

West Sussex Statement of Community Involvement

Third Review

September 2018



Executive Summary

Introduction (Section 1)

The Statement of Community Involvement (SCI) is a formal statement of West Sussex County Council's policy. The County Council is required to prepare the SCI and review it every five years.

The SCI identifies how local communities and stakeholders can be actively, meaningfully and continuously involved in:

- the preparation of local plans and supplementary planning documents; and
- the consideration of the planning applications that the County Council is responsible for determining.

It also sets out how the County Council's policies for giving advice or assistance to neighbourhood planning groups.

The County Council is required to consider the scope and form of community involvement, both formal and informal, over and above the minimum specifications set out in national Regulations. In doing so, consideration has been given to what level and type of engagement is likely to result in useful meaningful contributions to the planning process, taking into account constraints on resources and time.

Context (Section 2)

The preparation of all plans and documents and the determination of planning applications have to comply with the adopted SCI. Failure to comply with the SCI may mean that an Inspector may recommend that a plan is withdrawn if they consider that its 'soundness' has been undermined.

The County Council has a long tradition of consulting and involving local people in its decision-making processes. It is committed to making its policies, decisions, and services more accessible to residents, agencies, and major partners so that it is more responsive to local communities, and carries out these duties more effectively. A key aspect of inclusive consultation is to encourage the active involvement of the diverse groups within the larger community including 'hard to reach' groups.

Local Plans and Other Policy Documents (Section 3)

The plans and supplementary planning documents that will be prepared are identified in the Minerals and Waste Development Scheme. Due to the site and area-specific nature of minerals planning, which relates mainly to the rural areas, community involvement and engagement will be focussed on these specific areas and sites. Although general, broad-level consultation will be undertaken across the County, resources will be focussed on the communities that are likely to be affected either directly or indirectly by minerals development. Community involvement and engagement on waste planning matters will be dealt with on a more general, broad-level basis across the County although there will be a more area and site-focussed approach when considering specific sites.

The County Council intends to exceed the minimum requirements for consultation and community involvement in plan preparation. The SCI lists the methods and techniques that will be used at the various stages in the preparation of the various documents. A 'statement of compliance' (or similar) will be produced to accompany

each document explaining how the requirements for community involvement set out in the SCI have been met.

Neighbourhood Plans (Section 4)

Neighbourhood planning gives communities the power to shape, direct, and help to deliver sustainable development. Neighbourhood plans have to be in general conformity with strategic policies contained in the development plan that covers their area – this includes Minerals and Waste Local Plans prepared by the County Council, as well as those plans prepared by the local planning authorities.

The County Council has a role to play in supporting neighbourhood planning groups in shaping their plans by providing comments on any significant potential impacts on our services.

Planning Applications (Section 5)

The County Council, as the county planning authority, is responsible for determining planning applications within West Sussex which relate to 'county matters' i.e. the winning and working of minerals and all waste developments (with the exception of those within the South Downs National Park, for which the South Downs National Park Authority are the Planning Authority). In addition, the Council, as a local authority, must also obtain planning permission for its own development proposals, such as school buildings and the construction of roads, in pursuit of its statutory and other functions (Regulation 3 applications). Such applications are determined by the County Council, mainly by officers under delegated powers.

Legislation requires consultation and publicity on planning applications to be carried out by the County Council. It is also required to consult the local community and undertake technical consultations as part of the process for determining applications for planning permission. The County Council recognises that planning applications, in particular larger proposals or those with the potential for wide ranging effects, are often controversial and subject to intense public scrutiny and examination. The County Council intends to exceed the minimum requirements for publicity and consultation, and will adopt appropriate methods and techniques for consulting on planning applications, dependent upon their size and type. The SCI lists the specific methods that will be used depending upon the type of application.

Contents

Executive Summary	i
1. Introduction	1
1.1. The Planning System	1
1.2. Status and Purpose of the Statement of Community Involvement	1
1.3. Role of the Statement of Community Involvement	1
1.4. Review of the Statement of Community Involvement	2
1.5. Contact Details	2
2. Context Introduction	3
2.1. Government Principles	3
2.2. County Council's Decision-Making Processes	3
2.3. Inclusive Consultation	4
2.4. West Sussex Plan (2017-2022)	4
3. Local Plans and Other Policy Documents	6
3.1. Introduction	6
3.2. New Documents	6
3.3. Groups & Organisations	8
3.4. Methods and Techniques	9
3.5. Feedback	9
4. Neighbourhood Planning	11
4.1. Introduction	11
4.2. County Council's role in Neighbourhood Planning	11
5. Planning Applications	12
5.1. Introduction	12
5.2. Types of Planning Application	12
5.3. Consultation with Groups & Organisations	13
5.4. Consultation with the Public	13
5.5. Viewing Planning Applications	13
5.6. Decision Methods and Reporting Back	14
5.7. Other Methods of Public Engagement	15
5.8. Helpful Links	15
Appendix A: Methods and Techniques for Policy Documents	17
Appendix B: Methods for Publicising Planning Applications	22

1. Introduction

1.1. The Planning System

- 1.1.1. The County Council is responsible for preparing local plans for minerals and waste. Other land-use planning issues are addressed in local plans prepared by the district and borough councils. The South Downs National Park Authority is responsible for preparing a local plan covering all planning issues within the park area.
- 1.1.2. The Minerals and Waste Development Scheme (MWDS) is a statutory document that sets out how local plans and other planning policy documents will be prepared over a three-year period – the latest version of the Scheme is available on the website (www.westsussex.gov.uk/mwdf). It identifies the adopted plans that form part of the statutory 'development plan' for West Sussex and the new plans that will be prepared. The Scheme includes a profile of each document (role, timescale, status, production arrangements) together with a composite timetable for all the documents.

