

ANNEX 5

Local Development Framework

Statement of Community Involvement



December 2005

Foreword



Statement of Community Involvement

***WE**, the District Council, are committed to providing the conditions to encourage a two-way dialogue with **YOU**, the community and stakeholders, who have a valuable contribution to make to securing the delivery of a positive future for Wear Valley through the Planning process.*

This dialogue will be facilitated in a realistic, relevant, continuous and meaningful manner and will seek to promote engagement irrespective of gender, age, ethnicity, socio-economic status, educational attainment or disability.'

Councillor Alan Townsend
Chair of Regeneration Committee

Bob Hope
Director of Regeneration

Contents

Section	Title	Page
1	What Is The Planning Process and Its Relevance To You?	4
2	Who Can Become Involved In The Planning Process?	5
3	How Can You Become Involved In The Planning Process?	6
4	When Can You Become Involved in the Production Of The Local Development Framework?	11
5	When Can You Become Involved in Development Control Decisions?	17
6	The Role of the Developer in Facilitating Your Involvement prior to The Development Control Process.	22
7	Other Matters	24
Appendix 1	Glossary	25
Appendix 2	List Of Consultees For The Local Development Framework Preparation Process	26
Appendix 3	Useful Addresses	30
Appendix 4	Material Planning Considerations & Tests of Soundness	31
Appendix 5	Leaflet outlining public speaking at Planning Committee	33
Appendix 6	Pre Application Discussion	36
Appendix 7	A Guide to Pre submission Consultation	37

BLANK PAGE

What Is The Planning Process and Its Relevance To You?

The Planning Process

- 1.1. Planning is one of our, the Council's, statutory functions. It is a process which both controls and guides new development and use of land and buildings within the District. The planning process affects all of us on a daily basis, often unknowingly. It shapes the places within which we all live, work, are educated and spend our leisure time. It also influences how and where we travel to in order to live our lives and opportunities for future generations of the District.
- 1.2. There are two main elements making up the local planning process: the formulation of local planning policies and proposals and the determination of development proposals made by third parties against these policies. It is because these proposals may have far reaching effects upon neighbouring people and land uses that Planning exists.
- 1.3. Where planning permission is required the party proposing the development must submit a formal planning application to the Council for determination. The Council will decide whether or not to grant planning permission on the basis of the local planning policies that it has adopted, sub-regional policies contained in the County Durham Structure Plan, Regional Policies contained in the Regional Spatial Strategy, national policy guidance issued by central government and other relevant factors.
- 1.4. Our current local planning policies which provide a framework for consistent consideration of developments relating to topics such as housing, business, retail, leisure and recreation, community facilities, natural environment and cultural heritage, are set out in a development plan for the District entitled the Wear Valley District Local Plan, which was adopted in March 1997. In the future planning policies for the District will be contained in a new style development plan known as a Local Development Framework.
- 1.5. This new plan will comprise of a portfolio of individual documents that may relate to particular topics or geographical areas. How these documents all fit together and when they will be produced is described in our adopted project plan, the Wear Valley District

Local Development Scheme¹. A glossary of planning terms is contained in **Appendix 1** for your convenience.

The Purpose of This Document

- 1.6. This publication, the Council's Statement of Community Involvement represents **our** commitment to facilitating **your** future involvement, in this planning process both in terms of the preparation of new local planning policies and in the determination of planning applications. Both of these processes will shape the District's future environmental, social and economic well being.
- 1.7. This document seeks to clarify the importance and relevance of the Planning process to you. It describes our strategy for facilitating community involvement in terms of when and how we will provide opportunities to enable your involvement in planning the future of the District if you so wish².
- 1.8. We genuinely consider that you have a valuable role to play in planning for the future of the District. We want you to contribute towards developing a vision for the District and contribute to ideas about how this vision can be achieved. This strategy seeks to enable all parties to have a clearer understanding of each other's concerns and intentions. As a consequence the planning process that operates within the District will be able to be more responsive, flexible, pro-active and less time consuming.
- 1.9. In the past we have undertaken many of the activities identified within this Statement of Community Involvement, and this document formalises and builds upon these. It also illustrates the role that we consider that a developer can and should play in facilitating your involvement in the consideration of planning applications of local significance. This statement is also a mechanism by which we can assess how successful these measures are over time so that we can determine whether changes to seek further improvement are necessary.

¹Copy of adopted Local Development Scheme available to view at www.wearvalley.gov.uk . Hard copy available for inspection at Civic Centre, Crook or to purchase upon request.

²This Strategy only related to matters covered by Planning legislation.

Who Can Become Involved In The Planning Process?

- 2.1.** The Planning process operates in the public interest to ensure that new development and uses of land make places better for people and deliver development where communities need it, without prejudicing the needs of future generations of Wear Valley. Good planning practice, which is reflected in Central Government policy suggests that to secure a positive future the District needs sufficient, quality housing, a flourishing local economy, and the community facilities to support a diverse and vibrant local community. This however needs to be balanced with the requirements of our natural and historic environments, which create Wear Valley's local distinctiveness.
- 2.2.** We therefore acknowledge that **you**, as a;
- Resident of the District
 - Resident Group
 - Community / local group (including traditionally 'hard to reach' minority groups)
 - Customer panel
 - Community Network
 - Parish or Town Council
 - Community Partnership
 - Local business
 - Developer / landowner
 - Regional/ national interest group
 - Government/ statutory body
- have interests that rely or could impact upon the economic, environmental and social well being of Wear Valley. We therefore consider that **you** have a significant contribution to make in determining the District's future and openly invite your participation.
- 2.3.** Traditionally we have found that some of the parties identified above have been more involved in Planning than others. We have found that this is particularly true when it comes to involvement in Planning policy where people find it difficult to see the direct relevance to them and their local area or are put off by what they perceive to be complicated and lengthy processes involved in developing policies. Unfortunately, it is often the case that it is not until a party is faced with a development proposal on their doorstep that the significance of the planning process is realised, by which time development principles could have already been established in the development plan.
- 2.4.** Fortunately local organisations which have good connections with local groups already operate within and in the interest of the District. We propose to build our community involvement strategy upon these and maximise their potential contribution towards the maintenance of a two way dialogue and to enable your involvement in planning for the District's future. The Wear Valley Local Strategic Partnership and variety of community groups that make up membership of the Community Network, for example provide an effective mechanism to inform and involve people. The District also benefits from significant geographical coverage of Parish and Town Councils.
- 2.5.** A list of consultees that we are required by Central Government planning regulations to involve in the preparation of the forthcoming Local Development Framework documents is contained within **Appendix 2**. Also included within this appendix is a list of specific local groups and organisations which we consider should be encouraged to participate in planning the future of the district as they have a valuable contribution to make in the creation of a sustainable and inclusive environment within the District. These include groups typically referred to as 'hard to reach' groups representing minority interests which often in the past have had difficulty in participating in the planning process due to social or physical constraints.
- 2.6.** We also hold a database of other parties who have expressed an interest in the planning process. **Should you wish to have your details entered into this database** please contact the Forward Planning Team, the details of whom are contained on the rear cover of this publication, specifying whether you have general or specific interest(s). This will enable us to communicate with you directly at the appropriate times during the production of the Local Development Framework.

How Can You Become Involved In The Planning Process?

- 3.1.** There are numerous ways in which we wish to involve you in one or both of the Planning processes. It should however be noted that some approaches are more appropriate to the production of the Local Development Framework and some to involvement in the consideration of planning applications. Notwithstanding this some approaches could be successfully applied to both.
- 3.2.** We recognise that there will be differing degrees to which you may wish to become involved in the Planning process, depending upon your individual circumstances and interests.
- 3.3.** We also recognise that you may have differing needs depending upon your existing knowledge and experience of the planning system. We have therefore identified 5 consultation groups for the purposes of formulating and presenting this involvement strategy that is summarised in the tables which are contained in this document. The order of these categories which has been adopted in **table 1** is not an order of preference or importance. At this stage in your reading it would be useful to consider which of these groups is most relevant to your circumstances, to assist in your interpretation of further tables which illustrate how we can facilitate your involvement in the Planning process.
- 3.4.** We consider that the key to successful community involvement is to give you genuine choice about your level of involvement. In your case this may simply mean us adopting approaches which ensure that you are able to be kept informed if you so wish at any given time, and given the chance to find out more if you so wish. However we intend to adopt methods that will also enable you to participate more actively should you so wish to do so.
- 3.5.** Our strategy for securing your involvement in the Planning process is based upon 3 key principles:
- Early involvement** – giving you the opportunity to influence decisions and policies as early as possible in the process.
 - Eliminating barriers to participation** – making sure that you are aware of what is going on and how you can become involved through adequate publicity. Offering you choices about the method and your level of involvement. Ensuring that you can easily access document and planning applications, including use of the Internet and alternative formats/ languages.
 - Transparency & providing feedback** – being open to you about the issues and how decisions are made and ensuring that we make you aware of the outcome of a matter that you have become involved in.

