

July 2015



**PLANNING APPLICATIONS IN
NORTH LINCOLNSHIRE
A GUIDE TO COMMUNITY
INVOLVEMENT**

Introduction

Planning affects everybody's lives from the homes we live in to the open spaces we enjoy and the leisure facilities we use as well as the roads we travel on. These are all the result of planning decisions. Those decisions affect where we live, work and relax; where new shops and community facilities are built; what happens to our open spaces and our historic buildings. It is vital that everyone has the chance to get involved and influence these key decisions.

Community involvement lies at the heart of the planning system. More than ever before, local people have the chance to get involved and influence and shape the future growth and development of their communities. The council considers that genuine engagement with the surrounding community before the submission of a formal application can be beneficial for all those involved.

The council already has an adopted document in place called the **Statement of Common Involvement**, or SCI for short that sets out how it will involve local communities and others in developing future planning policy and planning applications. This guide builds on the SCI and provides more detailed guidance/advice for applicants, agents, developers and communities regarding community involvement on planning applications. It should be read in conjunction with the SCI.

North Lincolnshire Council & Planning Applications

The council's Development Management team is responsible for dealing with all planning applications for development in North Lincolnshire.

The team advises the council's Planning Committee, determines certain types of planning applications, provides advice on development proposals and deals with unauthorised development in the area.

All planning applications are decided in line with the development plan for the area - unless there are very good reasons to not do so - these are called material considerations (see box). The development plan for North Lincolnshire consists of:

- Local Development Framework – Core Strategy Development Plan Document (adopted June 2011)
- North Lincolnshire Local Plan – Saved Policies (adopted May 2003)

Most planning applications are determined by Planning Officers in accordance with the Council's [Scheme of Delegation for Determining Planning Applications](#). However, a number of applications will still need to be determined by the Planning Committee. The scheme of delegation sets out the circumstances under which this occurs.

Material considerations – matters that should be taken into account in deciding a planning application. They can include (but are not limited to):

- Government Policy (e.g National Planning Policy Framework)
- Overlooking/loss of privacy
- Loss of light or overshadowing
- Impact on the environment
- Parking
- Highway safety
- Traffic
- Noise
- Effect on listed building or conservation area
- Nature conservation
- Non-designated heritage assets
- Layout and density of building
- The appearance of a proposal
- Disabled persons' access
- Other proposals
- Previous planning decisions (including appeal decisions)

We cannot take into account matters like loss of property value, private disputes between neighbours or the loss of a private view.

Planning Committee

The council's [Planning Committee](#) is made up of a number of Councillors who are appointed at the Council's annual meeting which takes place in May each year. Currently the committee consists of 10 councillors. They are responsible for making decisions on individual planning applications. The committee meetings are held on a Wednesday. Meetings are held at Civic Centre in Scunthorpe unless otherwise stated. They start at 2pm and are open to the public.

Details about the Planning Committee and how it operates can be found on the council's website - <http://webarchive.northlincs.gov.uk/councilanddemocracy/committees/planning-committee/>

Role of Councillors

Councillors represent their respective wards. They listen to residents' concerns on planning issues at ward surgeries or public meetings and consultations in addition to residents contacting ward councillors with specific concerns. They can voice their support or otherwise to planning applications in writing and speak at Planning Committee. The role of locally elected Councillors in representing the views and concerns of residents in the planning process is very important. Therefore, it is important they be informed of proposals in their area as well as any community involvement exercises that will be undertaken.

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There are existing protocols for the way that Councillors and Council Officers conduct their activities, which ensure that any potential conflicts of interest, are resolved in a transparent way.

Planning Applications – Publicity Methods

- Letters/e-mails to statutory consultees such as the Town & Parish Councils, Environment Agency and Natural England;
- E-mails to other council services such as Spatial Planning, Highways, Environment team etc.
- Site and press notices
- Letters to neighbouring local residents/businesses
- Weekly list of applications on the council's Website
- Notification of ward members
- Publication of the application forms and documents on the council's website.