1.2. Status and Purpose of the Statement of Community Involvement

- 1.2.1. The County Council is required to prepare the SCI under Section 18 of the Planning and Compulsory Purchase Act 2004 (the 2004 Act). The Neighbourhood Planning Act (2017) sets out amendments to Section 18 of the 2004 Act, requiring policies for giving advice or assistance to neighbourhood planning groups.
- 1.2.2. The SCI is a formal statement of West Sussex County Council's policy and it identifies how local communities and stakeholders can be actively, meaningfully and continuously involved in:
 - the preparation of local plans and other policy documents; and
 - the consideration of the planning applications that the County Council is responsible for determining.
- 1.2.3. It also sets out how the County Council will assist in the preparation of neighbourhood plans.
- 1.2.4. All new plans must be prepared, planning applications determined, and assistance provided to neighbourhood plan groups, in accordance with the adopted SCI.

1.3. Role of the Statement of Community Involvement

- 1.3.1. The SCI is fundamental to the production of new plans as it enables local requirements and community expectations to be addressed at an early stage within the plan preparation process. Failure to comply with the SCI could mean that an Inspector may recommend that a draft plan is withdrawn if they consider that the 'soundness' of the plan has been undermined.
- 1.3.2. Due to the need to progress the preparation of the new plans in accordance with the Scheme and the requirement to meet key milestones, a judgement

has to be made about what can reasonably be achieved. Account needs to be taken of the time and resource constraints facing the County Council. It must also be taken of the need to ensure that the engagement and involvement is meaningful and contributes positively to the preparation of the various statutory documents and planning application decisions.

- 1.3.3. It is important, therefore, that the SCI establishes realistic and achievable community involvement in the preparation of the plans and in considering planning applications.
- 1.3.4. The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 requires that SCI to be reviewed every five years.

1.4. Review of the Statement of Community Involvement

- 1.4.1. The First Review of the SCI was adopted in 2007, and was replaced by the Second Review in 2012. Since that time, changes have been made by the Government to the plan-making process and improvements made by the County Council in how it deals with planning applications. This version updates the SCI to address those changes and to capture the improvements. However, it does not make any changes to the principles and approaches established in the adopted SCI First Review.
- 1.4.2. A draft of the SCI was made available for public comment for six weeks from 30 July until 7 September 2018. There were no comments received requesting changes to the SCI.

1.5. Contact Details

- 1.5.1. If you require any information about the SCI, please contact Planning Services (01243 642118, email: mwdf@westsussex.gov.uk)

2. Context Introduction

2.1. Government Principles

- 2.1.1. The Government requires that the County Council demonstrates to all sections of the community that the process of community involvement is legitimate and timely, with outcomes in the public interest. Processes should be simple to follow, and delivered in a fair, transparent and efficient manner. This involves the need to identify the limits to community involvement as well as the forms it will take.
- 2.1.2. The Government emphasises that 'early and meaningful engagement' and collaboration with neighbourhoods, local organisations and businesses is an essential part of plan-making. There is an expectation that a wide section of the community will be 'proactively engaged' to ensure that Local Plans, 'as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area'. In addition, all sections of the community should be involved in planning decisions.

2.2. County Council's Decision-Making Processes

- 2.2.1. The County Council has an Executive and Select Committee structure. The Executive (more commonly known as the 'Cabinet') currently has eight members selected from the Conservative Party majority. The Cabinet proposes the key policy decisions of the Council, which are subject to agreement by the Full Council of 70 members.
- 2.2.2. Full Council is the ultimate decision-making body and the principal forum for major political debate. Its 70 members meet at least five times a year. The County Council reserves to itself decisions on key policy plans, questions members of the Cabinet, and debates notices of motion. It decides the composition and areas of competence of the Cabinet, to which it delegates responsibility for carrying out many of the County Council's existing policies. It also appoints the Select Committees that examine and review decisions and actions of the Cabinet and Cabinet Members.
- 2.2.3. Decisions on planning policy documents will be made by either the relevant Cabinet Member (currently the Cabinet Member for Highways and Infrastructure) or Full Council. The Minerals and Waste Development Scheme (MWDS) identifies where responsibility lies for each new plan or document. Most draft documents will be scrutinised by the Planning Committee and relevant Select Committee (currently the Environment, Communities and Fire Select Committee), which will make recommendations to the Cabinet Member. Proposed decisions by Cabinet Members are advertised to all Members on the Members' Information Service (MIS) which is publicly accessible from the Council's website. Decisions come into effect unless they are 'called-in' by a Member within seven working days – further information about the call-in procedure is available on request.
- 2.2.4. The Environment, Communities and Fire Select Committee is cross-party and all members of the Council can attend and receive the papers. The Committee

meets on a regular basis and the meetings are open to the public. As the meeting is public, it provides the community with an early opportunity to listen to the debate and discussion before the decisions on planning documents are taken by either the Cabinet Member or full Council.