TABLE 1

GROUP	CHARACTERISTICS
A	Groups or individuals with little or no planning background/ training <i>e.g. hard to reach groups, residents, land owners and local businesses.</i>
B	Groups or individuals with some planning background <i>e.g. Council Members, Parish & Town Councils and active local interest groups</i>
C	Groups or individuals with a planning background <i>e.g. planning consultants, property and land agents and developers</i>
D	National organisations with a planning related statutory duty, interest/ remit <i>e.g. English Heritage, Sport England & Environment Agency</i>
E	Central and local planning bodies <i>e.g. neighbouring local authorities, Government Office for NE & North East Assembly.</i>

- 3.6.** The methods that we will be employing to facilitate your involvement are summarised in a menu form in the following **table 2**. The use of these may vary according to the stage of the development plan preparation process reached and the nature of the individual development plan document in question. For example production of Action Area Plan may require more localised, intense public involvement such as 'Planning for Real' or master planning workshops. Where resources allow or specific statutory requirements prevail additional measures may be taken. These possibilities are also indicated.

Table 2 – Proposed Methods to Promote Involvement in the Planning Process

Involvement Method	Relevance to		Relevance to Involvement Principles			Most Relevant Groups
	LDF	DC	Early Involvement	Eliminating Barriers to Participation	Transparency & Feedback	
1. Facilitating the Planning and Young People Project. See paragraph 3.9 for more details.	√	√	√	√	√	A
2. Written correspondence to those relevant third parties, consultees identified in Appendix 2 and others who have expressed an interest/ made representations.	√	√	√	√	√	A – E
3. Articles published in Wear Valley Matters Newsletter (subject to publication date)	√		√	√	√	A – C
4. Dissemination of information through Community Network	√	√	√	√	√	A & B
5. Dovetailing with other meetings e.g. Parish and Town Councils, Wear Valley Local Strategic Partnership and Community Network	√		√	√	√	A & B
6. Articles and draft, submitted and adopted documents on the Council website. (To include planning applications from January 2005)	√	√	√	√		A – E
7. Making available copies of adopted SCI in a variety of formats for viewing at Civic Centre, Crook, on the Councils website and posted upon request - so that you know how and when you can be involved.	√	√	√	√		A – E
8. Making available an officer to discuss planning matters at the Civic Centre, Crook during normal office hours. (To ensure that a prompt service can be delivered we would recommend that you make a prior appointment. Contact details are on the back of this document.)	√	√	√	√	√	A – E

Table 2 – Continued

Involvement Method	Relevance to		Relevance to Involvement Principles			Most Relevant Groups
	LDF	DC	Early Involvement	Eliminating Barriers to Participation	Transparency & Feedback	
9. Consultation and adopted documents and all planning applications made available to view at Civic Centre, Crook and some other public buildings within the district.	√	√		√	√	A – C
10. Draft and adopted documents posted out upon request in a variety of formats. (NB a fee maybe applicable for copies of adopted documents)	√			√	√	A – E
11. All documents and written communication produced in plain English.	√	√	√	√	√	A – E
12. Exhibitions relating to consultation documents providing opportunities to comment.	√			√		A – C
13. Raising awareness of availability of Planning Aid North service to assist general public. See paragraph 3.8 for more details.	√	√	√	√		A & B
14. One to one meetings upon prior request	√	√	√		√	A – E
Other Possibilities						
15. Questionnaires and public surveys	√	√			√	A – E
16. Public meetings including Development Control Committee	√	√	√	√	√	A – C
17. Planning for Real (a specific method of using maps and models to develop ideas for that particular area) of particular relevance to the preparation of an Action Area Plan	√		√			A & B
18. Master Planning – a series of workshops exhibitions and seminars to generate professionally produced urban design proposals of a particular relevance to the production of an Action Area Plan that can be influenced by local opinion	√	√	√	√		A – E

Table 2 – Continued

Involvement Method	Relevance to		Relevance to Involvement Principles			Most Relevant Groups
	LDF	DC	Early Involvement	Eliminating Barriers to Participation	Transparency & Feedback	
19. Availability of a summary leaflet relating to a document.	√		√	√	√	A – E
20. Publication of public notices	√	√	√	√	√	A – E
21. Posting of site notices	√	√		√		A – E
22. Documents and Letters to target groups of particular relevance to the production of an Action Area Plan or policies relating to hard to reach groups.	√		√	√	√	A & B

Sections 4 and 5 explain in greater detail how you can become involved in the production of the Local Development Framework and Development Control Decisions respectfully.

3.7 Of particular significance to the delivery of this strategy is the role of 2D. This is an organisation operating within the district that provides infrastructure support and co-ordination of the wider voluntary and community sector. In conjunction with 2D we have identified a somewhat unique opportunity to work in partnership in facilitating a two-way dialogue with the Community Network and voluntary sector organisation which the network represents. Such a partnership will provide widespread opportunity for groups with a variety of interests, including hard to reach groups to become involved in the planning process operating in the district.

3.8 Planning Aid

The government provide financial support for Planning Aid to provide advice and assistance to the community. Planning Aid is a voluntary service providing free and independent planning advice to groups or individuals who cannot afford to employ a consultant. It aims to give people the confidence to deal with the planning system and to become involved with wider planning issues. Planning Aid can help you to:

- ☐ Comment on planning applications
- ☐ Get involved in the preparation of development plans
- ☐ Draw up your own community plan
- ☐ Apply for planning permission or appeal against the refusal of permission.

Planning Aid is an independent organisation, which is not part of the Local Planning Authority. It is a separate service co-ordinated by the Royal Town Planners Institute (RTPI) Northern Branch, the contact details of which are contained within **Appendix 3**.

3.9. We are also working in partnership with the remaining local authorities of County Durham and Planning Aid North, who are acting on behalf of the Royal Town Planning Institute, to develop a 'Planning and Young Persons' project. This seeks to introduce Planning studies into the curriculum of participating primary, secondary and special needs schools, raising awareness and capacity of both students and their parents / guardians throughout the District and wider County area. Whilst it is acknowledged that the resources available to the project will be insufficient to engage all students in the District we consider that the project will result in a reasonable representation of this sector of the community.

When Can You Become Involved In The Production Of The Local Development Framework?

4.1. We will ensure that a variety of opportunities to facilitate your involvement in the production of the Local Development Framework from the menu of methods summarised in **table 2** are provided according to each key stage of the process. We will place an emphasis upon getting you involved at an early stage. The proposed dates of each key consultation stage are set out in the Council's Local Development Scheme³ alongside the Local Development Documents currently proposed. At each of these stages we will carry out consultation over a 6-week period. We will require you to make any representations in writing or by e-mail. To be valid any such representations, which you wish to make to us, must reflect the 'tests of soundness' summarised in appendix 4.

4.2. A summary of these different stages is provided in **table 3** along with how your input can influence the preparation process. Any representations, which we receive in writing or electronically, will be given full consideration. A report will be produced after each formal consultation even to summarise the representations and out actions in respect of them. This report will be presented to Members of the Council for their approval. There will be instance where we are unable to accommodate your representation for example due to national policy constraints or overriding local interest issues. In such cases justification will be provided. This feedback will be given using the methods summarised in **table 2**. **To ensure that your comments are fully considered please respond to us within the prescribed timescale.**

4.3. The types of documents, other than the Statement of Community Involvement that make up a Local Development Framework are summarised below. As mentioned in paragraph 1.5 our work programme and priorities for the forthcoming 3-year period are set out in the adopted Local Development Scheme.

Strategic Environmental Assessment / Sustainability Appraisal (SEA/SA)

4.4. This is a mandatory process under which the Local Development Framework must be prepared. Throughout this process we will liaise with a number of statutory consultees who have

specific expertise in this field, including English Nature and The Environment Agency. We will prepare a report in parallel with each Development Plan Document. This will consider the environmental, social and economic impacts of forthcoming policies and proposals and demonstrate how the results of the appraisal have been taken into account when finalising a Local Development Document.

Development Plan Documents (DPDs)

4.5. These are subject to independent Examination In Public (EIP) and have the weight of 'development plan' status as defined by Section 38(6) of the Town & Country Planning Act (1990). The following Development Plan Documents are mandatory;

A Core Strategy DPD is required to set out the spatial vision, objectives, and policies together with a monitoring and implementation framework for the local authority area.

A Proposals Map DPD is also mandatory, illustrating the geographical extent of policies.

The number and content of the remainder of these Development Plan Documents is not specified by Government but can include:-

site specific allocations of land based upon robust and credible assessment of the suitability and availability of land.

