



STATEMENT OF COMMUNITY INVOLVEMENT

(MAY 2019)

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1. Introduction

- 1.1 Planning affects everyone in our community. Teignbridge District Council, as the Local Planning Authority (LPA), is usually responsible for deciding where development happens in our villages, towns, open spaces and environment. It does this by preparing documents that comprise the Development Plan and by determining Planning Applications.
- 1.2 This Statement of Community Involvement (SCI)¹ explains how we will involve local communities, businesses and other interested parties when we prepare planning policy documents and determine planning applications.
- 1.3 This SCI does not contain consultation policies for planning applications that are dealt with by Devon County Council² (such as those for minerals and waste developments), nor for those relating to Dartmoor National Park³.
- 1.4 Once adopted, this SCI will become a statutory part of the Council's planning policies. It will supersede Teignbridge's previously adopted SCI (21 February 2011).

Our Commitments

We will apply the following principles to all of our planning consultations. We will also encourage the consultations done by others (for example developers, site promoters and Neighbourhood Planning Groups) to apply the principles too.

- Involvement will be open to all, regardless of gender, faith, race, disability, sexuality, age, rural isolation and social deprivation.
- We will seek views from interested and affected parties early in the process when comments can have greatest influence.
- Our level of consultation will reflect the level of influence or control we have over the outcome, i.e. we will focus our consultation over things we have the ability to change.
- Consultation publications will be clear and concise and will not include avoidable "jargon", without understating the complexities of any decision.
- We will give sufficient information and reasoning to allow for an informed response and we will give sufficient time for responses to be made, taking into account any statutory time requirements.
- All responses will be considered conscientiously.
- Anyone who asks us to do so will be kept informed of and consulted on emerging plans in accordance with data protection principles.

¹ The SCI is a requirement of Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended). The Neighbourhood Planning Act 2017 also requires SCIs to set out how the Council will support groups undertaking neighbourhood planning.

² <https://www.devon.gov.uk/navigation/planning-and-development>

³ <http://www.dartmoor.gov.uk/living-and-working/planning/planning-policy>

2. Consulting on Planning Policy Documents

2.1 We will consult on development plans and accompanying documents including, but not limited to, Development Plan Documents (DPD), Supplementary Planning Documents (SPD), Neighbourhood Plans and Orders and the Community Infrastructure Levy (CIL) Charging Schedule.

A. Types of Planning Policy Documents

Development Plan Documents

2.2 Development Plan Documents (DPD) are planning policy documents which guide development in an area. They set out detailed planning policies which planning officers use to determine planning applications.

2.3 The Local Plan is the main DPD produced by the Council. It contains policies about where and how development can take place and includes land allocations for development. It must be supported by evidence and accord with national planning policy.

Supplementary Planning Documents

2.4 Supplementary Planning Documents (SPDs) are documents that expand upon the level of policy information provided in the Local Plan. They can be used to provide guidance but cannot be used to set out new policy.

Neighbourhood Plans and Orders

2.5 A Neighbourhood Plan is a planning policy document that sets out policies for a designated neighbourhood area. It can be used to influence the shape and type of development that will take place in a designated area. It can also allocate sites for development including land for housing and employment, safeguard areas of local green space and include policies for managing development.

2.6 A Neighbourhood Development Order grants planning permission for a particular type of development in a designated area.

2.7 Once it is adopted, by the District Council, a Neighbourhood Plan or Order forms part of the Development Plan and is a material consideration when making decisions on planning applications.

Community Infrastructure Levy Charging Schedule

2.8 Community Infrastructure Levy (CIL) Charging Schedule sets out a charge on new development which is used to pay for improving infrastructure and providing new services such as roads, education, recreation and public transport.

Publication of other Planning Policy Documents

Local Development Scheme

2.9 The timetable for the production of the Local Plan and other Development Plan Documents is published in a Local Development Scheme⁴ (LDS). This is regularly reviewed and re-published when there are changes to ensure the most updated timescales are publicly available.

Evidence

2.10 All plans are supported by a wide variety of evidence which is produced and updated throughout plan preparation stages.

2.11 Evidence is not normally consulted on but will be publicly available on the Council's website.

B. Who we will consult

2.12 The Town and Country Planning (Local Planning) (England) Regulations 2012⁵ identify specific organisations that we are required to consult. These are known as statutory and general consultees and include organisations such as the Environment Agency, Historic England and Natural England. A list of these is set out in Appendix 2.

