

Statement of Community Involvement 2023

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Introduction to the Statement of Community Involvement

Background

We are committed to involving as many people and organisations as possible in the planning process, including those who are traditionally under-represented. This document is our Statement of Community Involvement (SCI). It sets out how and when we will provide opportunities for you to contribute to the planning process, including the preparation of the local plan and other associated documents such as Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs), neighbourhood planning activity as well as the consideration of specific proposals subject to planning applications and Permissions in Principle. It also sets out how we will support groups undertaking neighbourhood planning activity as well as giving advice on how neighbourhood planning groups should seek to continuously involve local people and groups in this activity. There may be some circumstances, which are beyond the Council's control, which may result in a variation to the consultation and involvement methods set out herein. In such circumstances, the Council will always remain committed to involving the community as much as practicable.

Section 18 of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to produce a Statement of Community Involvement, which explains how they will engage local communities and other interested parties in producing their local plan and determining planning applications. This document reflects the current regulations in force at the time that it was written. We will keep this document under review.

We will strive to provide opportunities and make it as simple as possible for all individuals to become involved, regardless of their circumstances. By involving communities from the start, they can help to make a difference and, crucially, feel a sense of understanding and ownership of local planning decisions.

Contact us at:

Spatial Policy

spatialpolicy@durham.gov.uk

03000 263 967

Our address is:

FREEPOST Spatial Policy

No further address info, or stamp needed

Figure 1-The Main Groups who will be involved in planning consultations



Our commitment to ensure meaningful consultation

We will endeavour to:

- Make all Durham County Council consultation documents and any relevant supporting information available through several methods:
 - Electronically on the main Durham County Council Consultation webpage on the Council's website: <https://www.durham.gov.uk/consultation>
 - Offer advice and assistance over the telephone, by e-mail or by FREPOST, the contact details for which can be found at the start of this document.
 - Hard copy documents and response forms will be available at County Hall Durham and our Customer Access Points, and on request by contacting the Spatial Policy Team using the details found at the back of this document.
 - All documents will be accessible.
- On request make the information available in Braille, large print, translated into another language, or audio versions.
- Enable communities to put forward ideas and suggestions and participate in developing proposals and options to inform the statutory decision-making process.
- Ensure that as wide and relevant an audience as possible is consulted and we will specifically engage with the target groups set out later in this document on planning matters.
- Consider comments thoroughly and provide timely feedback in a balanced and open manner; and
- Support Town and Parish Councils and Neighbourhood Forums in involving local people and community groups in the preparation of Neighbourhood Plans.

This Statement of Community Involvement has also been the subject of an Equality Impact Assessment. In undertaking our statutory duties, we will also ensure that we meet the requirements of the Equality Act 2010. We will promote equality and diversity, and not unfairly discriminate against anyone who wishes to participate in the planning system.

Further information on the planning system

Contact details are provided at the start of this document should you need further information from us about the planning process. You can also gain further information about how the planning system works through the Planning Portal at <https://www.planningportal.co.uk/>.

Independent advice can also be sought from the Royal Town Planning Institute (RTPI) which offers offering free, professional planning advice and support to individuals and communities. It aims to give everyone the opportunity to get involved in planning their local area and provide people with the knowledge and tools to achieve this. The contact details are as follows:

- Planning Advice: <https://www.rtpi.org.uk/planning-advice>
- Email: advice@planningaid.rtpi.org.uk

This section of the document has outlined the general principles which we will work to in any engagement activity we undertake. The remainder of this document sets out how we will facilitate meaningful engagement on specific aspects of the planning process.

Shaping the new Local Plan

The Local Plan and other associated documents guide new employment, housing and retail development across the county and provide local policies to determine planning applications.

Whilst you can submit views to us at any time in respect to local plan matters there will be specific points where we will seek your views on the local plan and other documents and any subsequent revisions to them.