Action Area Plans (AAPs) focusing upon areas where opportunities for comprehensive change or conservation exist and where there is sensitivity to change, multiple ownership and/or delivery issues.

thematic documents, for example housing or retail.

generic development control policies contained either within other Development Plan Documents or developed as a separate Local Development Document.

Supplementary Planning Documents (SPDs)

- 4.6.** Theses are intended to expand upon policy or provide further detail to policies in Development Plan Documents. They can include design guides, site development briefs, issue or thematic-based documents. However they do not enjoy development plan status and therefore must not contain land

allocations or policies that should be subject to Examination In Public.

Feedback

- 4.7** The results of your involvement and key decisions relating to the Local Development Framework preparation process will be presented to the Council's Regeneration Committee. You will be notified in writing of the outcome of any representations that you make.

³Copy of adopted Local Development Scheme available to view at www.wearvalley.gov.uk. Hard copy available for inspection at Civic Centre, Crook or to purchase upon request.

Table 3 Involvement in the Production of the Local Development Framework

Key Preparation Stages & Involvement Techniques	Our Actions	What You Can Do
Development Plan Documents & Statement of Community Involvement		
Pre production Possible Relevant Involvement Methods 1, 2, 3, 4, 5, 6, 7, 11, 13 and 22.	<p>In certain instances, such as the production of conservation area appraisals, we will invite your input into studies which we are carrying out to inform the production of Development Plan Documents. We will do this via the council website and by writing to relevant local groups and those individuals who have previously expressed an interest in the topic or locality. This invitation will state how and when you can participate along with a timetable of activity. If you have expressed a further interest we will maintain a dialogue with you throughout the study and will provide written feedback in relation to the outcome.</p>	<p>You can register your geographical or topic related interest to us for future involvement.</p>
Pre-submission Consultation (Regulation 25) Possible Relevant Involvement Methods 1- 13, 20 & 22	<p>We will invite initial representations regarding the content of the proposed Development Plan Document or Statement of Community Involvement by writing to those consultees identified by Regulation 25 Of the Town & Country Planning (Local Development) (England) Regulations 2004 listed in appendix 2. We will also consult with those general and other consultees listed to whom we consider the subject matter relates, or have previously explained and interest for that specific subject matter. We will also post an item on the Council's website.</p> <p>This will enable us to gather evidence and stimulate public discussion on relevant issues and alternative options available thus informing the production of a draft Statement of Community Involvement or in the case of a Development Plan Document an Issues and Options Document and initial Sustainability Appraisal. This will help us to decide upon the preferred options to be pursued in the draft documents and where applicable formal Sustainability Appraisal report.</p>	<p>You can forward your comments to us in writing or by e-mail within the period prescribed. This may vary according to other timescales set out in the Local Development Scheme and the subject matter of the particular document. At this stage we will encourage a continuous process of informal discussion.</p> <p>We will employ methods set out in table 2 to ensure that you will have the opportunity to make formal representations over a 6-week period on the Issues and Options document and initial Sustainability Report or draft Statement of Community Involvement. These comments must be made in writing or by e-mail to us within the time scale specified by us.</p>

Table 3 Continued

Key Preparation Stages & Involvement Techniques	Our Actions	What You Can Do
Preferred Options (Regulation 26) Possible Relevant Involvement Methods 1 – 14, 19, 20, and 22	We produce a Draft Submission Statement of Community Involvement or Draft Submission Development Plan Document and draft formal Sustainability Appraisal report for consultation with you based upon the preferred options that are established having taken into account previous representations received from you. We will provide you with feedback regarding your representations as per methods outlined in table 2 .	By employing methods set out in table 2 you will have the opportunity to make formal representations over a 6-week period that will influence the form they takes in the final submission to the Secretary of State. These comments must be made in writing or by e-mail to us within the time scale specified by us.
Submission (Regulation 27 & 28) Possible Relevant Involvement Methods 1 – 14, 16, 20 & 22	<p>We will finalise the draft Statement of Community Involvement or the Development Plan Document and draft Sustainability Appraisal report having taken into account representations received from you. The revised document is the final submission document. We will provide you with feedback regarding your representations as per methods outlined in table 2 to advise whether these have been accommodated in the final submission document. Upon completion we submit these documents to the Secretary of State for independent assessment. We will advertise our actions and invite you to view the submission document via the council's web site, press notices, Wear Valley Matters and by writing to all parties who have previously made representation.</p> <p>Whilst we will analyse any further representations received with regard to the submitted document we are unable to make any changes that will alter the substance of the documents prior to the Examination in Public. These will be considered by the inspector as part of the examination process</p>	We will employ methods set out in table 2 to ensure that you have another 6 weeks to make comments on the submitted version of the Statement of Community Involvement or submitted version of the Development Plan Document and Sustainability Appraisal report. These comments must be made in writing or by e-mail to us within the timescale previously specified by us.

Table 3 Continued

Key Preparation Stages & Involvement Techniques	Our Actions	What You Can Do
Examination Possible Relevant Involvement Methods 2, 3, 6, 8, 9, 10, 11, 19, 20 & 21	An independent inspector will assess the soundness of the submitted Statement of Community Involvement or Development Plan Document and Sustainability Appraisal report during an Examination in Public. (In the case of a Statement of Community Involvement this may take place by way of the written representation process). The length of the examination period varies according to the complexity of the document. We will advise you of the details of the examination in public at least 6 weeks prior to the date it will commence if you have previously made representation. We will also publicise these details on the councils website, Wear Valley Matters and by public press notice.	You can attend the Examination in Public. The inspector will consider any representations that you have made to the submission documents in question. The inspector will consider these by way of written or oral representations that will be determined according to circumstances.
Adoption Possible Relevant Involvement Methods 2 – 11, 14, 15, 19 & 20	The inspector will issue us with a report, the findings of which are binding. We must make any alterations to the submitted version of documents that the inspector requires. We will then publish the final Statement of Community Involvement or Development Plan Document and Sustainability Appraisal report for adoption, a statement of how the sustainability appraisal process has been taken into account and an adoption statement.	We will employ methods set out in table 2 to ensure that you are given the opportunity to view our adoption statement and the adopted documents.
Supplementary Planning Guidance		
Preparation Possible Relevant Involvement Methods 1- 7, 15 & 22	We will gather evidence and information to inform the preparation of a draft document and sustainability appraisal.	Depending upon the subject of the document we may seek representation from you using a variety of methods outlined in table 2 .
Draft document Possible Relevant Involvement Methods 2 – 12 & 20	<p>We will prepare a draft document and sustainability appraisal from the evidence and advice collated.</p> <p>We will analyse any representations received and determine as to any subsequent amendments required.</p>	We will employ methods set out in table 2 to facilitate the ability for the general public, appropriate specific and general consultation bodies to provide formal comment to us. The length of the consultation period will be clearly stated at the time of the consultation and will last for between four and six weeks. Any representations must be made via e-mail or in writing.

Table 3 Continued

Key Preparation Stages & Involvement Techniques	Our Actions	What You Can Do
Adoption Possible Relevant Involvement Methods 2 – 12, 19 & 20	<p>We will prepare a final document for adoption. We will report this to the Council's Regeneration Committee along with any representations that you have made. Subject to any further amendments required by the committee the document will be formally adopted.</p> <p><i>N.B this type of document does not need to be the subject of examination by an independent inspector.</i></p> <p>If you have made representation regarding this document we will write to you to provide you with feedback.</p>	<p>We will employ methods outlined in table 2 to inform you of the adoption of the document and how you can access it to view.</p>

When Can You Become Involved In Development Control Decisions?

- 5.1.** We currently operate within a two tier planning system, County and District level. In summary Durham County Council is the minerals and waste local planning authority and by virtue of this has the remit of determining such applications. Durham County Council is also the determining body for County Council developments, for example educational developments. It is important to note that such functions are to be carried out in accordance with Durham County Councils own Statement of Community Involvement, which can be made available to you upon your request to them.

We, Wear Valley District Council are the determining authority for the remainder of application types. Our protocol on planning which compliments this Statement of Community Involvement is available upon request. It is a public guide to the conduct of all of our Councillors and staff who come into contact with the planning process. It aims to ensure and demonstrate that we take planning decisions openly, impartially and for sound justified planning reasons.

- 5.2.** Central Government measures the performance of the Council's Development Control function by the speed by which decisions are made. Therefore, when preparing our strategy for facilitating your involvement in development control matters we have had to balance providing you with reasonable opportunity with cost and speed of decision making. We will involve both the general public and statutory consultees in these matters. It must be noted that whom we directly consult will vary with the nature and location of the proposal and subsequently we will not directly consult everyone on every application. However details of all applications submitted may be obtained from our website and the statutory planning register located at the Civic Centre, Crook, to

ensure that wider spread awareness and opportunity to make more representation is provided for. We will give you a period of 21 days to make any written representations. However it is recognised that certain statutory bodies are afforded a period of 28 days. Representations must relate to planning related matters. These matters are summarised in **Appendix 4**.

