

Tonbridge and Malling Borough Council

Statement of Community Involvement (SCI)

November 2014

Introduction

Tonbridge and Malling Borough Council want to encourage more people to engage in planning the future of the borough. We understand that in order to try and reach agreement with local communities on how the Borough should evolve over time, people need to be given the opportunity to be involved in the planning process from the earliest stages.

The Council has prepared this Statement of Community Involvement (SCI) to make sure that we effectively engage our communities and stakeholders in both the development of local planning policy and in decisions on planning applications by setting out how and when people can contribute.

The requirement to produce a SCI was introduced in the Planning and Compulsory Purchase Act 2004, and the Council adopted its first SCI in July 2005. However over recent years there have been a number of changes to the planning system, notably the introduction of the Localism Act in 2011, the publication of the National Planning Policy Framework (NPPF) in 2012 and the National Planning Practice Guidance in 2014. Therefore the Council has taken the opportunity to update this document to reflect these changes as well as developments in best practice, advances in technology and experience gained.

Getting involved

There are two main areas of planning that this Statement covers:

- 1) Planning Policy (Local Plans and Supplementary Planning Documents) – these set the policy framework against which planning applications are assessed; and
- 2) Development Management (Planning Applications) – most types of development require a planning application to be submitted and approved. Anyone can comment on a planning application.

Planning applications are determined in accordance with the Local Plan, therefore it is important to get involved with strategic planning policy making as well as specific planning applications.

When we will consultLocal Plan

The Local Plan is a single document that contains all the Council's planning policies. These policies must be supported by evidence, comply with national planning policy and be subject to an on-going process of sustainability appraisal.

There are a number of stages in the production of the Local Plan during which the local community and stakeholders can get involved (see table below). The Local Development Scheme (LDS) sets out these key stages and the detailed timetable for production. The LDS can be viewed on our website

<https://www.tmbc.gov.uk/services/environment-and-planning/planning/local-development-framework/ldf/1182>.

Key Stages	Town and Country Planning (Local Plan) (England) Regulations 2012	Consultation details
Plan Preparation	Regulation 18	A period of on-going consultation with communities and stakeholders, including at least one formal public consultation period for a minimum of 6 weeks.
Plan Publication	Regulation 19	Statutory public consultation period of 6 weeks on the draft plan. This is effectively the final stage when representations can be made to the Council.
Submission of Plan to Secretary of State	Regulation 22	A copy of the proposed Local Plan and associated documents are submitted to the Secretary of State for examination.
Independent Examination	Regulation 24	An Independent Inspector is appointed to examine the soundness of the plan. At this stage, the Council cannot consider new formal

		representations. However opportunities exist for additional statements to be made to the Inspector to elaborate on representations previously made under Regulation 19. Those parties who made representations under Regulation 19 may also be invited by the Inspector to participate in Hearing Sessions.
Receipt of Inspector's report and adoption	Regulations 25 & 26	The Inspector writes a report of the examination, and decides what changes (if any) need to be made. Once this report is received, the Council have to amend the plan in line with the recommendations. It is this version of the plan that will be adopted.

Supplementary Planning Document (SPD)

A Supplementary Planning Document (SPD) is a document which can be used to add further detail to policies in a Local Plan. They can be used to provide additional guidance on the development of a specific site or on a particular issue. SPDs are a material consideration in determining planning applications, but do not form part of the development plan. The following table provides an overview of the preparation stages:

Key Stages	Town and Country Planning (Local Plan) (England) Regulations 2012	Consultation details
Consultation on draft SPD	Regulation 12	A copy of the proposed SPD is made available for public consultation for a period of 4-6 weeks.
Adoption	Regulation 14	Following public consultation, the draft SPD may be amended to take into account issues raised before being adopted by the council.

The National Planning Policy Framework states that SPDs should only be produced where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens on development.

Who we will consult and how

The Planning Regulations¹ require local authorities to undertake a certain level of community involvement and specify a number of organisations which must be consulted, known as statutory consultees and general consultation bodies. Local Authorities are required to publish all consultation documents on their website and make copies available at the Council Offices, in the case of Tonbridge and Malling this is the Kings Hill office and Tonbridge Castle; as well as all libraries in the Borough.

The Council recognise the value in going beyond these measures and including more of the community in the planning policy process in order to best reflect local needs and priorities.

