



Uttlesford District Council

Statement of Community Involvement 2015

**Report of Representations, Officer Comments and
Recommendations
June 2015**

Introduction

The Statement of Community Involvement sets out the Council's approach to public consultation and involvement in the preparation of the Local Plan, other development plan documents and in the determination of planning applications.

The Statement of Community Involvement went out on public consultation for 6 weeks, from the 2 March 2015 to the 13 April 2015.

Comments were sought from the statutory and general consultation bodies. A total of 13 responses were received.

The table below sets out the representations received, officer comments and recommendations.

Consultee and response		Officer Comment and Recommendation
Highways England	No comment to make	Correct reference to Highways Agency as Highways England throughout document
Natural England	Unable to comment, in detail, on individual Statements of Community Involvement; but are supportive of the principle of meaningful and early engagement of the general community, community organisations and statutory bodies in local planning matters, both in terms of shaping policy and participating in the process of determining planning applications.	
Historic England	In terms of the draft revised Statement of Community Involvement for Uttlesford, references to English Heritage will need to be amended to Historic England as a statutory stakeholder and specific consultation body. We have no comments on the consultation processes set out in the SCI, although with regards to planning application consultations, we would like to draw attention to our charter for advisory services which sets out when Historic England should be consulted.	Correct reference to English Heritage as Historic England throughout document
Anglian Water	<p>Anglian Water as statutory consultee and service provider welcomes consultation on Local Plan documents and planning applications and is keen to work with and support Uttlesford District Council in their growth aspirations.</p> <p>We are keen to respond to all relevant Local Plan document consultations and all major (10+) planning applications and other applications where there may be concerns or issues relating to drainage.</p>	
Chelmsford City Council	Considers the document is clear and comprehensive.	
Hertfordshire County Council	No comment to make.	
Braintree District Council	Braintree District Council is keen to work with Uttlesford District Council on the Local Plan process and any applications which have cross boundary implications. We welcome Uttlesford's express intention in the SCI at	

	<p>paragraph 7.1 to work constructively with neighbouring authorities.</p> <p>There appears to be an omission at paragraph 15.5 which I suggest be amended slightly to read 'The Council will work with organisations and charities that support the elderly and ethnic minority communities within the district to make sure that the elderly and ethnic communities know what is going on and how they can get involved if they want to.'</p>	<p>Correct paragraph 15.5 The Council will work with organisations and charities that support the elderly and ethnic minority communities within the district to make sure that the elderly and ethnic communities know what is going on and how they can get involved if they want to.</p>
<p>Epping Forest District Council</p>	<p>It is noted that only minor changes are suggested to the previous SCI.</p> <p>Suggest expanding the Duty to Co-operate section which is quite short.</p> <p>Suggest adding in electronic links to other documents which are referred to in the draft SCI, for example the Validation Checklist mentioned on page 20, and the guidance leaflet for planning applicants and objectors mentioned on page 21 .</p> <p>Suggest including a brief note on 'Prior Approval' applications etc., to make clear that these are different types of applications, some of which might not be open for comment in the way that regular planning applications are.</p>	<p>Include an additional text after paragraph 7.1 to expand the Duty to Cooperate section</p> <p>As part of the consultation process, at the early stages of document preparation, we will liaise with the duty to co-operate bodies to ascertain what aspect of the plan preparation they wish to be engaged with and how. This may also provide the opportunity for joint working and establishing a shared evidence base.</p> <p>The Council takes part in regular discussions with neighbouring authorities through both individual meetings and officer and Councillor forums.</p> <p>This is considered to be a useful amendment to the document. Hyperlinks will be made where it is considered appropriate and where the web address of documents is unlikely to change.</p> <p>It is agreed that information regarding prior approval would be beneficial.</p> <p>Include the following text following paragraph 28.12</p> <p>Permitted Development and Prior Approval Permitted development rights are a national grant of</p>

planning permission which allow certain building works and changes of use to be carried out without having to make a planning application. In some cases it may be necessary to obtain prior approval from the Council before carrying out permitted development. These proposals include telecommunications equipment, agricultural buildings, some changes of use and extensions to residential properties. Prior approval means that a developer has to seek approval from the local planning authority that specified elements of the development are acceptable before work can proceed. The matters for prior approval vary depending on the type of development and these are set out in full in the relevant parts in Schedule 2 to the General Permitted Development Order. A local planning authority cannot consider any other matters when determining a prior approval application.

Where the permitted development rights are time-limited (which means that the General Permitted Development Order specifies a date when the permitted development rights will expire), there is a requirement to notify the local planning authority when work has been completed.

Additional row to table

Application Type –

Prior Approval

Action by Uttlesford Council –

Application available to view on the website.

Consideration of matters as set out in the General Permitted Development Order.

Resource Implications

Council will need to make sure that it has enough staff resources to process these applications for prior approval.