The timetable for producing the local plan and associated documents, and periods of community engagement are set out within a document called the Local Development Scheme. The County Durham Local Development Scheme can be downloaded from a link on this web page:

www.durham.gov.uk/article/7440/What-is-the-County-Durham-Plan-

Target Groups

In terms of local plan making, we will target a wide variety of groups during consultations. Key groups include:

- Local communities;
- Area Action Partnerships;
- Known community organisations;
- Residents' associations;
- Town and Parish Councils;
- Neighbourhood Forums;
- Businesses including organisations such the North East England Chamber of Commerce;
- Developers/agents/landowners;
- Specific bodies that government requires us to engage with;
- Central and local government, including neighbouring authorities; and
- Other non-statutory bodies who may have an interest in the area

We will endeavour to engage 'hard to reach' groups in planning issues and will continue to review our consultation techniques to ensure the most effective means are used to seek views to help access these groups in particular.

Anyone wishing to be notified directly of consultation documents can be included on our consultation database at any time. Automatic emails or letters will be sent providing details of the consultation document, where to find further information and how to comment.

If you wish to be added or removed or have your existing details updated then please log on the consultation portal, email spatialpolicy@durham.gov.uk, write to FREEPOST Spatial Policy, or call us on 03000 263967.

Consultation methods to be used during each stage of the production of the Local Plan

We recognise that there will be varying degrees to which you can be involved in the consultation process and that there are differing needs depending on knowledge and experience of the planning system. Therefore, a targeted but flexible approach to engagement is required. We will use a variety of methods of engagement to maximise opportunities for your involvement in the plan making process. The types of methods that will be used may include:

Internet-based consultation and the use of social media

The most common form of consultation will be through our webpages and online documents. The internet provides quick and efficient opportunities for interested individuals and parties to engage in the planning process. We will run online presentations and events to give stakeholders a chance to ask any questions before making representations.

Social media is an effective way to communicate to a wide audience. We will use a range of social media techniques to raise the awareness of any consultations using Facebook, Twitter, Instagram and You Tube.

Press and public relations

News articles are another way of spreading information about planning consultations. We will inform the community of key consultation dates and updates on progress by releasing appropriate and timely press releases and where required public notices.

Our free publication 'Durham County News' that is sent to every household in the County may be used to disseminate information about the preparation of planning documents and consultation events where time frames align.

Online Events

We will run online presentations and events to give stakeholders a chance to ask any questions before making representations. This provides an easy way of finding out more information.

Public exhibitions

As part of the formal consultation exercises associated with the preparation of the Local Plan and associated documents, we may hold staffed and un-staffed exhibitions at accessible venues throughout the County. We will endeavour to send posters and other material to the venues in advance of the exhibitions to ensure this is advertised as widely and for as long as possible as well as publicising them on our website.

Public meetings

Although public meetings can help deliver immediate discussion and feedback, some people find them intimidating and are reluctant to participate. Therefore, public meetings will only be used in conjunction with other consultation methods. We will seek to ensure that venues chosen for events are accessible and ensure that events are held at times which maximise the ability for people to find out the information they need.

We will promote all online and face to face via our website, social media and through press releases.

Formal and informal meetings with existing networks

There are a range of existing meetings and forums, which can be tapped into, including the County Durham Partnership thematic groups and the voluntary sector. There are also several networks covering particular sections of the community which can be used to engage those groups with protected characteristics. We will also seek to use other networks such as the Area Action Partnerships and their methods of communication.

Availability of reference copies of documents

Wherever possible, Local Plan consultation documents will be made available for inspection at County Hall Durham and our Customer Access Points during the set consultation period. The documents will provide details of how and when you can make representations. Our Customer Access Points are located at:

- Barnard Castle
- Bishop Auckland
- Chester-Le-Street
- Consett
- Crook
- Durham City
- Seaham
- Spennymoor
- Stanley

Up to date information regarding location and opening hours of all of these can be found on our website. Information on our customer access points can be found here:

<http://www.durham.gov.uk/article/1909/Customer-Access-Points>

How to have your say

During specific consultation periods we encourage you to send us your views and ideas online, via our interactive website, using our consultation web pages. Our consultation webpages can be accessed here: <https://consult-durhamcc.objective.co.uk/kse>. We believe this method will save you time and it will allow us to process and consider your comments more quickly. We are however also happy to receive your views - either by email or letter during consultations.