To reflect this, the Council will apply the following general principles to consultations where appropriate:

- We will work with parish councils and elected Members to achieve consensus;
- We will make full use of community information networks, including local publications, to disseminate information and seek views;
- We will seek views of interested and affected parties as early as possible;
- We will continue to co-operate with neighbouring boroughs and public bodies to ensure that strategic matters are appropriately addressed;
- Involvement will be open to all regardless of gender, faith, race, disability, sexual orientation, age etc;
- We will consult local community and voluntary bodies in accordance with the terms set out in the Kent Partners Compact;
- We will consult the Council's Residents Panel;
- We will choose consultation processes which balance appropriately cost and time constraints, community impact and available resources;
- We will publish all consultation documents and response forms on the website;
- We will seek to maximise the use of electronic communication methods when contacting stakeholders and the community;
- Consultation publications will be clear and concise and avoid unnecessary jargon, without understating the complexities of any decisions; and

¹ Town and Country Planning (Local Plan) (England) Regulations
<http://www.legislation.gov.uk/uksi/2012/767/made>

- We will inform those who respond to a consultation of any outcomes and of later stages in the process.

Arrangements will be made, on request, to make all documents available in alternative formats such as Braille, should this be required. Assistance for those whose first language is not English will be provided, including, where appropriate, the use of Language Line.

Duty to Cooperate

In addition, in relation to plan making, the government introduced a Duty to Cooperate in the Localism Act 2011; many of the consultees required under the Duty to Cooperate are already included in the list of 'statutory consultees' and 'general consultation bodies'.

This Duty to Cooperate is not defined as consultation, but ensures that the Council works with neighbouring authorities and other public bodies to address strategic issues that affect local plans and cross local authority boundaries. This will ensure that infrastructure providers are involved in decisions about how the Borough may change over time, and are able to incorporate this into their calculations for the provision of their services. This is important, as the planning system does not have control over all infrastructure and services and is therefore reliant on their provision by external bodies. The Council will report on how it meets the Duty to Cooperate in its Annual Monitoring Report.

Consultation Database

The Council have a planning policy consultation database of around 900 consultees who have either previously commented upon, or expressed an interest in being involved in the production of our planning policy documents. This database is kept up to date and is used to keep registered individuals, organisations and groups informed on the production of any local planning documents. New consultees are added to the database as requested and any individual or organisation wishing to be included should contact the Planning Policy Team at localplan@tmbc.gov.uk, or at:

Tonbridge and Malling Borough Council
Gibson Building
Gibson Drive
Kings Hill
West Malling
Kent
ME19 4LZ
01732 876266

Sustainability Appraisal

Local Authorities must undertake a Sustainability Appraisal (SA) of their Local Plan. SA aims to ensure that the policies and proposals reflect the principles of sustainable development. A SA Scoping Report will be produced at the start of the Local Plan preparation, and further SA work will be undertaken whilst preparing each stage of the Local Plan. A Final SA Report will be published and consulted on alongside the Local Plan Publication Stage (Reg. 19).

How your comments help

The information we obtain through community and stakeholder engagement will be used to inform our decisions and shape the documents we produce. The Council acknowledges that an important part of community involvement is to report back to those who have taken the time to get involved. Whilst we welcome and encourage comments, it is difficult to find solutions that satisfy all, but we do listen and seriously consider all comments and suggestions that are put forward in response to consultations.

Following a period of consultation, a summary report will be produced outlining all representations received. This is a formal stage of the Local Plan process and a Consultation Report will be submitted to the Planning Inspectorate with the draft plan for independent examination.

Planning Applications

The Council has a long standing practise of encouraging developers to discuss their proposals with planning officers prior to submitting an application. This helps to confirm whether the principle of development is acceptable and to clarify the format, type and level of detail required enabling the Council to determine an application. Pre-application advice is currently provided on request and is subject to a fee, which will vary in scale, depending on the type of development proposed and the officer time required. More information on the Council's charging regime and the level of information required to enable the Council to provide a detailed response is available via the following link <http://www.tmbc.gov.uk/services/environment-and-planning/planning/planning-advice-and-guidance/pre-application-advice>

In many cases, the Council encourages applicants to enter into early engagement at the appropriate level with the local community and other interested parties as advocated by the National Planning Policy Framework (NPPF) (2012).

Where applicable, planning applications should be accompanied by a document setting out what consultation has been carried out by the applicant, including details

of public involvement and how this might have influenced the planning application proposals.

Once an application has been submitted, validated and entered onto the Planning Register, the consultation process will commence and representations will be invited in accordance with the relevant legislation (Article 13 of the Town and Country Planning (Development Management Procedures) (England) Order 2010). These requirements vary according to the type of development proposed and any particular designations applicable to the application site.

In addition, the Council publishes a weekly list of planning applications received. This is published on the Council's website and can be viewed in person at the Council Offices. <http://www.tmbc.gov.uk/services/environment-and-planning/planning/planning-area-search-service/Weekly-list-of-planning-applications>

Planning applications are public documents and can be viewed on the Council's website. <http://publicaccess2.tmbc.gov.uk/online-applications/>

All planning application decisions are published on the Council's website along with the reasons for the decision.