With regard to receipt of amendments to an application as a result of negotiations between us and you the applicant, decision will be made by the case officer as to whether or not the amended plans effect amount to a new planning application. A relatively minor amendment to an application, on which consultation has already occurred, especially one resulting in the applicant responding positively to comments from consultees, will proceed to a decision forth with on the merits of the case without further opportunity for comments. However, anyone who has commented will be informed that changes have been made. If the changes are such that further notification and consultation is desirable than a new application will be required, with the original application being either withdrawn or refused.

- 5.3.** **Table 4** overleaf summarises how and when we will provide you with the opportunity to participate in the decision making process. For the purposes of table 4 the definition of 'significant development' is given in Section 6 of this document.

Table 5 relates specifically to how we will provide you with the opportunity to participate in the decision making process in regard to all types of applications received regardless of their scale or type of development.

Table 4 – Methods to Promote Participation in the Development Control Process

METHOD	TARGET AUDIENCE	PURPOSE
Stage 1 - Before a 'significant' planning application is submitted to us.		
Pre-submission Community Consultation	A & B	To enable the developer to fully explain their proposal at the earliest stage in order that any objection/concerns/suggestions by the community can be identified and addressed.
Stage 2 - When an application is first received by us.		
Weekly List² Of all applications received, is made available on Council's website and in hard copy format	A, B, C, D & E	To publicise the receipt of all applications submitted in a given week irrespective of their validity.
Statutory Planning Register² located at the Regeneration Department for public inspection.	A, B, C, D & E	To record details of all planning applications submitted to the Council, irrespective of their validity, including the final decision.
Letters to Statutory Consultees²	D & E	To invite comment and obtain specialist advice in relation to specific elements relevant to the proposal. These consultees will be selected according to the nature of application received.
Notification Letters²	A, B (Those parties whose land or property lies close to the proposal) & D	To inform third parties within the immediate vicinity of a site of the submission of an application that may be of relevance/ has an impact upon them. (refer to paragraph 5.2). If changes are made to overcome objectors' concerns details of the changes will be reported to objectors. However further comments will not be invited.
Site notice²	A & B	To inform third parties of the submission of an application that may be of relevance/ have an impact upon them where <ul style="list-style-type: none"> the site falls within a conservation area, affects a listed building, there is no postal address known for the owner of adjacent land the proposal has more widespread impact due to its nature or scale.
Press notice²	A, B, C, D & E	To inform third parties of the submission of an application that may be of relevance/ have an impact upon them, these include applications: <ul style="list-style-type: none"> where the site falls within a conservation area, affects a listed building has more widespread impact due to its nature or scale.
Duty Officer	A, B, C, D & E	Availability of duty officer to provide information and help on request ¹ .
Council Web Site www.wearvalley.gov.uk	A, B, C, D & E	To publicise the receipt of all applications received to view details of and make representations on applications submitted ³

¹ In order that we may deliver a prompt service it is advisable to make an appointment

² Representation to be made by you within 21 days unless relating to an application subject to an Environmental Impact Assessment (EIA).

³ This service to be available from January 2006

Table 4 continued

METHOD	TARGET AUDIENCE	PURPOSE
Stage 3 - During the processing of an application.		
Written invitation to attend Committee	Applicants and those third parties who have made representation about the application.	<ul style="list-style-type: none"> To circulate a copy of the relevant committee report to parties To inform parties of the opportunity to attend committee and notify them of their right to speak.
Public speaking at Development Control Committee	<p>General public, applicants or their representative in cases where;</p> <p>3 or more parties have made written representations.</p> <p>A Council Member has requested an application be referred to committee for determination.</p> <p>Applications which do not fall under the scheme of delegation.⁴</p>	To enable parties to put forward their representations to Members of the Development Control Committee. For further information see Appendix 5 .
Duty Officer	A, B, C, D & E	Availability of duty officer to provide information and help on request ¹ .
Stage 4 - After an application is determined.		
Decision Letter	Parties who have made representations to an application	To inform parties, who have made representation the outcome of a planning application, including reasons for refusal, approval and conditions attached.
Notification of Appeal Letter²	Parties who have made representations to an application which is subsequently the subject of an appeal	To inform interested parties of the receipt of an appeal and to give the opportunity to modify previous representations.
Notification of an informal hearing/ public enquiry (Public Notice)	A, B, C, D & E	To inform all interested parties of the scheduling of the event.
Duty Officer	A, B, C, D & E	Availability of duty officer to provide information and help on request ¹
Council Web Site www.wearvalley.gov.uk	A, B, C, D & E	<ul style="list-style-type: none"> To make committee minutes (Committee diary) available to you. To make publicly available details of appeals both pending and determined³ Including the final decision³

¹ In order that we may deliver a prompt service it is advisable to make an appointment

² Representation to be made by you within 21 days

³ This service to be available from January 2006

⁴ A full scheme of delegation is available upon request from the Development Control Team

Table 5 - Opportunities to be Involved in the Determination of Applications Received

APPLICATION TYPE	METHOD OF INVOLVEMENT
<input type="checkbox"/> Householder Development <input type="checkbox"/> Full Detailed Applications <input type="checkbox"/> Change of Use <input type="checkbox"/> Outline Development <input type="checkbox"/> Determination of Reserved Matters <input type="checkbox"/> Works to Trees which are subject to a Tree Preservation Order <input type="checkbox"/> Listed Building Consent <input type="checkbox"/> Conservation Area Consent <input type="checkbox"/> Amendment, Variation or Removal of a Condition	Stage 1 <ul style="list-style-type: none"> • Pre-submission Community Consultation (if applicable) Stage 2 <ul style="list-style-type: none"> • Weekly List • Statutory Planning Register • Statutory Consultees • Notification Letters • Site Notice (if applicable) • Press Notice (if applicable) • Duty Officer • Council Website Stage 3 <ul style="list-style-type: none"> • Written Invitation to Attend committee • Public Speaking at DC Committee • Duty Officer Stage 4 <ul style="list-style-type: none"> • Decision Letter • Notification of Appeal Letter (if applicable) • Notification of Informal hearing / public enquiry (if applicable) • Duty officer • Website
Works to trees within a conservation area	Stage 1 <ul style="list-style-type: none"> • Not applicable Stage 2 <ul style="list-style-type: none"> • Weekly list • Statutory Planning Register • Notification letters • Site Notice • Duty Officer • Website Stage 3 <ul style="list-style-type: none"> • Duty Officer Stage 4 <ul style="list-style-type: none"> • Decision letters • Duty Officer • Website
Advertisements	Stage 1 <ul style="list-style-type: none"> • Not Applicable Stage 2 <ul style="list-style-type: none"> • Weekly list • Statutory Planning Register • Notification letters • Statutory Consultees • Site Notice (if applicable) • Press notice (depending upon location) • Duty Officer • Web site Stage 3 <ul style="list-style-type: none"> • Duty Officer (continued overleaf)

Advertisements (Cont.)	Stage 4 <ul style="list-style-type: none"> • Decision letters • Notification of Appeal Letter (if applicable) • Notification of informal hearing/ public enquiry (if applicable) • Duty Officer • Website
Prior approval for agricultural, telecommunication and demolition works	Stage 1 <ul style="list-style-type: none"> • Not Applicable Stage 2 <ul style="list-style-type: none"> • Weekly list • Statutory Planning Register • Web site • Duty Officer <p><i>N.B Representations are not invited as failure to determine within 28 days results in deemed consent.</i></p> Stage 3 <ul style="list-style-type: none"> • Duty Officer Stage 4 <ul style="list-style-type: none"> • Decision letters • Notification of Appeal Letter (if applicable) • Notification of informal hearing/ public enquiry (if applicable) • Duty Officer • Website
Certificate of Lawfulness.	Stage 1 <ul style="list-style-type: none"> • Not Applicable Stage 2 <ul style="list-style-type: none"> • Weekly list • Statutory Planning Register • Notification letters • Duty Officer • Web site Stage 3 <ul style="list-style-type: none"> • Duty Officer Stage 4 <ul style="list-style-type: none"> • Decision Letter • Notification of Appeal Letter (if applicable) • Notification of informal hearing/ public enquiry (if applicable) • Duty Officer • Website
High Hedgerows	Stage 1 <ul style="list-style-type: none"> • Not Applicable Stage 2 <ul style="list-style-type: none"> • Weekly list • Statutory Planning Register • Notification letters • Site notice • Duty Officer Stage 3 <ul style="list-style-type: none"> • Duty Officer Stage 4 <ul style="list-style-type: none"> • Decision letters • Notification of Appeal Letter (if applicable) • Notification of informal hearing/ public enquiry (if applicable)

The Role of the Developer in Facilitating Your Involvement prior to the Development Control Process

Introduction

- 6.1** We will encourage developers to undertake pre-application discussions with both ourselves and relevant key stakeholders. Further information on this process is set out in **Appendix 6**. We will also encourage early, meaningful consultation with the community and statutory consultees listed in **Appendix 2** on significant planning applications as soon as possible in the design of their scheme. This process supplements the involvement measures outlined in the preceding sections of this document. It should not be used as a marketing exercise to promote the development.
- 6.2** Whilst this is not a statutory requirement we consider that such a process can;
- provide an ideal opportunity for the developer to fully explain their proposal prior to you therefore avoiding the formulation of unfavourable opinions based upon inaccurate information
 - potentially save the developer time in obtaining a decision on a planning application as there is an opportunity to seek to resolve your concerns.
 - give all parties more certainty
 - secure a more sustainable and acceptable development
 - avoid appeals and call-in procedures.
 - create a more transparent and accountable Planning process for the District.