⁴ <https://www.teignbridge.gov.uk/planning/local-plans-and-policy/local-development-scheme/>

⁵ <http://www.legislation.gov.uk/uk/si/2012/7671/contents/made>

2.13 We will engage with a range of groups and individuals who may have a role or interest in shaping the planning of Teignbridge, including any who have asked to be consulted.

C. Other engagement

2.14 In addition to meeting statutory consultation requirements during each stage of plan preparation, the Council may also undertake engagement when there are opportunities for communities and interested bodies to shape the plan. A range of methods, such as information gathering meetings and workshops, focus groups and targeted consultation may be used.

2.15 Development Plan Documents (DPD) will be accompanied by a bespoke Consultation and Engagement Plan which will set out our detailed consultation and engagement arrangements.

D. Making comments

2.16 It is important that comments are received during the consultation period.

2.17 We encourage consultees to make comments electronically, by either using an online survey or by returning a response form by email.

2.18 The various methods of engagement that we could use for consultations are listed below:

- **Website** – The main source of all documentation we publish.
- **Email** – Enables large numbers of people to be contacted quickly and efficiently.
- **Media Releases** – News releases to local media to raise interest and awareness.

- **Social Media** – Use of social media to raise awareness. Particularly useful for targeting working age and young people.

- **Availability of Consultation Documents** – Relevant documents will be made available online and in paper form at a variety of public locations, including libraries.

- **Leaflets and Posters** – Information will be displayed in public locations.

- **Meetings, Workshops and Focus Groups** – These will be organised where appropriate to facilitate face to face engagement with relevant parties.

- **Community Events** – Where relevant we will bring our consultation to local community venues.

2.19 We will publish comments received or a summary as soon as feasible on our website. We will explain how the comments have been taken into account when decisions are taken.

E. Our timescales

2.20 We will normally consult on our plans for the minimum statutory periods of consultation (but see 2.21 below and refer to Section 2F).

2.21 If key consultations run over established busy holiday periods (primarily, Christmas, Easter and the summer holidays) we will extend consultations by a week.

2.22 We will ensure that the time periods of consultations are clearly publicised. Late responses will be kept on file but these will be unlikely to influence the content of documents, and will not be considered to be 'duly made.'

F. When we will consult

Table 1: Key Stages in the preparation of a Development Plan Document (including the Local Plan)⁷

● Public Participation
● Formal Representations

Evidence gathering	●	Early engagement with interested parties through meetings and information gathering.
Draft Plan Regulation 18	●	Public consultation on the scope of the plan, draft policies and draft proposals. This stage may include more than one round of consultation depending on the nature of the plan being prepared. A period of 6-8 weeks consultation . Comments received during the consultation are considered and used to inform the next stage of plan preparation.
Proposed Submission Regulations 19 and 22	● ●	Public consultation on the Proposed Submission version of the plan. A period of 6-8 weeks consultation . Representations received during the consultation are considered prior to the plan being submitted to the Secretary of State.
Submission Regulation 22		The plan is submitted to the Secretary of State and an Independent Planning Inspector is appointed.
Examination Regulations 23-25	●	The plan and representations are considered by the Independent Planning Inspector at a public examination . The purpose of the examination is to consider if the plan meets relevant legal requirements and if it is 'sound'. Soundness is tested by considering whether it is justified, effective and consistent with national policy. Any interested parties will be invited to speak at the examination, or to prepare written statements, setting out their concerns. Anyone can observe the examination hearings but only those invited by the Planning Inspector can participate. At the end of the hearings the Planning Inspector will issue a report to the Council containing recommendations relating to the plan.
Adoption Regulation 26		The Council will consider the recommendations made by the Planning Inspector and decide whether to adopt the plan. All consultees will be notified of any decision to adopt.

Table 2: Key Stages in the Preparation of a Supplementary Planning Document (SPD)⁸

Evidence gathering	●	Early engagement with interested parties through meetings and information gathering.
Draft SPD Regulations 12 and 13	● ●	Public consultation on a draft version of the SPD. Minimum 4 week period . Representations received during the consultation are considered and used to inform the final version of the plan.
Adoption Regulation 14		A final version of the SPD is prepared and adopted by the Council.