Following consultation, your comments will be processed and added to our consultation webpage where you will be able to see your comments as well as what other people have said. Whilst names are published (unless opted otherwise), to protect your privacy all other personal information you provide when registering will not be open to public view.

Providing Feedback to you

Following the end of the consultation period, representations will be made available on the consultation web pages. To ensure transparency, a 'Statement of Consultation' will be prepared setting out the key matters raised through the consultation and our response to these. This will be available at each formal decision stage to allow members to make an informed decision.

Getting Involved in Neighbourhood Planning

What is Neighbourhood Planning?

Local communities have powers to undertake neighbourhood planning, which can help to shape development in their area. Adopted neighbourhood plans form part of the development plan (alongside the local plan) and are used by planning officers in the determination of planning applications. There are three elements: Neighbourhood Development Plans (more commonly referred to as Neighbourhood Plans); Neighbourhood development orders; and Community Right to Build Orders. Parish and Town Councils lead on the process, however in unparished areas a Forum must be established. The neighbourhood plan group is formally known as the 'qualifying body'.

There are a number of stages to the process and the government has published specific [regulations](#) and [guidance](#) to ensure neighbourhood planning is undertaken in the proper manner and specific timeframes are met. Throughout the process groups must ensure meaningful community engagement and accord with the statutory regulations. As well as providing professional support to groups, the County Council has a statutory duty to support the process.

Designating a neighbourhood area and neighbourhood forum

From the outset the neighbourhood planning group should seek the views of the local community in terms of the geographic extent of the proposed neighbourhood area and the issues to address in their plan. This early stage of engagement can provide invaluable information and resources to the neighbourhood plan group and give members of the community an opportunity to become directly involved.

A formal application is required to designate the neighbourhood area (the application processes for designating a neighbourhood forum and area are very similar and are often done in tandem). Applications must be publicised on our website and we will also liaise with the neighbourhood plan group to identify other opportunities, such as on their website and in local newsletters, etc. We will inform the relevant adjacent town and parish councils and neighbourhood forums, and County Council Members. An update will be made

The process for parish council groups is relatively straightforward and akin to an administrative formality, however in unparished areas designation is a little more complicated as the group will also need to establish its standing as a neighbourhood forum. In either event, groups will be informed of the Council's decision and the County Council's website updated accordingly.

Preparing a neighbourhood plan, neighbourhood development order or community right to build order

Groups are advised to plan out the key stages of plan preparation at the earliest opportunity, including methods for engaging the community and key stakeholders. Informal surveys, issues and options consultations and topic papers will help to scope out the plan project. Groups should consider:

- **Raising publicity and awareness:** It is important to publicise the proposal to undertake neighbourhood planning as widely as possible using appropriate media from the beginning of the process.

- **Using local partnerships:** There are a range of local interest groups and networks across the County who can help to engage a broader range of groups, including those with protected characteristics, the business community, and hard-to-engage communities.
- **Front loading:** Community engagement should be undertaken before work commences, to help define issues and aims.
- **Capacity building and representation:** Groups should seek to involve local people including those with specialist skills. It will often be useful undertake a skills audit and where appropriate recruit individuals to fill any knowledge gaps.
- **Seeking specialist advice and enabling:** Specialist advice and support from us or consultancy support where resources permit.
- **Building in creativity:** Community engagement needs to engage people - it should be stimulating and enjoyable. Novel methods of engagement and the role of arts and culture in facilitating engagement may help with this.
- **Managing expectations:** It is necessary to explain the scope and limitations of the planning system and neighbourhood planning.
- **Ensuring accessibility:** Consultations and events should be accessible, so groups should consider location, timing, media, format, etc. Events should be informal and welcoming.

Formal consultation

The first formal community engagement activity will be necessary once an initial draft plan has been prepared. This stage is known as the 'pre submission consultation' and lasts for a minimum of six weeks. The group should publicise the consultation on their website and make copies available at their offices or another suitable venue. The Council will provide support and host the consultation on our website. The neighbourhood plan group must also consult with any consultation bodies (listed under Schedule 1 of the 2012 Regulations) whose interests are potentially affected by the draft plan, by notifying them of the proposals and considering their responses. The findings from this consultation should be made available as soon as possible after the consultation period closes.