What Do We Do Now?

The council is required to publicise all planning applications they receive. Applications must be publicised via a notice in the local newspaper and/or a site notice and/or by neighbour notification letter. The exact method of publicity is determined by the relevant regulations and different types of application require different methods of publicity. Consultees are also notified by e-mail.

Consultees and neighbours are given 21 days to make a written response, although this can vary for particular types of applications.

If, during either the processing of a planning application or following determination, significant alterations to plans or proposals are made, re-consultation will normally take place with the relevant Town or Parish Councils, statutory consultees and affected neighbours. In order to avoid unnecessary delay, however, no additional re-notification will be undertaken for minor or insignificant amendments (non-material amendments).

Pre-Application Advice & Involvement

[Pre-application advice](#) is an essential part of providing an efficient and effective planning service. The council encourages prospective applicants to hold early discussions about their proposals.

For developers, the purpose is to give a clear steer about whether it is likely your proposal will be granted planning permission. If we consider it unlikely that planning permission will be granted we will give you reasons for our opinion. This also provides an opportunity to discuss that might make the proposal acceptable. At this stage we can clarify the level of detail (e.g. supporting studies/statement) we need to help determine the application, as well as what issues need to be addressed and the potential for positive community involvement.

Developers should consider the benefits of involving the community in developments, which are considered likely to have an impact on the community, even though the proposal may fall below the thresholds referred to in the adopted SCI.

It needs to be understood that the advice given by officers on an informal basis cannot be binding on the council as the final decision on formal planning applications lies with the [Planning Committee](#) or delegated to named officers. Decisions will be made following consideration of all representations received as part of the planning application process.

Early Involvement with Neighbours in Small Scale Proposals

There are benefits to both local people and applicants in involving neighbours at an early stage for small scale developments. For applicants it can them of issues that they can address prior to a planning application being submitted saving time and avoiding conflict. For neighbours it allows them to have an input before proposals reach an advanced stage. These pre-application discussions will not substitute for the consultations that the council will carry out.

Early Involvement with Communities in Major & Sensitive Proposals

Development proposals can, depending on their scale and nature have significant impacts on local communities. Therefore, it is advisable that applicants putting forward major proposals should carry out their own pre-application consultation with local people. We expect local communities to be offered the chance to influence proposals in their areas at an early stage through these consultation exercises. A consultation statement should be submitted alongside the formal planning application. This should describe what engagement took place and how this influenced the final proposal.

It is suggested that community involvement should be undertaken for the following scale of development.

Major Developments

- Residential developments of 50 or more dwellings or a site of 1.5ha in the Scunthorpe & Bottesford Urban Area¹
- Residential 10 or more dwellings or a site area of 0.5 ha elsewhere in North Lincolnshire²
- Non-residential developments of 5ha or 10,000m² of floorspace in the Scunthorpe & Bottesford Urban Area³

¹ From Table 3 of the adopted SCI (July 2010)

² As above

³ As above

- Non-residential developments of 1ha or 1,000m² of floorspace elsewhere in North Lincolnshire⁴
- Applications for large scale wind turbines or “windfarms”⁵ (Mandatory)
- Developments requiring Environmental Impact Assessment which are accompanied by an Environment Statement
- Proposals which depart from the Development Plan
- Any development proposals, which the Council thinks, will have significant implications for planning policy or the locality.

Any pre-application consultation should be tailored to suit the circumstances of the site, proposal and locality. As part of the pre-application process, developers should discuss and agree with the Council the exact nature of consultation in advance. This gives us sufficient time to comment on the proposed events and allow appropriate changes be made.

Developers need to be clear and up front with the community about the stage in the process that the development has reached and what constraints the development has. If there is no opportunity for changing a particular part of a proposal, then this needs to be made clear and the reasons provided. Consultations should be carried out at an early stage in the design process and allow sufficient time for consideration of the consultation outcomes before drawing up and submission of the application. Local knowledge may be very helpful in improving the quality and deliverability of a scheme.