⁷ Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

⁸ Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

Table 3: Key Stages in the Preparation of a Neighbourhood Development Plan or Order⁹

● Public Participation
● Formal Representations

Designation	●	Neighbourhood Area Application is submitted to the Council. No statutory consultation is required if the area proposed is a single parish. If this area is not the same as the Parish or Town Council boundary, we will consult on the application for a minimum of 6 weeks.
Draft plan preparation	●	The community will engage with and involve their residents in the plan preparation process and must report what they have done in their Consultation Statement. Draft Neighbourhood Plan or Order is prepared.
Pre-Submission Regulations 14	● ●	Public consultation on the Pre-Submission plan. A period of 6-8 weeks consultation . Consultation coordinated by the Neighbourhood Planning Group or Forum.
Submission to Local Planning Authority Regulations 15, 16, 22 and 23	● ●	The Plan or Order is submitted to the Local Planning Authority. Public consultation on the Plan or Order. Minimum 6 week period . Consultation coordinated by Teignbridge District Council.
Submission of plan to examination Regulations 17 and 24		The Council, in liaison with the Neighbourhood Planning Group/Parish or Town Council/Neighbourhood Forum, will appoint an independent examiner who is sent all representations and who assesses the draft Plan or Order against required criteria.
Independent Examination Regulations 18 and 25		The Plan or Order and representations are considered by the independent examiner. Most examinations are undertaken through written representations rather than public hearings. The examiner is required to ask stakeholders whether they would like to have a meeting during the examination process.
Referendum Regulations 18 and 25		The examiner has 3 options: a) That the plan/order proceeds to referendum as submitted; b) The plan/order is modified by the LPA to meet basic conditions and then the modified version proceeds to referendum; c) That the plan/order does not proceed to referendum. If the Plan or Order proceeds to referendum and more than half the votes agree (50% plus one vote), it can proceed to adoption.
Adoption Regulations 18 and 25		The Plan or Order is "made" (adopted) by the Council.

⁹ The Neighbourhood Planning (General) Regulations 2012 (as amended).

Table 4: Key Stages in the Preparation of the Community Infrastructure Levy Charging Schedule¹⁰

● Public Participation
● Formal Representations

Evidence gathering and early engagement	● Early engagement with interested parties through meetings and information gathering.
CIL Preliminary Draft Charging Schedule Regulation 15	● ● Public consultation on Preliminary Draft Charging Schedule. Minimum 4 week period . Representations received during the consultation are considered and used to inform Draft Charging Schedule.
CIL Draft Charging Schedule Regulation 16	● ● Public consultation on Draft Charging Schedule. Minimum 4 week period .
Submission Regulation 19	Independent Examiner is appointed to conduct an examination of the Charging Schedule.
Examination Regulation 21	The Charging Schedule is considered by an Independent Examiner at a public examination . Any interested parties will be invited to speak at the examination, or to prepare written statements, setting out their concerns. Anyone can observe the examination hearings but only those who have asked to speak will be heard. At the end of the hearings the Examiner will issue a report to the Council containing recommendations relating to the Charging Schedule.
Approval Regulation 25	Approval and publication of the Community Infrastructure Levy Charging Schedule.

¹⁰ The Community Infrastructure Levy Regulations 2010 (as amended)

3. Neighbourhood Planning

- 3.1 The Neighbourhood Planning (General) Regulations 2012 (as amended) require LPAs to set out how they will give advice or assistance to groups preparing Neighbourhood Plans or Orders.
- 3.2 Assistance and advice is available from the Council's Neighbourhood Planning Officer. The table below outlines the support that will be provided free of charge to communities preparing Plans or Orders.