Following on from the pre-submission consultation, the group then progress to submission stage which effectively passes the plan proposal over to the local planning authority. The submission stage consultation lasts for a minimum of six weeks. The County Council host the plan and supporting document on our website and on the group's website; place copies in the nearest local Council office or library or other suitable location; notify the relevant consultation bodies as set out in the regulations; and consult those who have already made comments on the plan along with neighbouring councils and local members.

The consultation on the 'submission' proposal allows interested parties to make representations. In the case of a Community Right to Build Order, we will also notify by letter those whose property abuts the area covered by the proposed order and provide details of how representations can be made.

Examination

An independent examiner is appointed in consultation with the neighbourhood plan group to examine the plan proposal. This process is normally instigated once the submission stage consultation has started to ensure a speedy turnaround. The examiner's report will establish

whether the proposal can proceed to a referendum; the County Council will make a decision based upon the recommendation in consultation with the relevant portfolio holders and also local members. We will then publish on our web site a 'decision statement', details of where the decision can be inspected and a copy of the examiner's report. A copy of the statement will also be sent to the group and a follow up meeting will be arranged to discuss next steps.

Referendum

A referendum will be publicised according to current electoral rules and will be carried out with the local community so that they can decide whether or not the proposal should be accepted.

Adoption

If there is a majority in favour of the proposal through the referendum it can be adopted by the Council once agreement by Full Council is secured. Once the proposal has been adopted the Council will publicise this decision both on the web site and in the local press as well as notifying interested parties.

Links to Useful Information

Planning Policy Guidance:

www.gov.uk/guidance/neighbourhood-planning--2

My Community:

<https://mycommunity.org.uk/take-action/neighbourhood-planning/>

Planning Aid:

<https://www.rtpi.org.uk/planning-aid/>

Durham County Council Website:

www.durham.gov.uk/neighbourhoodplans

County Durham Association of Local Councils (CDALC):

www.cdalc.info/

Your Involvement in the development management process

Development management is the process by which the Council determines whether a proposal for development should be granted planning permission, taking into account the development plan and any other material considerations, such as the effect it may have on neighbouring properties. Planning applications can be determined by two mechanisms:

- Determination by Council members on the planning committee; and
- Determination by development management officers - these applications are not referred to planning committee.

The development management approach adopted by the Planning Development Management Service seeks to ensure that the views of communities who have an interest in planning matters are fully considered before a decision is taken by the Council.

Planning applications that are determined by Officers are covered by the Scheme of Delegation that is included in the Council's Constitution. This can be found on the Council's web page. The Council's Constitution can be downloaded from this webpage: <http://www.durham.gov.uk/constitution>.

Where planning applications are determined by planning committee, there are four separate committees that make decisions. There are three area committees and one county committee that determines major and strategic planning applications. Map 1 over leaf shows the administrative areas for the three area planning committees.

The Planning Development Management Service is committed to both informing and engaging with the wider community and individuals in relation to planning proposals. However, there needs to be a balance between making decisions in a timely and cost-effective way and providing the community with a reasonable opportunity to comment. Consultation involves not only the public but also statutory and non-statutory consultees. The breadth of consultees will vary with the nature of the proposal and location so not all bodies are consulted on every application.

Statutory consultees generally have 21 days in which to respond to a consultation and we will endeavour to ensure that responses are provided within the designated time period in order to avoid unnecessary delays to the processing of planning applications. As a result of the responses to these consultations, the case officer may have to contact the applicant to request more information or to seek amendments. If significant amendments are made to proposals a further period of consultation may be carried out.

Approach to pre-application discussions

The Planning Development Management Service is committed to delivering a pragmatic, timely and high-quality pre-application service to all customers:

- To provide a timely and consistent level of service, which ensures that the advice offered at the pre-application stage is provided within a reasonable length of time and which is of sufficient quality to ensure that it is honoured as and when customers make a planning application which follows the advice which has been provided.
- To ensure that in those cases where the advice is to support a proposal in principle, to provide comprehensive advice as to what will be required from a customer to ensure that a planning application is determined favourably, in the shortest timeframe possible.