- 2.2.5. In accordance with Government guidance, the majority of planning applications will be determined by officers under delegated powers (see Section 5.6). The cross-party Planning Committee will determine the remainder.
- 2.2.6. Members take part in decision-making through meetings of Full Council, scrutinising Cabinet Member decisions, membership of County Local Committees and possibly contributing through membership of the Planning and Select Committees. In addition, all Members have an important role to play in alerting local communities to the plan-making and planning application processes and encouraging involvement at a local level. They also attend local meetings organised by officers and other meetings arranged by parish councils and community groups. In addition, Members may attend training sessions and seminars and hold informal discussions with officers to discuss specific issues.

2.3. Inclusive Consultation

- 2.3.1. A key aspect of inclusive consultation is to encourage the active involvement of the diverse groups that form the larger community, particularly typically 'hard to reach' groups that have traditionally been under-represented in formal consultation.
- 2.3.2. In some situations, this may include geographical groups, for example those living in areas of deprivation or in remote rural areas, but it may comprise individuals who have nothing in common with others identified under this heading. Different approaches to consultation and involvement may therefore be required. The County Council will be guided by the standards set out in the corporate West Sussex Plan and the views of the parish councils, and local community and interest groups (see paragraphs 3.3.5 and 4.3.3).

2.4. West Sussex Plan (2017-2022)

- 2.4.1. Account will be taken of the county-wide West Sussex Plan, which sets out how the County Council plans to shape its services. The West Sussex Plan fulfils a lot of what was set out within the Sustainable Community Strategy (SCS) prepared by the County Council in 2008.
- 2.4.2. The West Sussex Plan sets out five priorities:
- *Best Start in Life*: children are our future; therefore they are at the centre of everything we do, to ensure they reach their potential.
 - *A Prosperous Place*: supporting businesses so they continue to thrive, and making West Sussex a great place to live, visit and work. Providing infrastructure that supports a successful economy, and having a place that provides opportunity to all.

- *A Strong, Safe and Sustainable Place:* to empower those living in our communities to make changes themselves to make West Sussex a healthy and safe place, with strong communities, a sustainable environment, and a place of culture, heritage, and beauty. the county particularly through reducing avoidable premature deaths.
- *Independence for Later Life:* Ensuring that older people feel part of their community; that they have opportunities to thrive, are healthy and well, and to make West Sussex a good place to grow old.
- *A Council that works for the Community:* Making this easier and better for people living in the county through being customer focused, open and transparent, listening and acting upon, and providing value for money.

3. Local Plans and Other Policy Documents

3.1. Introduction

3.1.1. There are many options available to the County Council for consultation and engaging with the community in the preparation of new plans and other planning policy documents. These range from those methods and techniques that only meet the minimum statutory requirements to more extensive consultation and engagement with the whole community. This section considers the type of documents to be produced under the Minerals and Waste Development Scheme (MWDS), the specific issues to be addressed, and the methods and techniques that could be used at various stages.

3.2. New Documents

Local Plans

3.2.1. There are five key stages to plan preparation that focus on 'front loading', community involvement and engagement. The latter stages involve a public examination, after which there are no opportunities for public involvement. The stages of plan preparation are set out below:

- **informal engagement stage (Regulation 18)**: information gathering and development of an evidence base; the identification of the key issues to be addressed and likely options; involvement of key stakeholders (including representatives of the community) and informal public consultation on emerging strategy and policy options.
- **proposed submission stage (Regulations 19 and 20)**: publication of the draft plan that the Council proposes to submit for inspection and a period of at least six weeks to allow public representations with regard to the 'soundness' and legal compliance of the document.
- **submission stage (Regulation 22)**: providing that no substantive issues arise from the consideration of the representations about 'soundness' and legal compliance, the plan is submitted to the Secretary of State.
- **independent examination (Regulations 23 and 24)**: an independent Inspector is appointed by the Planning Inspectorate to consider the representations received on the proposed submission draft and to test the 'soundness' and legal compliance of the plan; representors (both in support or objection) have the right to appear at the examination to present their case; modifications to the submitted plan may be proposed and published for representations to be made; the Inspector considers any proposed modifications and representations, and prepares a report identifying any changes that are necessary to make the Plan sound and fit for adoption (Regulation 25).
- **adoption (Regulation 26)**: Once the County Council have received a report from the Inspector to say that the Plan is sound, the County Council can adopt the Plan.

- 3.2.2. General, broad-level consultation on minerals and waste will be undertaken across the County. For site allocation, community involvement and engagement will be focussed on the communities that are likely to be affected either directly or indirectly by proposed new development. This will help to ensure that the communities are informed about the issues and options available and, as a consequence, able to engage in the plan-making process in an informed manner and at an early stage.
- 3.2.3. Planning, in general, deals with emotive issues. It is recognised that concerns about 'unwanted' development, as is often the case in minerals and waste planning, may not be resolved by community engagement, regardless of the length and depth of the process. However, it is hoped that there will be an enhanced sense of community ownership of the plan and that some of the objections will be either resolved prior to the examination or that such objections will be focussed on the key issues.

Supplementary Planning Documents

- 3.2.4. Supplementary planning documents (SPD) provide support to, and must conform with, a policy or policies in an adopted plan. Accordingly, the preparation will not involve the consideration of key policy issues and they will focus on matters of detail. There are three key stages, as follows, which 'front load' community involvement and engagement:
- **evidence gathering:** information gathering and development of an evidence base; the identification of the detailed matters to be addressed and likely options; involvement of key stakeholders (including representatives of the community) prior to formal public consultation.
 - **draft document:** the identification of the preferred approach; public consultation for a four to six-week period.
 - **adoption:** following consideration of the representations on the draft document, the County Council makes any necessary changes and adopts the SPD.

