V, as detailed in Planning Policy Statement 12 paragraph 3.10. Some of this section is more of a description of groups rather than consultation methods.

Para 3.29 should also mention the Annual Monitoring Report's role to provide feedback and monitor the consultation process and success of the SCI

Chapter 4 - Community Involvement on Development Control Matters - There is a lot of detail in the chapter but I felt the focus was not always on community involvement but rather on the development control process itself e.g. paragraph 4.10. All the means by which people can contact the council would be better located together rather than spread throughout this chapter and elsewhere, e.g. paragraphs 4.2, 4.3, 4.8 and 3.24.

Chapter 5 Recommended Community Involvement to be undertaken by Developers and Agents - it would be helpful to provide more detail about what is meant by 'significant others' in the list provided in paragraph 5.3. The Best Value definitions for significant applications could be applied here with any adaptations for local conditions.

Highways Agency

\*\*Not wishing to make any specific comment at this stage\*\*

East Durham Business Service

Welcome measures set out in 4.7 & 4.16 - require monitoring/feedback to ensure they are implemented.

Chapter 5 is useful to the private sector.

But suggest amendment to p. 27 'general consultation bodies' - last point - to read as:- 'Bodies which represent the interests of business in the authority's area, such as the East Durham Business Forum'

Durham County Council

Where does the County Council fit? - it is not the regional planning body & it is not the local planning authority for an area adjacent.

English Heritage

Appendix 1 refers to the HBMCE as a specific consultation body. However, the organisation is better known by the public as English Heritage. I would ask that Appendix 1 be amended accordingly.

Chapter 4 advises that the time permitted for a response from statutory consultees is set at 21 days from the date of notification. From the English Heritage Charter, however, you will see that it is 21 days from the date of receipt . This service level had been agreed with the DCMS, and is predicated on paragraphs 108 and 109 of the Draft Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2004. It states 'The statutory deadline will have been met if the statutory consultee submits its response with 21 days starting on the day on which [it] receives notice of an application'. This is a matter which it might be useful for us to discuss.

Paragraph 4.4 should clarify what is meant by a 'major' application.

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Paragraph 4.12 gives guidance on when applications will be put to the Council's DCRP. Clarification is needed with regard to what constitutes a 'large' number and what is meant by 'significant'.

- The Countryside Agency Unable to offer comments on this occasion - absence of comment is simply an expression of our priorities.
- The Woodland Trust The Woodland Trust would like to be added to the environmental organisations in Appendix 1 'Other Consultees' to be consulted on planning policies in the development of the LDF. Currently we believe that the SCI fails the soundness test of the identifying in general terms which local community groups and other bodies will be consulted. We would also like to be added to the list of consultees for planning applications that directly or indirectly affect ancient woodland.
- Seaton Parish Council When planning permission has been granted certain conditions are identified. We have found it is difficult to pin down who is responsible for checking & monitoring that these conditions are met. Especially on a self build site. Could this be itemised in Development Control matters.
- Hordey Parish Council Parish Councils should be consulted with sufficient timescale for response rather than 'kept fully informed of progress'. Parish Councillors are elected representatives of the communities.
- Forestry Commission Parish Councils should be included in list of statutory consultees in the specific Consultation Bodies section. I note that the Forestry Commission is on the list of other consultees in appendix 1 of the SCI and that as such you will consult us, where appropriate, in the preparation of local development documents. We welcome this and look forward to further consultations, as the LDF is prepared. We would also like to be consulted on some individual planning applications. The type we have an interest in and further details on this are given below. Also, we suggest that 'planning applications having an adverse effect on ancient woodland or veteran aged trees' is listed under other types of planning applications on page 21. This is in line with PPS 9 that has just been issued (further details below). Subject to this we support the SCI as drafted.
- We would welcome the opportunity to be consulted on any planning applications where the proposed development may have adverse effect on ancient woodland.
- Furthermore we would encourage you to consult us whenever you are considering a planning application for a development that will have an adverse effect on any other type of woodland too.
- Similarly we encourage you to advise us of any instances you are aware of where we may need to be involved because of our responsibilities under the forestry EIA regulations (described above) or where there might have been a breach of the felling license regulations.
- We would welcome the opportunity to be involved and to provide technical advice when you are considering forest industry or forestry related developments.