Definition of 'significant' development.

- 6.3** When proposing a 'significant' development, we request that you as applicant undertake pre-application community engagement that is appropriate to the scale of the development. As the applicant you are advised to contact the Principal Development Control Officer based at the Civic Centre, Crook to establish if the planning application will be regarded as 'significant'. As a guide we will regard the following types of development as being 'significant':
- Housing developments comprising of 10 or more dwellings or a site area of more than 0.5ha.
 - Offices, research & development and light industry developments with a floor

area of more than 1000m² or a site area of 1ha or more.

Heavy industry, storage and distribution developments with a floor area of more than 1000m² or a site area of 1ha or more.

Retail, distribution and servicing developments with a floor area of more than 1000m² or a site area of 1ha or more.

All other major developments with a floor area of more than 1000m² or a site area of 1ha or more.

Any proposal deemed to be significant for example because of its location and impact (for example a wind farm proposal).

- 6.4** We would urge that if your proposal falls under the scope of 'significant' development that you discuss pre submission involvement measures with the Principal Development Control Officer as part of your pre-application discussions with the Council. **Appendix 7** contains further information regarding a pre submission consultation. This includes details of minimum publicity expected, appropriate event management, protocol with groups and elected members and additional approaches to outline and reserved matters application.

Submitting a Significant Planning Application

- 6.5** Significant planning applications should be accompanied by a statement setting out the community engagement undertaken, including:
- The scale of the notification, including a list of properties and businesses contacted,
 - A list of interest/pressure groups or other organisation contacted,
 - The location and duration of any event held,
 - A summary of all the comments received and issues raised,
 - A clear indication of which comments have resulted in amendments to the scheme and what those changes are, and which comments have not and why not, and

Highlighting any criticism by groups or individuals about the public engagement process.

- 6.6** As the applicant you should also retain all consultation responses.

Failure to comply with these guidelines

- 6.7** We cannot refuse to accept a valid application because we disagree with the way in which a developer has consulted the community, but failure by the developer to consult could lead to objections being made which could be material to the determination. Our aim is to encourage discussion before a formal application is made and therefore avoid unnecessary objections being made at a later stage.

- 6.8** If a developer fails to carry out any community engagement or carries out engagement that falls short of these guidelines, Councillors will be made aware of

this in the Officer's report on the submitted proposals. If material public objections are also received, we will have to consider whether refusal of planning permission is justified, in order to meet the Government's demanding targets for speed in decision making.

- 6.9** Where an applicant is genuinely unaware of the Council's pre-application consultation process we will advise them of the requirements as soon as possible and give them an opportunity to suspend the submission of the application to allow the necessary community engagement to take place. If an applicant refuses to comply with the adopted guidelines, then we will make them aware of the consequences set out in this section.

Other Matters

Resources

- 7.1** This our submission version of the Statement of Community Involvement is based on a realistic and robust assessment of likely resource availability over the coming years. In short, Wear Valley District Council does not have either the financial or staff resources with which to undertake community and stakeholder consultation on a massive scale. Instead it has been necessary to devise a programme of consultation that is both achievable and meaningful.
- 7.2** The majority of the work involved in delivering our commitment to facilitate your involvement will be the responsibility of the Forward Planning Team, in relation to the preparation of the Local Development Framework and the Development Control Team in relation to planning application matters. Assistance from other staff within the Regeneration Department, within which these two sections are located, may also be sought. We will endeavour to co-ordinate consultation with the activities of other departments to ensure the efficient use of resources and to avoid 'consultation fatigue'.

Links to the Community Strategy

- 7.3** In response to the requirement of The Local Government Act 2000 we have set up a Local Strategic Partnership (LSP) bringing together public, private, and voluntary sector organisations and community groups to prepare a community strategy, known as The Community Plan.
- 7.4** This seeks to provide and improve the economic, social and environmental wellbeing of Wear Valley District and contribute to the achievement of sustainable development in the UK. A copy of the current Community Plan can be viewed on our website. The Local Development Framework is one tool to deliver the aspirations of the Community Plan on the ground. We will produce and keep under regular review a separate document identifying the links between

the Local Development Framework and the Community Plan.

Future Review of the Adopted Statement of Community Involvement

- 7.5** We will continually up date our existing Involvement Database in response to requests and information received. From time to time we will contact those parties already identified to ensure our records are up to date.
- 7.6** We will actively monitor the success of community involvement techniques and use these findings to refine methods in the future wherever required. We will assess the effectiveness of each initiative and the findings will be published alongside the feedback on how your comments have been considered. Changes may also arise to reflect emerging best practice and government requirements, or to respond to changing local expectations. Where we find that changes to the methods are required, they will be subject to further consultation with you and will be proposed as updates to this document. These will be highlighted through the Local Development Framework Annual Monitoring Report.
- 7.7** We will measure the performance of this strategy by assessing:-
- How successfully the community and other stakeholders are able to find information on the Local Development Framework documents and planning applications.
 - The level of actual involvement of 'hard to reach' groups and reasons for poor/good take up if applicable.
 - Respondents satisfaction with our overall consultation standards.

In any instance we intend to formally review this Statement prior to the production of further Development Plan Documents not yet identified in our Local Development Scheme. The review process will replicate the process that this current Statement of Community Involvement has followed, as per **table 3** unless future legislative changes dictate otherwise.

Appendix 1 – Glossary

Area Action Plan (AAP) Annual Monitoring Report (AMR)	Planning frameworks for areas of change and areas of conservation. A report on how the authority is performing with regards to the delivery of the Local Development Scheme and relevant targets set out in development plan documents, and indicating any remedial action to be taken is required.
Community Strategy / Community Plan	A vision for Wear Valley District formed through key organisations working in partnership with local businesses, community groups and organisations, and Wear Valley District Council.
Core Strategy	To set out the vision, spatial strategy and core policies for the spatial development of the Local Authority Planning Area.
Development Plan Document (DPD)	Spatial planning documents covering a range of policy topics that will undergo a process of consultation and area subject to alteration following independent examination.
Local Development Document (LDD)	Planning documents with development plan status, know and Development Plan Documents (DPD's), and Supplementary Planning Documents (SPD's)
Local Development Framework (LDF) Local Development Scheme (LDS)	The framework for delivering the spatial planning strategy for the area which comprises of local development documents. Local planning authorities will submit a local development scheme to the First Secretary of State for approval within six months of the commencement of the Act. The Local Development Scheme will set out the preparation programme and timetable of local development documents, indicating proposals for the development of their LDF over a three year period.
Planning Policy Statement (PPS)	Subject specific Government guidance, advice and policies on national land use in England, which replace Planning Policy Guidance (PPGs) notes.
Regional Spatial Strategy (RSS)	Identification and definition of policies relating to the development and use of land in the North East Region prepared by the North East Regional Assembly and approved by the First Secretary of State.
Statement of Community Involvement (SCI)	Sets out the standards to which the local planning authority will involve and consult with the community in the preparation, alteration and continuing review of local development documents, and how these standards are achieved. The SCI will be subject to independent examination. All local development documents must reflect upon how, in their preparation, they have complied with the SCI.
Sustainable Appraisal	A form of assessment used in the UK for regional and local planning which considers the social and economic effects as well as the environmental ones, and appraises them in relation to the aims of sustainable development.
SEA (Strategic Environmental Assessment) SEA (Strategic Environmental Assessment) Directive	Generic Term used to describe environmental assessment as applied to policies, plans and programmes. A European directive (2001/42/EC) on the assessment of the effects of certain plans and programmes on the environment. The SEA Regulations transposing the SEA Directive into UK Law.