Sustainability Appraisal

- 3.2.5. A sustainability appraisal (SA) of each plan is required to allow full consideration of the potential environmental, social, and economic impacts of the policies and proposals in the document. The SA, which incorporates the requirements of the EU Strategic Environmental Assessment (SEA) Directive, is a systematic and iterative process. The appraisal, which is itself subject to consultation, commences at the start of preparing each document and provides inputs at the key decision stages. The key stages are:
- **scoping report:** setting the context and objectives; establishing the baseline; and determining the scope and level of detail of the appraisal; consultation with stakeholders. One scoping report is prepared to cover all the plan.
 - **draft report:** an appraisal of the issues; development and refinement of the options; appraisal of the effects of the preferred option for the document; public consultation on the draft report (in parallel with publication of the proposed submission draft plan).

- **final report:** appraisal of the submitted plan following any necessary revisions to the draft plan. If the Inspector recommends significant changes to the plan (that are accepted by the Council), the SA report will need to be amended to highlight the effects of the changes on environmental, social, and economic objectives.

3.3. Groups & Organisations

- 3.3.1. Although the County Council is required to consult the general public, the Town and Country Planning (Local Planning) (England) Regulations 2012 require that the County Council consults 'specific consultation bodies', for example, other councils, and government agencies with responsibilities for environmental and infrastructure interests, where the subject matter of the plan affects that body. It is also required to consult, as appropriate, 'general consultation bodies', for example, voluntary bodies and those representing business, racial, ethnic or national groups, religious bodies, and bodies representing people with disabilities.
- 3.3.2. The types of specific and general consultation bodies, referred to in this document as 'statutory and other consultees', that will be consulted in the preparation of the document are listed below:

Statutory Consultees

- Government Departments and Agencies
- Local Authorities (West Sussex)
- Local Authorities (adjoining)
- Service Agencies/Public Utilities/Statutory Undertakers

Other Consultees (where relevant)

- Other Minerals and Waste Planning Authorities
 - Members of United Kingdom and European Parliaments
 - Minerals Industry and Operators
 - Waste Industry and Operators
 - Landowners
 - Interest Groups
 - Community and Residents Groups
 - Business Groups
 - Other Organisations
- 3.3.3. The County Council will meet the requirements of the Regulations and the Equalities Act 2010 in undertaking its duties in preparing the document. The 'statutory and other consultees' will be involved in the preparation of the document as 'stakeholders'; where appropriate, representatives of specific groups will be identified to ensure that the stakeholder process is manageable.
- 3.3.4. The parish, neighbourhood, and town councils, both within and adjoining the County, have an important role to play in representing local interests. The

County Council will involve them as far as possible in the preparation of the document in addition to consulting them as a statutory consultee at formal stages. In particular, they will be engaged in area-specific community events and involved in 'area forums' which will group together the parish councils, residents' associations, and community groups concerned with specific areas.

- 3.3.5. Due to the site and area-specific nature of minerals planning and some waste management activities, which relate mainly to the rural areas, it is not always possible to identify if there are any specific groups, including the hard to reach groups that will be affected in general by the strategy, policies or proposals in a plan. In developing the area-focussed community engagement and involvement referred to in paragraph 3.3.4, the County Council will seek to identify, with the relevant local organisations, if there are any specific groups that need to be involved and the best ways in which to engage them in the process.

3.4. Methods and Techniques

- 3.4.1. The Regulations set out the minimum requirements for consultation prior to the submission of a plan to the Secretary of State. In summary, they require that:

- all relevant material must be made available for inspection at County Hall, Chichester and other suitable places for the whole of the minimum six-week period for representations;
- any documents must be placed on the website together with any supporting information that is needed to enable people to understand what they are being asked to comment upon. The website must state where and when documents can be inspected;
- copies of the relevant material must be sent to the Government and to each statutory consultee; and
- notice is given to anyone wishing to be kept informed about progress of the document.

- 3.4.2. A list of the potential methods and techniques that will be used at the various stages in the preparation of the plan and the sustainability appraisal of the plan can be found in Appendix A. It also identifies the key stages and the specific methods that will be used in relation to engagement with either the general public or the statutory and other consultees. The use of these methods and techniques will exceed the minimum requirements in legislation.

3.5. Feedback

- 3.5.1. The County Council will acknowledge all the comments received on the various documents; the comments received cannot be treated as confidential. The County Council is a data controller for the purposes of the Data Protection Act 2018. Details will be entered into a database and may be used to inform respondents about other services. If requested, the County Council will also record the contact details of interested individuals who wish to be kept informed about the progress of plans and consultation documents. The details will not be passed on to other organisations. Security safeguards apply to both manual and digitally-held data, and only relevant staff/named disclosures can access the information. Privacy notices are available on the County

Council's website.