- To ensure that in those cases where the advice is to resist a proposal in principle, to provide a clear explanation why this is the case, and what a customer may be able to do to challenge this view.
- To adopt a pro-active and problem-solving approach, to ensure that with the exception of those proposals which are considered to be unacceptable in principle, that officers seek to work in partnership with customers to ensure that any areas of concern can be addressed to deliver a favourable recommendation at the planning application stage.
- To provide a structured route to opening effective and ongoing dialogue between a customer and the service.
- To ensure that the service receives an income receipt from the provision of pre-application advice, appropriate to the complexity of the project and the level of advice requested, to enable the service to be equipped to provide such advice in an effective and timely manner in the future.
- To provide dissatisfied customers with a route to seek redress against pre-application advice which has clearly failed to meet acceptable standards.

Our preference is to provide pre-application advice in writing. There are many benefits to this, not least the fact that it provides both parties with a clear audit trail as to what advice was provided in relation to a particular project. However, this should not discourage open communication between customers and the service, whether this be in person or by telephone, ahead of a formal pre-application submission.

All pre-application enquiries should be submitted in writing, preferably electronically, and should contain the level of information required relevant to the level of advice sought.

Further information on our pre-application advice service and anticipated timescales for responses can be found at <https://www.durham.gov.uk/article/8280/Planning-advice-and-enquiries>.

In addition, for more strategic development projects, a bespoke pre-application service will be arranged, with the scope and timescales set out in an agreed planning performance agreement.

Involvement of the community when a planning application is first received

When an application is received, we aim to ensure the application is validated and all consultations are sent out within the first 5 days. This will include writing to the nearest neighbours to the proposal, and if considered necessary by posting a notice on site or publishing one in the local press. A period of 21 days is normally provided for responses to be made.

The planning application portal on the Council's website, provides the public with a facility called the 'weekly list'. Members of the public can register on the portal and can then use the facility to generate automatic notifications of:

- Planning applications validated within their Parish / Ward area; and
- Planning applications decided within their Parish / Ward area.

We are happy to be contacted to support in the registration for the weekly list.

Telephone: 03000 262830

Email: planning@durham.gov.uk

Involvement of the Community during the processing of a planning application

We are committed to carefully considering comments received in response to consultations carried out on applications. Officers will consider the need for potential amendments to schemes where they have been suggested. If significant material changes are made to applications, a further period of consultation may be required.

For major or potentially controversial applications, officers will encourage the applicant to consider undertaking an appropriate level of public consultation including a public exhibition prior to the submission of an application to enable communities to better understand development proposals and how they may impact on them.

Involvement of the Community when an application goes to Committee

A planning application may be decided either by the Head of Planning & Housing under delegated powers, or by a planning committee. In either case, the local planning authority takes into account representations received when making planning decisions. Representations received are outlined in planning reports and specifically addressed before decisions are made.

We will ensure that any comments received in response to consultation (on material planning grounds) are brought to the attention of members of the planning committee when they make a decision on the application. Officers will also ensure that such comments are appraised, members are signposted to the full representation and their relevance to the determination to be made brought to the attention of the committee.

We operate a speaking at committee procedure, further details of which can be found on our website. Procedure Note for Speaking at Planning Committee can be downloaded here: [here](#)

Involvement of the Community if an appeal is received on a planning application

In the event of an appeal being received, we will write to all individuals and organisations who were consulted, and who expressed an opinion, on the original application. With the exception of appeals which are heard through the householder fast track service, this notification will afford people the opportunity to make additional comments to the Planning Inspectorate directly.

For cases to be heard by way of hearing and public inquiry, we will also write to advise interested parties of the time and date of the Inquiry to invite them to come along to make their views known to the inspector. All comments received from the community in response to the consultation carried out on the original application will also be sent to the Planning Inspectorate. This ensures that regardless of whether or not people chose to engage in the appeal process, their views will be made known and taken into account.