Appendix 2

The Council holds a database of bodies, organisations and individuals and these will be informed throughout the Local Development Framework production process. In accordance with Planning Policy Statement 12 we consider that the following should be consulted in the preparation of the Local Development Framework:

Specific Consultation Bodies

(These are statutory consultation bodies and must be consulted in accordance with the Act and Regulations)

**Consultation
group status as
referred to in
Section 3
E**

- ☐ North East Assembly
- ☐ A relevant authority any part of whose area is in or adjoins the area of Wear Valley District Council:
 - Parish Councils within Wear Valley District
 - Dene Valley Parish Council
 - Edmundbyers Parish Council
 - Hunstanwoth Parish Council
 - Stanhope Parish Council
 - West Auckland Parish Council
 - Witton le Wear Parish Council
 - Wolsingham Parish Council
 - Adjoining District Councils
 - Cumbria County Council
 - Darlington Borough Council
 - Derwentside District Council
 - Durham City Council
 - Durham County Council
 - Eden District Council
 - Northumberland County Council
 - Sedgefield District Council
 - Teesdale District Council
 - Tynedale District Council
 - Adjoining Parish Councils
 - Allendale Parish Council
 - Alston Moor Parish Council
 - Blanchland Parish Council
 - Brancepeth Parish Council
 - Brandon and Byshottle Parish Council
 - Cornsay Parish Council
 - Eggleston Parish Council
 - Eldon Parish Council
 - Etherley Parish Council
 - Evenwood and Barony Parish Council
 - Forest and Firth Parish Council
 - Gainford and Langton Parish Council
 - Healey Parish Council
 - Hamsterley Parish Council
 - Hexhamshire and District Parish Council
 - Lanchester Parish Council
 - Middleton in Teesdale Parish Council
 - Muggleswick Parish Council
 - Newbiggin in Teesdale Parish Council
 - Shildon Town Council
 - Shotley Low Quarter Parish Council
 - South Bedburn Parish Council

B
B
B
B
B
B
B

E
E
E
E
E
E
E
E
E

B
B
B
B
B
B
B
B
B
B
B
B
B
B
B
B
B
B
B
B
B
B

- Spennymoor Town Council	B
- West Allen Parish Council	B
- Windlestone Parish Council	B
<input type="checkbox"/> County Durham and Tees Valley Strategic Health Authority	B
<input type="checkbox"/> The Countryside Agency, North East Region*	D
<input type="checkbox"/> English Nature*	D
<input type="checkbox"/> The Environment Agency, North East Region	D
<input type="checkbox"/> Highways Agency	D
<input type="checkbox"/> The Historic Buildings and Monuments Commission for England – English Heritage	D
<input type="checkbox"/> Mobile Operators Association	C
<input type="checkbox"/> Mono Consultants Ltd	C
<input type="checkbox"/> Northumbrian Water	D
<input type="checkbox"/> One North East	D
<input type="checkbox"/> The First Secretary of State (through Government Office for the North East)	E
<input type="checkbox"/> The Strategic Rail Authority	D
<input type="checkbox"/> Transco	C

Government Departments

<input type="checkbox"/> Home Office	E
<input type="checkbox"/> Department for Education and Skills (through Government Office for the North East)	E
<input type="checkbox"/> Department for Environment, Food and Rural Affairs (DEFRA)	E
<input type="checkbox"/> Department for Transport (through Government Office for the North East)	E
<input type="checkbox"/> Department of Health (through relevant Regional Office of NHS Executive)	E
<input type="checkbox"/> Department of Trade and Industry (through Government Office for the North East)	E
<input type="checkbox"/> Ministry of Defence	E
<input type="checkbox"/> Department of Work and Pensions	E
<input type="checkbox"/> Department of Constitutional Affairs	E
<input type="checkbox"/> Department of Culture, Media and Sport	E
<input type="checkbox"/> Office of Government Commerce (Property Advisers to the Civil Estate)	E

'General Consultation Bodies' including 'Hard to Reach Groups'

- ☐ Voluntary Bodies some or all of whose activities benefit any part of the authority's area;
- ☐ Bodies which represent the interests of different racial, ethnic or national groups in the authority's area;
- ☐ Bodies which represent the interests of different religious groups in the authority's area;
- ☐ Bodies which represent the interests of disabled persons in the authority's area; and
- ☐ Bodies which represent the interests of persons carrying on business in the authority's area.

The above include the following organisations:

<input type="checkbox"/> 2D (Wear Valley)	B
<input type="checkbox"/> Bishop Auckland Chamber of Commerce	B
<input type="checkbox"/> Bishop Auckland Town Centre Forum	B
<input type="checkbox"/> Churches Agency for Regeneration	B
<input type="checkbox"/> Church Commission	B
<input type="checkbox"/> Citizens Advice Bureau , Bishop Auckland	B
<input type="checkbox"/> Community Network (Wear Valley)	B
<input type="checkbox"/> Coundon & Leeholme Community Partnership	B

* To form part of Natural England in 2006

<input type="checkbox"/> Crook Community Partnership	B
<input type="checkbox"/> Darlington & Durham County Racial Equality Council	B
<input type="checkbox"/> Durham Bat Group	B
<input type="checkbox"/> Durham Wildlife Trust	B
<input type="checkbox"/> Methodist Church Weardale Circuit	B
<input type="checkbox"/> Methodist Church Bishop Auckland Circuit	B
<input type="checkbox"/> Weardale Community Partnership	B
<input type="checkbox"/> Wear Valley Disability Access Forum	B
<input type="checkbox"/> Willington Community Partnership	B

As we become aware of other existing or new groups this list will be updated.

Other Consultees (Wear Valley District Council will where appropriate consult with the following agencies and organisations in the preparation of Local Development Documents)

<input type="checkbox"/> Age Concern	B
<input type="checkbox"/> Architects	B
<input type="checkbox"/> Arriva	
<input type="checkbox"/> Airport Operators Association	B
<input type="checkbox"/> British Airport Services and Equipment Association	B
<input type="checkbox"/> Bishop Auckland Civic Society	B
<input type="checkbox"/> British Chemical Distributors and Traders Association	B
<input type="checkbox"/> British Geological Survey	B
<input type="checkbox"/> Centre for Ecology and Hydrology	B
<input type="checkbox"/> Chambers of Commerce North East Region	B
<input type="checkbox"/> CBI North East	B
<input type="checkbox"/> Institute of Directors North East Region	B
<input type="checkbox"/> Church Commissioners	B
<input type="checkbox"/> Civil Aviation Authority	B
<input type="checkbox"/> Coal Authority	B
<input type="checkbox"/> Commission for Architecture and the Built Environment	B
<input type="checkbox"/> Commission for New Towns and English Partnerships	B
<input type="checkbox"/> Commission for Racial Equality	B
<input type="checkbox"/> Crown Estate Office	B
<input type="checkbox"/> Cyclists Touring Club	B
<input type="checkbox"/> Developers	C
<input type="checkbox"/> Diocese of Durham, Board of finance	B
<input type="checkbox"/> Disability Rights Commission	B
<input type="checkbox"/> Disabled Persons Transport Advisory Committee	B
<input type="checkbox"/> District Valuer	B
<input type="checkbox"/> Durham County Council	B
<input type="checkbox"/> Durham Rural Community Council	B
<input type="checkbox"/> Electricity, Gas, and Telecommunications Undertakers	B
<input type="checkbox"/> English Golf Union	B
<input type="checkbox"/> Environmental Groups at National, regional and local level, including:-	B
<input type="checkbox"/> Council for the Protection of Rural England (CPRE)	B
<input type="checkbox"/> Friends of the Earth	B
<input type="checkbox"/> Royal Society for the Protection of Birds	B

<input type="checkbox"/> Equal Opportunities Commission	B
<input type="checkbox"/> ESA (Environmental Services Association)	B
<input type="checkbox"/> Estate Agents	C
<input type="checkbox"/> Farming and Wildlife Advisory Group	B
<input type="checkbox"/> County Durham & Darlington Fire & Rescue Brigade	B
<input type="checkbox"/> Forestry Commission North East of England Conservancy	B
<input type="checkbox"/> Freight Transport Association Ltd	B
<input type="checkbox"/> General Public including those who have specifically indicated interest in the production of the LDF	A
<input type="checkbox"/> Go North East	B
Groundwork West Durham	B
The Gypsy Council	B
Gypsy and Traveller Law Reform Coalition	B
Health and Safety Executive	B
Help the Aged	B
The Housing Corporation	C
House Builders Federation Yorkshire, North West & north East Region Office	C
Land Access and Recreation Association Motor Recreation Development Officer	B
Land Agents	C
Learning Skills Councils	B
Local Strategic Partnership Members	B
National Grid Company	B
National Playing Fields Association	B
Network Rail	B
North East Housing Board	B
North Pennines AONB Partnership	B
Northern Rail	B
Nexus	B
Planning Consultants	C
PTEG (Passenger Transport Executives Group)	B
Police Architectural Liaison Officer	B
Post office property holdings	B
OFCOM	B
Road Haulage Association, North East Region	B
Rural Transport Partnership	B
Showmans Guild of Great Britain	B
Sport England	D
The Open Spaces Society Teesdale District and Wear Valley	B
The Ramblers Association Crook & Weardale	B
The Theatres Trust	B
Weardale Motor Services	B
Weardale Society	B
Women's National Commission	B