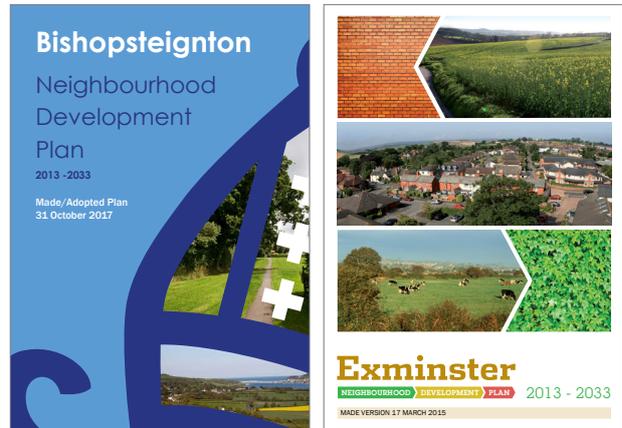


Table 5: Neighbourhood Planning Advice and Assistance



Examination

Fact-check the examiner's report
Review examiners modifications
Publication of the Examiners report
Issue formal notification for the plan to proceed to referendum
Publication of the formal notifications



Referendum

Publicise the modified referendum plan on the Council's website
Provide a referendum date
Prepare statutory referendum materials and publicise on the Council's website
Issue ballot cards and postal votes to parish residents
Conduct the referendum vote in the local area
Count the ballots and issue a result
Publicise the referendum result on the Council's website



Making/Adopting the Plan

Prepare a report to Executive recommending to approve or reject the neighbourhood plan
If approved, provide a formal decision statement to the Parish/Town Council
Advise officers of the Council and assist in its implementation as a formal decision-making document.
Publicise the adopting/making of the plan with the final version of the NDP on the Council's website.

4. Consulting on Planning Applications

- 4.1 A planning application is submitted to the Council when planning permission is needed for a change of use or physical works. The planning application may consist of an application form, accompanying plans and supporting details.
- 4.2 We currently send a weekly list of all validated planning applications to Parish and Town Councils, Members of the Council, and other non-statutory bodies with an interest in planning who have requested it. The information is available online to everybody and we may change our approach subject to technological innovations or other changes that need to be made.
- 4.3 On receipt of a planning application, the Council must undertake a formal period of public consultation. A minimum of 21 days must be allowed for representations to be received.
- 4.4 We consult with Parish and Town Councils, technical consultees, such as South West Water, Environment Agency and Devon County Council. A minimum period of 21 days allows for consultation responses to be received. We also notify Parish and Town Councils of decisions made on applications.
- 4.5 We will consult with Neighbourhood Planning Groups on planning applications within their designated area, through the relevant town or parish council.
- 4.6 Where revised drawings are received, we will consider the need to re-advertise the proposal or re-consult with technical consultees.
- 4.7 There are separate arrangements for listed buildings which are set out in regulation 5 and regulation 5A of the Listed Buildings and Conservation Area Regulations 1990 (as amended)¹¹
- 4.8 Consultees may include:
- **The general public and / or neighbours**
 - **Statutory consultees** – where there is a requirement set out in law to consult a specific body
 - Any consultation **required by a direction** – where there are further, locally specific, statutory consultation requirements as set out in a consultation direction.
 - **Non statutory consultees** where there are planning policy reasons to engage other consultees who, whilst not designated in law, are likely to have an interest in a proposed development.
- 4.9 Consideration of planning applications will take account of any relevant representations and consultation responses as part of the planning balance.
- 4.10 The National Planning Policy Framework (NPPF) sets out the Government's encouragement for early engagement between developers, local planning authorities and the local community, which has significant potential to improve the efficiency and effectiveness of the planning application system for all parties.
- 4.11 To ensure early public consultation on major development proposals, or locally sensitive schemes, the Council will encourage developers to carry out public consultations before making a planning application.

¹¹ <http://www.legislation.gov.uk/uksi/2004/2210/regulation/2/made>

4.12 The following approach is strongly encouraged by the Council when drawing up planning applications for major development. Major development is considered to be a development of: 10 or more dwellings; an outline application for residential development of a site of more than 0.5ha; or commercial development of a site of 1 ha or more or that creates 1,000 square metres or more of floorspace:

- Submit a pre-application enquiry to the Council. This can be done online at www.teignbridge.gov.uk/planningadvice
- Talk directly with, or submit appropriate enquiries to relevant statutory consultees and, take on board the advice received in order to minimise technical objections.
- Write and regularly review a Consultation Strategy for the proposal, in consultation with the Council, taking into account this SCI.
- Consult the local community on the overall and specific aspects of the proposal, in accordance with the Consultation Strategy.
- Consider the consultation responses received and submit a document explaining what consultation has been carried out, including technical and public consultation and how it has influenced the planning application.