Table 4 of the adopted SCI sets out a range of possible methods for community involvement in major planning applications. Developers should carry out appropriate pre-application consultations based on the following methods:

- Meeting with locally elected representatives (MP’s and/or Ward Councillors) to brief them on the proposals that are the subject of an application and giving them an opportunity to provide feedback;
- Arranging to attend local Town and Parish Council meetings and/or other relevant community bodies to brief them on the proposals that are the subject of an application and giving them an opportunity to provide feedback;
- Informing local residents and neighbours by “flyer” or letter of the proposal, stating where further details can be found; (this should not just include a website, but also include convenient local access to printed and displayed material);
- Issue a press release on the proposal, with contact details for further information (including both telephone and web/e-mail contact details);
- Arrange a public event (meeting or display) at which their proposals will be explained, giving an opportunity for public comment and later feedback.

If public events need to be held, they should take place at a time and location, which allows for a wide section of the public to attend; this should normally include weekend and evenings and not conflict with other community events. The council can also provide helpful advice about:

- Suitable public venues to hold exhibitions and forums;
- Community organisations and contacts, or local media and communications that might help raise awareness
- The scope of issues or questions that the council would like to know that the local community has had an opportunity to comment upon.

The Council has been set demanding targets by the Government in determining planning applications within strict timescales. Where developers have submitted significant proposals without undertaking any consultation with the community, this will be explained in the planning officer’s report. Failure to consult adequately may be material to the determination of the application.

Consultation Statement

Where a developer proposing a major development undertakes pre-application consultation with local people, a consultation statement should be submitted as part of the planning application. As a minimum, the Consultation Statement should include:

⁴ As above

⁵ This requirement applies to applications for onshore wind development (under Part 3 of the Town and Country Planning Act) of more than two turbines or where the hub height of any turbine exceeds 15 metres - The Town and Country Planning (Development Management Procedure and Section 62A Applications) (England) (Amendment) Order 2013.

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- Information about elected members, residents, businesses and local community groups consulted
- Methods and timing of consultation
- A copy of the consultation details
- Evidence of use of open questions, flexible plans and a range of genuinely different options and choices, including alternative sites
- A summary of all responses received
- Explanation of how public comments have influenced the design of the proposals
- Evidence of how developers have provided feedback to the Town and Parish Councils, community groups and ward members following their responses
- Explanation of what changes have been made as a result of all community comments
- Where suggestions have not influenced the proposed development the developer should state why these suggestions have not led to a change
- Feedback and information on how this was addressed in the development proposal.

The content of this statement will be taken into account when the council considers the formal application for planning permission and referred in the officer's assessment and report to Planning Committee on major applications. Failure to demonstrate that robust consultation has taken place in line with the steps set out in this guide may be a material consideration in determining an application.

What Happens Once Decisions Are Made?

After the council makes a decision on a planning application, Town or Parish Councils and neighbours or interest groups who wrote in are notified. If the decision is taken by the Planning Committee, it is confirmed in the Committee Minutes. These are published on the council's website. A weekly list of applications' decisions (both Committee and delegated) is available via the council's website - <http://webarchive.northlincs.gov.uk/councilanddemocracy/committees/planning-committee/>

Notification of Planning Appeals

If a planning application is refused, developers have the opportunity to amend their proposal and re-submit or submit (or "lodge") an appeal against the decision to the Planning Inspectorate. Where an appeal is lodged, the relevant Town/Parish Council and local interest groups and all those who were written to or who wrote in about the proposal will be notified of the appeal and advised as to how to make their views known to the appointed Planning Inspector.

If they had previously written to the council then the case file is copied and sent to the Planning Inspectorate as part of the normal administration process. Ward Councillors are also individually notified. Most appeals are dealt with through the written representations process with decision reported on the council website.

Further Information

For more information, please contact

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