Appendix 3 Useful Addresses

Planning Aid North

Joint Professional Centre for Planning & Landscape
3rd Floor, Claremont Tower
The University of Newcastle upon Tyne
Claremont Road
Newcastle upon Tyne
NE1 7RU
Tel: 0191 222 8772
Fax: 0191 222 7812
Email: ntco@planningaid.rtpi.org.uk
Website: <http://northofengland.rtpi.org.uk>

Durham County Council

Planning Section
County Hall
Durham
DH1 5UL
Tel: 0191 383 5698
Fax: 0191 383 4500
Website: www.durham.gov.uk

Forward Planning Team

Regeneration
Wear Valley District Council
Civic Centre
Crook
Co Durham
DL15 9ES
Tel: 01388 765555
Fax: 01388 760660
Email: forward.plans@wearvalley.gov.uk
Website: www.wearvalley.gov.uk

Appendix 4

Material Planning Considerations and Tests of Soundness

Development Control and Local Development Framework

“Material” and “Non Material” Considerations

1. The relevant issues to take into consideration will vary with the nature of the proposals and by the site, but may include the following: -

- ☐ Development Plans
- ☐ Government Guidance and Orders
- ☐ Case Law and previous decisions
- ☐ Highway Safety and Traffic
- ☐ Noise, disturbance and smells
- ☐ Design, appearance, layout, density
- ☐ Conservation of buildings, trees etc
- ☐ Nature Conservation
- ☐ Residential amenity (such as loss of privacy, overbearing, overshadowing)
- ☐ Sustainability
- ☐ Liability to flooding

What issues are irrelevant in reaching planning decisions?

2. Again they vary from case to case, but the following are irrelevant: -

- ☐ Matters covered by other laws (e.g. Alcohol licence)
- ☐ Private property rights (e.g. boundary or access disputes)
- ☐ The developer's morals or motives
- ☐ Possible future development
- ☐ Loss of view over other peoples land
- ☐ Effect on value of property
- ☐ The fact that an application may be retrospective
- ☐ The failure of an applicant to carry out development on another site in accordance with approved plans/ conditions of approval
- ☐ Commercial competition

Local Development Framework Tests of Soundness

The policies in each development plan document that we produce will be tested thoroughly for ‘soundness’ during the independent examination. The presumption will be that the development plan document is ‘sound’ unless it is shown to be otherwise as a result of evidence considered at the examination. The tests of soundness that apply individually or collectively to policies are summarised below;

PROCEDURAL

- ☐ It has been prepared in accordance with the Local Development Scheme
- ☐ It has been prepared in compliance with our Statement of Community Involvement
- ☐ The plan and its policies have been subjected to sustainability appraisal.

CONFORMITY

- ☐ It is consistent with national planning policy and in general conformity with the Regional Spatial Strategy and has had proper regard to any other relevant plans, policies and strategies relating to the area or to adjoining areas
- ☐ It has regard to our Community Strategy

COHERENCE, CONSISTENCY & EFFECTIVENESS

The strategies, policies and allocations in the development plan document

- ☐ Are coherent and consistent within and between other development plan documents prepared by us and neighbouring authorities, where cross boundary issues are relevant.
- ☐ Represent the most appropriate options in all the circumstances, having considered the relevant alternatives, and they are founded on a robust and credible evidence base
- ☐ Have clear mechanisms for implementation and monitoring
- ☐ The plan is reasonably flexible to enable it to deal with changing circumstances

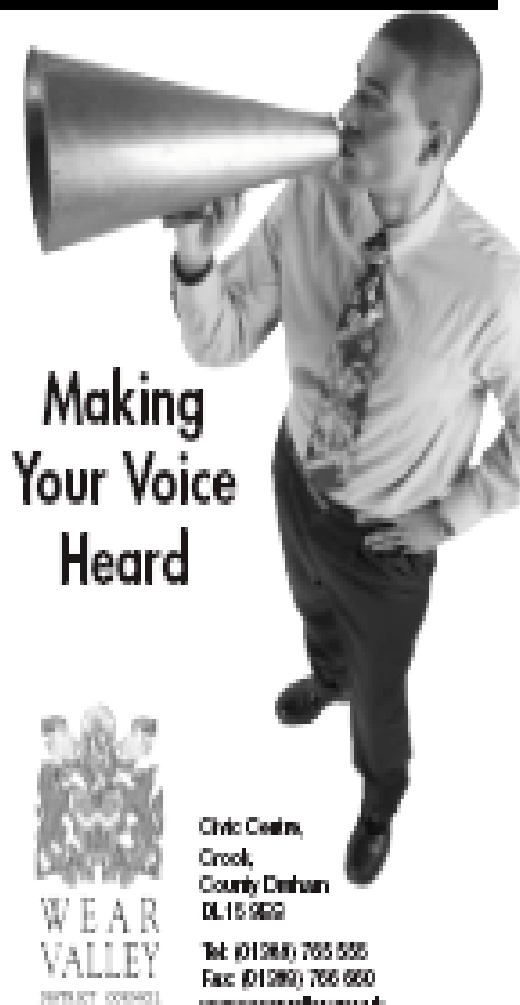
Statement of Community Involvement

An independent inspector will be appointed to test the 'soundness' of a proposed Statement of Community Involvement based upon the following criteria;

- ☐ The minimum legal requirements for consultation have been met as set out in the Town & Country Planning (Local Development) (England) Regulations 2004.
- ☐ It sets out our strategy for community involvement, highlighting links to other local community involvement issues, such as the Community Plan for the District.
- ☐ It sets out in general terms which local community groups and other bodies will be consulted.
- ☐ It shows how the community and other bodies can be involved in a timely and accessible manner.
- ☐ It includes methods of consultation that are suitable for different stages of plan preparation and for the intended audience.
- ☐ It shows the resources that are available to manage community involvement effectively.
- ☐ It shows how the results of community involvement will be fed into development plan document and supplementary planning document preparation.
- ☐ It clearly states our policy for consulting on planning applications, including advice to developer on carrying out pre submission consultation on 'significant' development proposals.

Appendix 5

Public Involvement in Planning Decisions



Chris Collins,
Crick,
County Durham
DL15 9GG
Tel: (0191) 765 555
Fax: (0191) 765 660
www.wearvalley.gov.uk

Certain members of the public have the right to speak at Development Control Committee meetings when the following applications are discussed:

- Where the Council has the power to determine it;
- Those submitted by neighbouring local authorities for comments;
- Those determined by the County Council, for example opencasting, mineral workings, waste disposal.

This leaflet tries to answer some of the questions you might have about the procedures and what to expect at the meeting itself.

The purpose of this scheme is to:

- Allow interested parties to have a greater opportunity for involvement in the process, thereby reducing frustration and annoyance;
- Lead to a general feeling of fair treatment.

The advice below applies equally to objectors, applicants, their agents and their supporters.

Q Does the right to speak scheme alter the existing procedures for publicity of planning applications?

A No. Planning applications will continue to be publicised in well-established ways. If you wish to object to a proposal, you should write within 3 weeks to the Director of Regeneration giving your reasons; you will then receive an acknowledgement letter. Please note that the Director has the power to determine certain applications if no more than 3 objections are received by the relevant closing date. If the application goes to Committee, a summary of any objections received are always reported. The letters of objection are placed on the appropriate files and made available for inspection by the Committee. If an application is determined under delegated powers details of the decision

and a copy of the officers report will be forwarded to objectors after the decision has been made.

Q *If I object to a proposal, do I have to speak at the Committee meeting?*

A No. Your objection is considered anyway, and it is entirely at your discretion as to whether or not you attend the Committee meeting. You may decide that, because the Officer's recommendation is to refuse the proposal, there may be little point in amplifying your objection; please note, however that the Officer's recommendations are not always accepted by the Committee.

Q *If I am the applicant or agent do I have to speak at the Committee meeting?*

A No. If the Officer's recommendation to the Committee is to approve the proposal, you may decide that there is little to add to the report and you are urged not to take up Committee time in repeating the Officer's comments. If the Officer's recommendation to the Committee is to refuse the proposal, you may wish to present your case for approval. Please note, however, that the Officer's recommendations are not always accepted by the Committee.