4.13 Before making other types of applications, prospective applicants are encouraged to submit a pre-application enquiry to the Council and to consult with and take account of the views of the people likely to be affected by the proposal.

4.14 Planning applications are public documents and can be viewed on the Council's website at www.teignbridge.gov.uk/planningonline

4.15 Most planning applications are determined by officers under delegated powers. Where applications are to be considered by Planning Committee, in most instances the Council will allow applicants and objectors to make a short statement on planning applications.

4.16 Decisions made on planning and other applications are also published on the Council's website.

Appendix 1: Glossary

Community Engagement: Actions and processes taken or undertaken to establish effective relationships with individuals or groups so that more specific interactions can then take place.

Community Involvement: Effective interactions between planners, decision-makers, individual and representative stakeholders to identify issues and exchange views on a continuous basis.

Community Infrastructure Levy: A levy that allows local authorities to raise funds from owners or developers of land undertaking new building projects in their area.

Consultation: The dynamic process of dialogue between individuals or groups, based upon a genuine exchange of views, and normally with the objective of influencing decisions, policies or programmes of action.

Development Management: This is the management of development proposals through the planning system.

Development Plan Documents: These include the Local Plan and accompanying documents, Neighbourhood Plans, Devon Minerals Plan and Devon Waste Plan.

Examination Hearing: This is a public examination into the soundness of a development plan document by a Planning Inspector.

Independent Examination: The purpose of an independent examination is to consider the 'soundness of a plan' by an independent Planning Inspector, appointed by the Secretary of State to conduct the examination to consider the document as a whole and determine its soundness. In assessing this, the independent Planning Inspector will consider all representations made on the submitted document and the changes that have been suggested by those making representations.

Localism Act 2011: This is an Act of Parliament that included the introduction of neighbourhood planning.

Local Planning Authority: The public authority whose duty it is to carry out specific planning functions for a particular area

Made: Refers to the final stage of Neighbourhood Development Plan (NDP) preparation in which the Plan is successfully 'made' (approved) by the Local Planning Authority.

National Planning Policy Framework (NPPF): Sets out the government's national planning requirements, policies and objectives. It is a material consideration in the preparation of local plan documents and when considering planning applications.

Neighbourhood Development Plans: A plan prepared by a Parish or Town Council or a neighbourhood forum for a particular neighbourhood area.

Neighbourhood Development Order: Grants planning permission for a particular type of development in a particular area. This could be either a particular development, or a particular class of development (for example retail or housing).

Participation: The extent and nature of activities undertaken by those who take part in public or community involvement.

Planning and Compulsory Purchase Act 2004: This is an act which makes provisions relating to spatial development and town and country planning; and the compulsory acquisition of land.

Planning Application: An application to the Local Planning Authority to seek permission for development or use of land.

Representations: Comments submitted in response to a formal or informal consultation.



Scoping: The act of or involving an investigation or discussion to determine the effect a proposed policy or project would have on a community or the local environment.

Statement of Community Involvement (SCI): A document that sets out what consultation will take place with the community on planning policy documents and planning applications

Supplementary Planning Documents: These documents contain policy guidance to supplement the policies and proposals in the Local Plan.

Appendix 2: Consultees

As defined in the Town and Country Planning (Local Planning (England) Regulations 2012¹²:

Specific Consultation Bodies

- The Coal Authority
- The Environment Agency
- The Historic Buildings and Monuments Commission for England (known as English Heritage)
- The Marine Management Organisation
- Natural England
- Network Rail Infrastructure Limited (company number 2904587)
- The Highways Agency
- A relevant authority any part of whose area is in or adjoins the local planning authority's area
- Any person to whom the electronic communications code applies by virtue of a direction given under section 106(3)(a) of the Communications Act 2003
- Any person who owns or controls electronic communications apparatus situated in any part of the local planning authority's area
- A Primary Care Trust established under section 18 of the National Health Service Act 2006 or continued in existence by virtue of that section
- A person to whom a licence has been granted under section 6(1)(b) or (c) of the Electricity Act 1989
- a person to whom a licence has been granted under section 7(2) of the Gas Act 1986
- A sewerage undertaker; and
- A water undertaker
- The Homes and Communities Agency

General Consultation Bodies

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

¹² <http://www.legislation.gov.uk/uksi/2012/767/regulation/2/made>