- 3.5.2. At each stage, the County Council will analyse the technical merits of the responses and, where appropriate, prepare a summary report outlining the actions which the County Council proposes to take in response. This will be available for inspection with the representations at County Hall, Chichester and on the County Council's website.
- 3.5.3. The key issues raised will, as necessary, be considered by the Planning Committee and the Select Committee, which will make recommendations to the Cabinet Member. The County Council's formal decision will be made by either a Cabinet Member or the County Council depending upon where political responsibility for decision-making rests (see Section 2.2 and the MWDS). Where the County Council considers appropriate, comments of technical merit will be reflected in the proposed policies and proposals or changes to them.
- 3.5.4. As part of the preparation of the proposed submission plan, a 'statement of compliance' (or similar) will be produced, in accordance with Regulation 22. The statement will set out who made representations at the informal engagement stage, how consultees were invited to make representations; a summary of the representations made, and how they were addressed in the plan.

4. Neighbourhood Planning

4.1. Introduction

- 4.1.1. Neighbourhood planning was introduced by the Localism Act 2011, and from April 2012, local communities were given legal powers to take part in neighbourhood planning for their areas. Neighbourhood planning allows communities to prepare Neighbourhood Development Plans that can shape and influence development in a local area. Once adopted, they become part of the development plan for the area.
- 4.1.2. There are seven key stages in neighbourhood planning:
1. designating neighbourhood area and if appropriate neighbourhood forum;
 2. preparing a draft neighbourhood plan or Order;
 3. pre-submission publicity and consultation (Regulation 14);
 4. submission of a neighbourhood plan or Order proposal to the local planning authority (Regulation 16);
 5. independent examination;
 6. referendum;
 7. bringing the neighbourhood plan or order into force – “made”.
- 4.1.3. In West Sussex, the seven District and Borough Councils, and the South Downs National Park Authority, have a legal duty to provide support to Neighbourhood Plan groups.
- 4.1.4. If a parish or town council wish to prepare a neighbourhood plan, they must apply to their local council to have it designated. More information on neighbourhood planning can be found on the relevant district or borough council’s website.

4.2. County Council’s role in Neighbourhood Planning

- 4.2.1. The County Council has a number of statutory responsibilities that need to be taken into account by the town and parish councils when preparing neighbourhood plans, including:
- Education (Local Education Authority)
 - Transport and Public Rights of Way (Highways Authority)
 - Flood Management (Lead Local Flood Authority)
 - Minerals Planning (Mineral Planning Authority)
 - Waste Planning (Waste Planning Authority)
 - Waste Disposal (Waste Disposal Authority)
- 4.2.2. County Council primary involvement is during stages two to four of the plan-making process. Consultation responses are provided on strategic matters where proposed policies or allocations are likely to have an impact on one or a number of the County Councils statutory responsibilities.

5. Planning Applications

5.1. Introduction

- 5.1.1. The County Council, as a local planning authority, is responsible for publicising and consulting on planning applications, in accordance with legislation and government advice, in particular the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 5.1.2. This section of the SCI considers how the County Council will publicise and consult on different types of applications, identifying, in particular, how efforts will be made to involve the local community in the consideration of planning applications.

5.2. Types of Planning Application

- 5.2.1. The three types of development for which the County Council is the determining planning authority are:
- **Minerals Development:** Applications involving mining, quarrying and working of minerals (including oil and gas development), and for mineral infrastructure such as wharves and railheads;
 - **Waste Development:** Applications involving the use/development of land for the purposes of recovering, treating, storing, processing, sorting, transferring or depositing of waste.
 - **County Council Development:** Applications for development by the County Council (including schools, libraries, social services centres, fire stations, and county highways).
- 5.2.2. Planning applications is also split into three main categories: major, minor and EIA:

	Definition	Target Period for Decision
Major	All minerals or waste development; or site area over 1 ha; or more than 1,000m ² floorspace created;	13 weeks
Minor	Site area less than 1ha; less than 1,000m ² floorspace created.	8 weeks
Environmental Impact Assessment (EIA)	Likely to result in significant environmental effects (as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017).	16 weeks

- 5.2.3. In addition to planning applications, the County Council also deals with proposals relating to discharges of condition, non-material amendments, prior

notifications, Certificates of Lawfulness, and EIA screening/scoping requests. We will seek the comments of consultees on Scoping Opinions, and may seek local input on Certificates of Lawfulness, depending on the nature of the proposal. Depending on the nature and scale of other proposals we may engage with consultees and/or the local community.

5.3. Consultation with Groups & Organisations

- 5.3.1. The bodies and organisations that the County Council is statutorily required to consult are set out in legislation, namely Schedule 4 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. This includes organisations such as the Environment Agency, Natural England, and Historic England. The statutory requirement to consult the various bodies will be dependent upon the scale, nature, and location of the development.
- 5.3.2. For every application, the County Council must also consult with the District Council and parish or town council within whose administrative area the application site is located.

5.4. Consultation with the Public

- 5.4.1. Applicants are encouraged to engage with the local community before they submit a planning application.
- 5.4.2. Once an application is submitted, the County Council is required by law to carry out certain publicity before making a decision to either approve or refuse it. The Town and Country Planning (Development Management Procedure) (England) Order 2015 sets out the minimum requirements for publicising planning applications.
- 5.4.3. In order to engage with the public as effectively as possible, the County Council will exceed statutory publicity requirements. Site notices will always be displayed and full information will be provided online. Letters will be sent to neighbours of the site for all but minor applications and small minerals/waste development. The table in Appendix B sets out how the County Council will publicise planning applications.
- 5.4.4. Every effort is made by the County Council to minimise paper use; therefore, wherever possible, the County Council will use e-mail for correspondence.