Q *If I want to speak, how do I arrange it?*

A About a week before the Committee meeting we will write to every person who has objected or commented in writing on proposals being considered at that meeting. We will also notify all applicants (or their agents) who have submitted such proposals. If comments are received less than one week before Committee this procedure will not take place, but the comments will still be reported verbally to the Committee. If you want to speak you will then need to contact Central Resources Department, preferably in writing, but a telephone call will do, by no later than 12 noon on the day before the Committee. We

will then make a list of those wishing to speak, in the order in which they contact us.

Q *Where and when are the Committee meetings held?*

A The Committee meets in the Council Chamber of the Civic Centre, Crook approximately every 3 weeks. All Committee meetings start at 6.00pm.

Q *What is the order of speaking on each item at Committee?*

A The Head of Development and Building Control or his representative will introduce the item followed by members of the public in this order:

- Objector(s)
- Parish/Town Councils
- Applicant or Agent and any supporter(s)
- Ward Member(s) (if not appointed to the Committee)

The Head of Development and Building Control will have the opportunity to respond to comments made or seek clarification. Members of the Committee may ask questions of each speaker after they have spoken. Speakers may also ask questions, within their allocated time, although the Council has no powers to require others to respond. There will then be an opportunity for debate by the Committee, where further information may be sought from the Head of Development and Building Control. The decision is then made.

Q *What will be the order of items at the Committee meeting?*

A Immediately prior to the meeting, a schedule detailing those applications which have resulted in requests to speak will be prepared for Members. Whilst these will be dealt with first, the time taken by each item is difficult to predict. Accurate estimates of when each item is to be heard cannot, therefore, be given.

Q *How long will I be able to speak for?*

A There is a time limit of 5 minutes for each group of speaker, which will be divided equally between registered objectors until the 5 minutes have expired. However, objectors are encouraged to get together and make a joint case by appointing a representative. The Chair of the Committee may intervene, or vary the order of the speakers, or extend the time

limit, in the interests of the efficiency of the meeting, or when he/she feels this will best serve public interest.

Q *Can I ask questions of other speakers?*

A You may include questions in the time allocated to you, but the Committee has no powers to require other speakers to answer your questions. Generally, it would be preferable for you to ask questions before the meeting, and to state your objections on the basis of the information given to you. You must not interrupt other speakers, nor interrupt Committee debate.

Q *What are the relevant issues in considering proposals?*

A The relevant issues will vary with the nature of the proposal and the site, but may include the following:

- Structure Plan and Local Plan;
- Government Guidance and Orders;
- Case Law and previous decisions;
- Highway safety and traffic;
- Noise, disturbance and smells;
- Design, appearance and layout;
- Conservation of buildings, trees etc.; and
- Residential amenity.

Q *What issues are irrelevant in reaching planning decisions?*

A Again they vary from case to case, but the following are usually irrelevant:

- Matters covered by other laws (eg, alcohol license);
- Private property rights (eg, boundary or access disputes;
- The developer's morals or motives;
- Possible future development;
- Loss of view over other people's land;
- Effect on value of property.

Q *Who do I ask if I have any other queries?*

A If you have any questions not answered by the above advice, you are welcome to contact:

Mrs L Spence,
Central Resources Department
Tel: (01388) 761 950

or

Mr D Townsend,
Regeneration Department
Tel: (01388) 761 573.

You may contact Mr Townsend up till 5.45pm on the day of Committee if there are any arrangements you wish to discuss.

Wear Valley District Council
Civic Centre
Crook
County Durham
Tel: 01388 765555
Fax: 01388 766660

Appendix 6 – Pre Application Discussion

We will welcome discussion with you the prospective applicant, before an application is made. In certain circumstances it may be prudent to involve relevant key stakeholders/ statutory consultees. We consider that there are significant benefits from carrying out such discussions including:

- ☐ Better quality applications which are straight forward and can be quickly processed.
- ☐ A means of resolving problems, thereby avoiding possible public objections at a later stage
- ☐ Overcoming perceived 'closed door' approach to determining applications, ensuring an including and transparent approach.
- ☐ Higher quality design
- ☐ Savings in time and resources of all involved
- ☐ Early availability of good quality information, enabling issues and problems to be addressed up front.
- ☐ Identification of the need for additional assessments or surveys e.g. flood risk assessments or ecological surveys.

An officer is available during normal office hours to provide general information and advice. It will, however, assist particularly in the case of a specific proposal, to make an appointment to ensure that enquiries can be dealt with more promptly and effectively. If advice is sought by letter a response will be made within 21 days.

If a proposal is of a large scale or complex we will adopt a team approach whereby a lead officer is selected who will arrange for officers of other disciplines to attend meetings and provide advice. Depending upon the nature of the proposal it may be prudent to seek advice from or refer you to relevant statutory consultee for specialist advice and/ or confirmation of the need for further documents or assessments to support the application.

The advice which we give will be an officer assessment of the proposal and will be without prejudice to the formal consideration of an application as no public consultation would have been carried out and few consultees will have been contacted. We can provide information about relevant planning policies and previous decisions, and about our requirements in relation to such factors as design and highway issues. On request, and where possible from the details provided we will advise upon the merits of the proposal.

We will answer enquiries as to whether or not planning permission is needed within 21 days. Should you require such confirmation you will need to complete a Permitted Development Assessment Form. Alternatively, an application can be made for a Certificate of Proposed Lawful Development. A fee is payable but there is the benefit of receiving a legal determination, and there is a right of appeal if the enquirers are dissatisfied with the response.

Appendix 7

A Guide to Pre-submission Consultation

Publicity

As applicant of a 'significant' development the minimum publicity that we would expect of you is;

Notification of local residents and businesses by letter of the proposed development, stating why you are carrying out the process, when and where they can find out more and their scope for comment.

Placing notice in a local newspaper, detailing the proposed development stating why you are carrying out the process, when and where people can find out more and their scope for comment.

Additional information should be circulated as a press release.

N.B. The above publicity should include provision of details of at least one event, and the event should be no earlier than four days after they have been circulated or published. The closing date for comments should be set no earlier than 10 days after the close of a consultation event. Publicity material should concentrate on conveying the facts of the proposed scheme and avoid bias. It should not be written in a manner which could be construed as a marketing exercise nor as a *fait compli*. It would therefore be prudent to discuss the content of the press notice and press release with the Principal Development Control Officer prior to publication.

Event Management

We will expect that the event;

Is appropriately staffed and include display material detailing your proposals for the site, the scope for public comment, how comments will be dealt with and an explanation of what will happen next. Presentation material and any questionnaires for the public should avoid bias.

Takes place at a time or times that enables as wide a cross section of the public as possible to attend it; it may therefore need to cover weekends and evenings.

Is held on the application site/building, or at a venue as close as possible to the application site. Venues should be fully accessible but if not, reasonable adjustments must be made to permit access for people with disabilities.

Is scheduled so, as to allow sufficient time prior to submission of a planning application to consider issues subsequently raised by third parties and where appropriate make amendments to the scheme.

We will welcome early discussion regarding your proposals for publicity and event management. The Principal Development Control Officer should be contacted in the first instance.

Contact with interest groups and elected members

As applicant of a 'significant' development we advise you that;

contact should be made with all local community groups and interested groups, together with any other relevant groups who may have a specific interest in a particular proposal. Appendix 1 can be used as a basis of determining relevant groups. However applicants should discuss this with of the Principal Development Control Office who will be able to provide all necessary contact details.

all District Councillors whose ward includes the application site together with any Parish Council whose parish includes or adjoins the site should be informed. It should however be noted that a code of conduct prevents District Councillors from expressing any views on proposals at this stage, as they must remain impartial until any application is formally presented to them at a Planning Committee.

Additional approaches to outline and reserved matters applications

In the case of outline applications where as applicant you are trying to establish the principle of development we would encourage you to include illustrative material such as a Design Concept Statement. As applicant you should explain this approach in any presentation to focus the audience's attention on the broad principle of development, rather than details at this stage. This will allow the public to make meaningful comments on the proposals.

Further pre-application publicity events may be necessary when submitting a detailed reserved matters application.

In the case of variations to significant schemes further pre-application publicity events may also be necessary where it is proposed to formally vary or modify an existing permission, where this relates to a significant application.

In both instances you such clarification should be sought from the Principal Development Control Officer prior to making such submissions.

BLANK PAGE

Wear Valley District Council is committed to the removal of all barriers preventing access to our services arising from ethnicity, religion, geographic location, special needs, language differences, learning difficulties, sexual orientation, gender, age or disability.

We can produce this document in other formats such as Braille, in large print, on audio tape, on CD Rom, or in other languages.

**You can request a copy from the Marketing and Communications Manager on
(01388) 761958**



**Forward Planning Team
Regeneration Department
Wear Valley District Council
Civic Centre
Crook
Co Durham
DL15 9ES
Tel: 01388 765555
Fax: 01388766660
Email: forward.plans@wearvalley.gov.uk
Website: www.wearvalley.gov.uk**