<p>Takeley Parish Council</p>	<p>As in May 2013, the draft document adequately provides for community involvement however, TPC advocates the inclusion of the following detail to strengthen the document: Strategic Environment Assessment - how will UDC provide appropriate expertise to assess the 'expert' report(s)?</p> <p>Departure from expert advice should be reasoned (both for consultation on policy and determination of planning applications).</p> <p>Page 16 Pt: 20.5 explains how the consultation responses/representations received will be reported and evaluated. It is vital that this process is used consistently, and that officers do not 'cherry pick' from the responses, in order to provide reassurance to the community that UDC is listening.</p>	<p>The framework for carrying out the Strategic Environmental Assessment/Sustainability Appraisal is set out in the Scoping Report. This report is subject to consultation with Natural England, Historic England; Highways England and Environment Agency. The SEA/SA Environmental Reports are published for consultation not only with these statutory consultees but for wider consultation with general and other consultees. Their comments are taken into account and changes made where necessary.</p> <p>Any departure from expert advice should be explained in reports of representations for planning policy consultations or officer's reports for planning applications. It is proposed to amend paragraph 20.3 to include the following text.</p> <p>The recommendations should clearly explain the reasoning for the recommendation taking into account the views of stakeholders and consultees.</p> <p>The Council can confirm that after each consultation officers read all the representations made and they are entered onto the Council's online consultation portal and therefore made available for everyone to read. Officers summarise the comments and write a report of representations and officer recommendations. The format of these reports is to specifically identify the comments of town and parish councils and other statutory consultees. Where representations from individuals make similar points, these are summarised jointly.</p>
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<p>An Individual</p>	<p>My understanding is, amongst others relating to 'planning', the purpose of this document is to make applicants who may not have the necessary experience or finance, e.g 'Householder', aware of what is involved in the application process for example being mindful they live in or near to a Listed Building or in a Conservation Area, and to encourage greater transparency...i.e applicants consulting with neighbours or planning officers etc....as advised under the table heading "Suggested Action by Applicant".</p> <p>28.5 refers to 'a validation checklist' and I'm not sure whether this refers to the table guidelines included on pages 21,22 and 23 of this document ?....</p> <p>Although perhaps regardless of this, while there is reference in the table regarding the provision of a statement, I couldn't see the words 'Design and Access' ["D&A"] or reference to 'Conservation Areas' ["CA"] used anywhere, for example when applying to build one or more dwellings in a CA.</p> <p>When I spoke to Nigel Brown last week I referred to the UDC planning portal/website concerning "D&A Statements".....on which there was stated "From 6 April 2010 the requirement to provide D&A statements are revised..."</p> <p>In fact it transpires, from recent 'planning issues' we've encountered here in Q&R, the provision of D&A Statements was again revised around June 2013...? It becomes very confusing when we [or applicants] are relying on information contained on the UDC website which on the face of it appears out of date.</p> <p>I was hoping the above [Community Involvement] document might be a good opportunity to address and clarify the confusion surrounding D&A statements for all concerned?</p> <p>Finally I note the table also refers to "Listed Building</p>	<p>The purpose of the SCI is set out in paragraph 10.1 of the document which states that the SCI sets out how the community will be involved in the development of the Local Plan it also outlines how the Council will consult the community on planning applications. The suggested action by applicants is advice with the aim of smoothing the path of the planning application by having pre-application discussions and consultation with the community and/or neighbours.</p> <p>The Validation Checklist is now known as the Planning Application checklist and there are also guidance notes which can be found on the Council's website. Paragraph 28.5 can be updated as follows and incorporating a hyperlink to take the reader to the document.</p> <p>The Council has prepared Guidance Notes and a Planning Application Checklist which can be found on the website under <u>Planning Applications Forms and Checklists</u>. The guidance notes provide advice on completing an application form, and the checklist is to ensure the correct plans and documents are submitted.</p> <p>Design and Access Statements are one of many documents which need to be submitted to support planning applications. It is not the role of the SCI to specify what is needed in each instance. The website is the best location for this as it can be updated more easily than the Statement of Community Involvement.</p> <p>In view of the high level of demand for advice on Listed Buildings and conservation areas, the Council has recently employed a second full time conservation officer.</p>
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	<p>Consent"...a favourite topic of mine...the suggestion is that "...applicants should..."Enter into pre-applications discussions with the Councils specialist advisor on Listed Buildings"...great idea!!</p> <p>Unless the role has changed I'm taking this person to be the Conservation Officer?...however you then add under the table heading "Resource Implications"..."Council will need to make sure they have enough staff.." [Or words to that effect]....which rather defeats the object of the [good] suggestion in the first place, don't you think? We're aware the District Council currently has two Conservation Officers.</p>	
Equality and Human Rights Commission	<p>The Commission does not have the resources to respond to all consultations, but will respond to consultations where it considers they raise issues of strategic importance.</p> <p>Local and other public authorities have obligations under the Public Sector Equality Duty (PSED) in the Equality Act 2010 to consider the effect of their policies and decisions on people sharing particular protected characteristics.</p>	
Office of Rail Regulation	No comment to make	
Health and Safety Executive	Have no representation to make on this occasion.	