Approach to Community involvement in planning obligations

In cases where a draft Section 106 Legal Agreement has been submitted as part of an application a copy is normally made available for inspection on the public register and on the Council's website.

When negotiating with developers on major development proposals, we will consider whether the obligations are necessary in order to mitigate the impact of the development. We will also aim to ensure any community request for an obligation is considered against the relevant legislation as part of the overall consideration of a planning application. The issues to be addressed by an obligation will be considered in the report presented to planning committee. Similarly, if we consider that an

obligation is not justified, notwithstanding a community request for one to be entered into, the reasons for this view will be explained in the report.

Approach to community involvement on Planning Performance Agreements

Planning Performance Agreements (PPAs) are an agreement between a developer and the local planning authority setting out who will do what and by when.

A PPA will improve the speed and quality of the decision-making process, deliver better outcomes and facilitate better engagement between parties. Some key benefits include:

- Establishing a better understanding of the project's needs, including management and resources.
- Setting a realistic timetable for decision making.
- Minimising the risks and costs of an appeal; and
- The identification of problems and a mechanism to seek resolutions.

Permission In Principle

Permission in Principle (PiP) is a form of planning consent which establishes the principle of development on sites. Local Authorities are required to maintain a Brownfield Land Register (Part 1) which is a library of brownfield sites that have potential for housing (or housing-led) development. Suitable sites from this list can be granted a PiP by being added to Part 2 of the Register.

From June 1 2018, developers can also apply for permission in principle for small-scale residential development (i.e. sites with less than 10 houses, buildings with less than 1000 square metres of floor space or sites of less than 1 hectare). Though development involving an environmental impact assessment or habitats assessment cannot be considered through this route.

The [Brownfield Land Register Regulations \(2017\)](#) set out the publicity and consultation requirements for sites that are considered for a PiP, and then added to Part 2 of the Register.

In summary, the main consultation requirements include:

Publicity by site notice and on the Council's website for not less than 21 days

Notify relevant bodies if certain conditions apply

- within 10m of railway land
- specific requests have been made by parish councils or neighbourhood forums
- at the discretion of the LPA any person, body or authority that the authority considers should be informed or fall into Table in Schedule 4 to the Town and Country Planning (Development Management Procedure) (England) Order 2015⁽¹⁾

Respondents have 21 days from the publication of the notice in which to make their comments.

Involvement of the Community on Enforcement Issues

Enforcement complaints will be investigated by the Council's Enforcement Team. All cases will be dealt with in confidence. Whilst no public consultation is undertaken on enforcement cases, complainants will be kept informed of the process and the outcome of the complaint.

Further Information

We are happy to be contacted to discuss any aspect of community involvement during the consideration of planning applications or other types of application including advertisement control.

Telephone: 03000 262830

Email: planning@durham.gov.uk

The Role of the Developer in Facilitating Your Involvement Prior to Submitting Planning Applications

We encourage the developers to engage with the local community in developing their proposals and ahead of submission of a planning application. It is now also a mandatory requirement for certain developments (set out under Section 122 of the Localism Act) to undertake pre-application community consultation. Upon request we will discuss the need and scope of any required community engagement exercise with the prospective developer. This will ensure that the views of all stakeholders, including statutory organisations, town and parish councils, neighbourhood forums, Area Action Partnerships, residents associations and other local interested parties are sought at an early stage to ensure their views are known.

We may refuse to validate planning applications which are submitted without any mandatory pre-application consultation having been undertaken.

How should the results of Community consultation be used?

In cases where mandatory consultation is required the planning application should be accompanied by a consultation statement setting out the community engagement undertaken and including:

- A description of the publicity, consultation and engagement methods used and the reasons for their use;
- A description of the proposals that were the subject of community consultation;
- An assessment of the inclusiveness of the approach;
- A summary of the comments received and issues raised;
- The developers' response to the issues raised and how they have been addressed, or alternatively reasons for not addressing them;
- A description of how the proposal has changed as a result of public consultation where applicable; and
- An appendix providing copies of all written comments.

It is also recommended that the developers forward a copy of the consultation statement to the main organisations and groups involved in the consultation process and advise all respondents where a copy of the consultation statement can be examined.