5.5. Viewing Planning Applications

- 5.5.1. Following registration of a valid planning application, the details of the application will be displayed online at:

<http://www.westsussex.gov.uk/eplanning><http://www.westsussex.gov.uk/planning>.

- 5.5.2. A copy of the application can also be viewed in person at County Planning, West Sussex County Council, County Hall, Chichester PO19 1RH, or at the relevant District/Borough Council, during reasonable office hours, provided

advance notice is given.

5.5.3. All representations that the County Council receives in respect of a planning application will be uploaded to the above website as soon as is reasonably practicable. .

5.5.4. All material matters raised will be taken into account and summarised in the officer report.

5.6. Decision Methods and Reporting Back

Delegated Decisions

5.6.1. In accordance with Government guidance, the County Council enables the majority of planning applications to be determined by officers under delegated powers ('delegated decisions'). However, in accordance with the County Council's Scheme of Delegation, some applications are put before the Planning Committee, namely:

- Applications where there have been substantive material objections; or
- Applications which are contrary to the Development Plan, except where material considerations outweigh the Development Plan provisions; or
- The application has been 'called-in' by a member.

5.6.2. Full details of the Scheme of Delegation are set out in the County Council's Constitution (available on the [website](#)). Once delegated decisions have been made, the decision notice and officer report will be displayed on the planning application website.

5.6.3. ***Planning Committee Decisions:*** If a planning application is to be determined by the Planning Committee, the County Council will notify the applicant and all those who have submitted comments on the application of the date, time and location of the meeting at least five working days before the meeting is to take place. The notification will include a link to a copy of the Planning Committee papers, including the Planning Committee Report.

5.6.4. Those who have made representations on a planning application can register to speak at the meeting of the Planning Committee, in accordance with the adopted protocol (see [link](#)). The decision reached by the Planning Committee will be made available online as soon as possible after the meeting. Minutes of committee meetings will be made available on the Planning Committee website ([link](#)).

5.6.5. ***Appeals:*** If planning permission is refused, not determined within the target determination period, or the applicant does not agree with conditions attached to it, the applicant can make an appeal to the Secretary of State.. The County Council will notify all those who originally responded to the application of the appeal, and will post relevant details on the application website.

5.7. Other Methods of Public Engagement

- 5.7.1. **Liaison groups:** The County Council will encourage the formation of site liaison groups, where appropriate, to ensure that operational issues that affect the local community can be discussed with those affected, and to give the operator a chance to engage. Where justified, liaison groups will be required by condition
- 5.7.2. Such groups can facilitate regular contact between the site operator, the County Council (and other regulators), and the local community. They provide a forum in which representatives of the local community can be kept informed about operations, and enable them to raise issues and concerns directly with the operator, and for the operator to clarify matters.
- 5.7.3. **Pre-application discussions with the County Council:** The County Council will encourage developers to enter into early discussions with Planning Services about their proposals before formally submitting an application for planning permission. Officers will provide guidance, either in writing or verbally, on the information that will be required for proper consideration of the application and the key issues and policies that should be addressed in the application. Such advice will be subject to the pre-application charging scheme (see [link](#)).
- 5.7.4. **Developer's Pre-application Engagement:** The County Council encourages developers to undertake early community consultation, particularly for major and/or controversial proposals. This 'front-loading' of involvement gives the local community an opportunity to participate in the formulation of a developer's proposal before a planning application is submitted, and allows the developer to benefit from local community knowledge.
- 5.7.5. The County Council cannot refuse to accept a valid application because a developer has not consulted with the local community, or because it disagrees with the way in which it has been undertaken. However, engagement gives developers the chance to understand and where possible address local concerns, increasingly the likelihood of approval through the planning process.

5.8. Helpful Links

- 5.8.1. **Planning Portal:** The Planning Portal is the UK Government's online planning and building regulations resource for England and Wales. It gives advice and services for members of the public, planning professionals and government on planning and building regulations. Applicants can submit their planning applications through the Planning Portal, which are then downloaded through the WSCC planning application database.

<https://www.planningportal.co.uk/>

- 5.8.2. **'Planning Aid':** A free voluntary service offering independent professional advice to enable local communities, especially those with limited resources, to engage effectively in planning decisions which may affect their area. It aims to give people the confidence to help themselves and to become involved in wider planning issues.

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

- 5.8.3. **National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPGs):** The NPPF underpins the planning system, setting out the Government's planning policies for England and how they expect them to be applied. It is accompanied by PPGs that expand on some of the key issues including making an application, consultation and pre-decision matters; determining a planning application; fees; and topics such as air quality, noise, minerals, and the natural environment.

<https://www.gov.uk/government/collections/planning-practice-guidance>

Appendix A: Methods and Techniques for Policy Documents

Potential Methods and Techniques

area forums: Due to the site and area-specific nature of minerals planning, which relates mainly to the rural areas, Sand and Gravel Resource Area Forums were established in the past. They grouped together the parish councils, residents associations, and community groups concerned with specific areas. Similar forums, the Waste Area Forums, were established to deal with area/site-specific waste matters. Where necessary, the County Council will establish new Area Forums as a mechanism to update local communities on progress and involve them specifically as issues and options emerge and also at later stages.

circular letters/e-mailshots: Letters/e-mails will be sent to the consultees early on in the preparation process to update them on progress. At consultation stages, the consultees and any other people or organisations that have previously made representations on a version of a plan, will be informed about the latest stage and any consultation arrangements. Letters/e-mails will also be sent at consultation and other key stages to anyone wishing to be kept informed about the progress of a document.

'Connections': The County Council's newspaper is delivered free to most of the households of West Sussex. As such it will be used as one of the mechanisms for ensuring that the general public are made aware about key stages in the preparation of a plan and, where appropriate, consultation arrangements. It will only be able to give general coverage to the strategy, policies or proposals in the emerging plan.

District and Borough Councils' newspapers: Similarly to the County Council's own newspaper, the seven District and Borough Councils have their own newspapers which are delivered free to the households in their areas on a regular basis. They will only be able to give general coverage to consultation and can be used only where their delivery timetables coincide with the consultation period on the plan. This medium will also be subject to the approval of the District and Borough Councils and their own priorities.

documents available for inspection: Consultation documents and, where appropriate, supporting documents will only be made available for inspection, formally, at County Hall, Chichester and on the website. However, to ensure that access to hard copies of documents is maximised, they will also be available, informally, at the seven district and borough council offices, all libraries and Help Points, and at the South Downs National Park Offices. Copies of plans and consultation documents will be made available online. Hard copies will be made available on request and relevant charges applied to cover costs. Documents can be made available in large print, Braille and alternative languages.

internet: The relevant consultation document and, where appropriate, supporting documents will be available for inspection on the website. It will also be used to enable comments forms to be downloaded and returned in hard copy or completed online. The website will also be the central location for information about a plan including, for example, consultation arrangements, background documents, and summaries of previous representations.

media: At key stages, the County Council will issue press releases and hold press briefings to ensure that efficient and effective use is made of the local press. The use

of advertisements is not considered to be a cost-effective medium for site and area-specific consultation but will be used, as necessary, at key stages for county-wide consultation. The same applies to the use of radio and television advertisements.

one-to-one/group meetings: The County Council will meet with key stakeholders to discuss issues and options and other key technical matters. The County Council will, as necessary, also meet with organisations or individuals to discuss particular issues. It will also, on request, address meetings of groups and organisations (subject to time and resource constraints).

'Planning Aid': A free voluntary service offering independent professional advice to enable local communities, especially those with limited resources, to engage effectively in planning decisions which may affect their area. It aims to give people the confidence to help themselves and to become involved in wider planning issues. Links to Planning Aid and other sources of help and advice are on the website.

public meetings: Where possible, the County Council will use County Local Committee (CLC) meetings as the main vehicle for the public to comment on a plan, primarily when specific sites are being discussed. Alternatively, public meetings may be held to consult informally on specific sites.

written consultation (including documents): The consultees will be sent the relevant consultation document and, where appropriate, supporting documents together with information about consultation arrangements. Copies of plans and consultation documents will be available on request and relevant charges applied to cover costs.

Methods and Techniques to be used at Different Stages

The documents to be prepared, and the timetable for their preparation, are identified in the latest approved Minerals and Waste Development Scheme (MWDS) available on the website (www.westsussex.gov.uk/mwdf). Information about community and stakeholder events is available on the website, including details of the work undertaken at the meetings.

Sustainability Appraisal Scoping Report

SA Scoping Report Stage	
When:	What:
See the published MWDS - available for inspection at County Hall and on the website.	Informal consultation on the Scoping Report, which will cover including the suggested objectives and appraisal framework, over five-week period.
Who:	How:
Statutory and other consultees	Written consultation (including documents) Internet (website including consultation) Stakeholder meetings (if required)

Feedback:
Comments received on the draft Scoping Report will be summarised and made available at County Hall and on the website. The County Council's response to the comments will also be made available; it will indicate how they have been used to inform the methodology of the sustainability appraisal leading to the preparation of the Draft SA Report for the plan.

Local Plans

See also Sustainability Appraisal Scoping Report.

Informal Engagement Stage (Regulation 18)	
When:	What:
See the published MWDS - available for inspection at County Hall and on the website.	Informal information gathering and dissemination
Who:	How:
Statutory and other consultees	Circular letters/e-mailshot Internet (website) One-to-one/group meetings (as required)
General public (if required)	Circular letter/e-mailshot to respondents (other than consultees) Document available for inspection (and sent on request) Internet (website including consultation) Local newspapers (press releases) Articles in 'Connections' (County Council newspaper) (where possible) Articles in District Councils' newspapers (where possible) Planning Aid
Individual members of the public who have notified the County Council of their interest in being involved	Informal consultation on draft documents
Feedback:	
The information received will be used to inform the preparation of the Proposed Submission Draft. Comments received during any public consultation period will be summarised and made available at County Hall and on the website. The County Council's response to the comments will also be made available; it will indicate how they have been used to inform the preparation of the draft plan.	

Proposed Submission Stage/Draft SA Report Stage (Regulation 19)	
When:	What:
See the published MWDS - available for inspection at County Hall and on the website.	Formal period for representation on soundness of Proposed Submission draft plan and Draft SA Report over minimum six-week period.

Who:	How:
General public	<p>Circular letter/e-mailshot to respondents (other than consultees)</p> <p>Document available for inspection (and sent on request)</p> <p>Internet (website including consultation)</p> <p>Local newspapers (press releases and, as required, notices)</p> <p>Articles in 'Connections' (County Council newspaper) (where possible)</p> <p>Articles in District Councils' newspapers (where possible)</p> <p>One-to-one meetings (as required)</p> <p>CLC/public meetings (for site-specific issues)</p> <p>Planning Aid</p>
Statutory and other consultees	<p><i>In addition to the above:</i></p> <p>Written consultation (including documents)</p> <p>Stakeholder meetings (as required)</p> <p>Group meetings (as required)</p> <p>Area Forums (as required)</p>
Feedback:	
<p>Comments received during the representation period will be summarised and made available at County Hall and on the website. The County Council's response to the representations will also be made available; it will indicate how they have been used to inform the preparation of the formal Submission Draft. It will also indicate, if necessary, how they have been used to amend the Draft SA Report leading to the preparation of the Final SA Report.</p>	

Supplementary Planning Documents

See also Sustainability Appraisal Scoping Report.

Draft SPD Stage	
When:	What:
See the published MWDS - available for inspection at County Hall and on the website.	Formal consultation on Draft SPD over a four or six-week period.
Who:	How:
General public	<p>Circular letter/e-mailshot to respondents (other than consultees)</p> <p>Document available for inspection (and sent on request)</p> <p>Internet (website including consultation)</p> <p>Media (press releases and, as required, notices)</p> <p>Articles in 'Connections' (County Council newspaper) (where possible)</p> <p>Articles in District Councils' newspapers (where possible)</p> <p>One-to-one meetings (as required)</p>

	CLC/public meetings (for site-specific issues) (as required) Planning Aid
Statutory and other consultees	<i>In addition to the above:</i> Written consultation (including documents) Group meetings (as required)
Feedback:	
Comments received during the consultation period will be summarised and made available at County Hall and on the website. When the SPD is adopted, the County Council will issue a statement summarising how the comments received during the preparation of the SA were taken into account in preparing the Adopted SPD.	

Appendix B: Methods for Publicising Planning Applications

Type of Application(a)	Website	Site Notice	Neighbour Notification (b)	Newspaper
Minor Regulation 3 (c) – Site area less than 1Ha & less than 1,000m2 floorspace created	✓	✓		(d)
Major Regulation 3 (c) – Site area over 1Ha or over 1,000m2 floorspace created	✓	✓	✓	✓
Minerals and Waste – Site area less than 1Ha or less than 1,000m2 floorspace created	✓	✓		✓
Minerals and Waste – Site area over 1Ha or over 1,000m2 floorspace created	✓	✓	✓	✓
Applications accompanied by an Environmental Impact Assessment	✓	✓	✓	✓
Minor Regulation 13 (e) – Site area less than 1Ha & less than 1,000m2 floorspace created	✓	✓		✓
Major Regulation 13 (e) – Site area over 1Ha or over 1,000m2 floorspace created	✓	✓	✓	✓
<p>(a) All publicity must advise where an application would involve one or more of the following: (i) departure from the development plan; (ii) affect on a public right of way; (iii) affect the setting of a listed building; (iv) affect the character or appearance of a conservation area.</p> <p>(b) See 'Neighbour Notification' below.</p> <p>(c) Planning applications for County Council development.</p> <p>(d) Where a minor Regulation 3 application one or more of the matters identified under (a), a notice must be placed in the relevant newspaper.</p> <p>(e) Applications for Listed Building Consent or Conservation Area Consent.</p>				

Site Notices: Following registration of a valid planning application, and as soon as reasonably practicable, a site notice will be displayed in at least one place on or near the application site for the duration of the consultation period. It will be located where it is visible to the general public and those likely to be affected by the proposed development.

At the discretion of the planning officer, one or more additional site notices may be posted if it is considered that there is potential for the development to have an impact over a wider area. In making this decision, officers will take into account: the scale and nature of the proposed development; the scope of 'neighbour notification' undertaken; and any particularly sensitive receptors.

Where a notice is, without any fault or intention of the County Council, removed, obscured or defaced before the expiry of the public consultation period, the authority will take all reasonable steps to replace it.

Neighbour Notification: Following registration of a valid planning application, and as soon as reasonably practicable, where appropriate (see table above) neighbours of the proposed development will be notified by letter. This will include residents/businesses occupying any property that shares an obvious boundary with the application site (red line). It will also include, at the discretion of the planning officer, any residents/businesses that are likely to be directly affected by the development (e.g. those on the opposite side of a minor road).

The planning officer will undertake a site visit to check that the scope of neighbour notification has fulfilled the above requirements.

Newspaper: Following registration of a valid planning application, where appropriate (see table above) an advertisement will be placed in the local newspaper. The relevant newspaper will depend upon the parish in which the application site is located.

Website: Following registration of a valid planning application, as soon as reasonably practicable, details of the application will be made available on the County Council's website.

Formal consultation responses and third party comments will be posted on the website as soon as practicable following their receipt. Although phone numbers, signatures, and email addresses will be 'blanked out', third parties are encouraged not include any personal information that they would not wish to appear on the internet.

Personal information provided in response to applications (names, addresses and email addresses) will be retained for seven years after the determination of the application (or subsequent appeal), after which it will be deleted.

Copies of officer's reports and decision notices will be made available on the website, as soon as reasonably practicable, upon determination.

Public Consultation Period: In most cases, a public consultation will be undertaken for a period of 21 days. However, for EIA applications, a 30 day consultation period is required. .