



City of York

# LDF

Local  
Development  
Framework

## Statement of Community Involvement

Adopted December 2007



Please contact us if you would like this information in an accessible format (for example large print or by email) or another language

(01904) 551466

citydevelopment@york.gov.uk

**This information can be provided in your own language.**

**我們也用您們的語言提供這個信息 (Cantonese)**

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 **(01904) 551550**

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# Part One: Introduction

Community voting on issues to inform a site development brief



# Part One: Introduction

## 1. Introduction

1.1 The Statement of Community Involvement (SCI) sets out the Council's proposals for how the community will be involved in the production of planning documents and through consultation on planning applications, as required under the provisions of the *Planning and Compulsory Purchase Act (2004)*. The Act introduced a new planning system, with a key objective of encouraging more meaningful community involvement in the planning process.

1.2 The SCI is broken down into four parts.

**Part One** outlines the benefits of community involvement and sets out the aims and principles that will guide the Council when seeking to engage with the community and stakeholders. **Part One** also outlines who we intend to involve and identifies possible methods of involvement.

**Part Two** specifically sets out how we will seek to involve the community in the production of planning documents (the Local Development Framework).

**Part Three** discusses community involvement in making decisions on planning applications.

**Part Four** outlines how we intend to resource the involvement set out in the SCI and also how we will monitor and review the success of this involvement.

1.3 Producing the SCI is a legal requirement, and once finalised, it is legally binding. If the Council fails to carry out its intentions as set down in the SCI when preparing a planning document, the Government could make the Council withdraw that document.

1.4 The Council has, in the past, widely consulted with members of the public and statutory bodies in the planning process, but the *Planning and Compulsory Purchase Act (2004)* sets out new standards and encourages a more comprehensive and inclusive approach to community involvement. The SCI provides the opportunity to set out the Council's overall approach to consultation and provides a basis for how the approach could be developed in the future.

## 2. Benefits of Community Involvement

2.1 Comprehensive involvement of the community in the planning process benefits all parties. Some of these benefits include:

- a. greater ownership by the local community;
- b. improved and faster decision making, as issues can be resolved at an early stage;
- c. development of individuals, groups and community spirit;
- d. building trust within the community as people are involved and therefore better informed;
- e. gives local people a voice and makes use of local knowledge; and
- f. limits misunderstanding.

2.2 The City of York Council is committed to ensuring that the views of the community are incorporated as far as possible into the policy framework that guides development in York and into development proposals that come forward. Community involvement will ensure that the plan is sound and creates opportunities for the whole planning process to be more inclusive. Issues can be identified and debated at the earliest

opportunity with the aim of resolving any conflicts that may arise, through a partnership approach between the Council and other parties. Where conflicting views cannot be resolved, the opportunity is provided for them to be clearly set out and considered by all groups involved.

### 3. The Aim of the Statement of Community Involvement

3.1 The aim of the SCI is to improve community involvement in plan preparation and planning applications by setting out how all sections of the community can be involved in all stages, but especially in the early stages when ideas and proposals are being developed.

3.2 The Council wants to improve the way they involve the wider public in plan making and in reaching decisions on planning applications. The Council wants to encourage more people to be involved and make it as easy as possible for them to do so.

### 4. Guiding Principles in Consulting the Community

4.1 The purpose of consultation is to enable the Council to fully consider the needs and aspirations of communities and stakeholders when developing documents and making decisions on development proposals. Consultation findings provide a basis for making difficult choices and build a commitment to delivering on proposals.

4.2 Overall, the Council believe that achieving effective community involvement is an important part of delivering sustainable development. This reflects one of the key

principles of the UK Government Sustainable Development Strategy, 'Securing the Future', which seeks to promote good governance. The Strategy seeks to promote good governance through actively promoting effective participation in decision making.

4.3 The Council is committed to providing a high quality and responsive planning service that meets the needs of the community. The principles guiding consultation with the community take account of those set out in the Code of Practice on Consultation in '*The York Compact*'<sup>1</sup>. The York Compact provides the agreed framework for the relationship between local public bodies and voluntary and community organisations in the City of York. The Council will use the following nine principles to guide public involvement in planning matters.

- a. **Ensure early and continuous communication and opportunities for public involvement:**  
Community involvement needs to feature at all stages in the preparation of planning documents and effective community involvement should provide opportunities for information, participation, consultation and feedback. With regard to planning applications, approaches should consider involvement both at the pre-application stage and once an application is submitted.
- b. **Keep the process simple, transparent and accessible to all:**  
The SCI clearly sets out the process by which everyone can get involved in the preparation of planning documents and in making decisions on applications. This will ensure that everyone has equal opportunity to understand how they can get involved. At each major consultation the process for preparing the planning document or making a decision on the application will be explained.

1. [www.yorkcvs.org.uk/compactnews.htm](http://www.yorkcvs.org.uk/compactnews.htm)

c. **Seek to provide information in an interesting, clear and accessible way:**

Information should be presented in a way that is clear and easy to understand to facilitate involvement and encourage participation. This includes making information available in accessible formats where required, including Braille, large print, audio format or 'Easy Read'.

d. **Ensure ideas and comments are considered:**

All comments will be registered, and at every stage of preparing planning documents officers will prepare a report setting out how they intend to respond to issues raised. These reports will be considered by Members of the Council in their decision-making. With planning applications, the officer draws together the issues and comments made on a planning application into a written report and makes a recommendation whether to approve or refuse the application. The final decision is then made by a Senior Planning Officer or by Committee Members. For more information please see paragraphs 10.7 to 10.9.

e. **Ensure involvement is meaningful and effective:**

We will seek to ensure that involvement is meaningful and effective by pro-actively involving the community at all stages; only asking for comments when there is an opportunity to shape or amend the content of a document or proposal; allowing enough time for involvement; and explaining the reasons for decisions.

f. **Share information and provide feedback to individuals, groups and the wider community:**

For the community to consider that involvement is worthwhile, it is essential that the results of consultation and

information on the decisions made are fed back to them. It is also essential that general information on planning documents and applications is widely available. The Council will ensure that information relating to the planning process, including feedback on consultations is available through a variety of methods. This will involve contacting respondents to make them aware of where the information can be viewed.

g. **Allow for continuous development and improvement:**

It is important that the SCI allows for some flexibility in the methods used. Practices will be monitored and reviewed to allow for approaches to be amended to reflect changes in circumstances or to address the strengths and weaknesses of certain methods as they emerge.

h. **Co-ordinate consultation effectively and inclusively:**

To carry out effective consultation it is critical to consider who is being consulted and the approaches used should be tailored to the needs of these groups. Factors such as the accessibility of venues, timings and working hours, care needs and language will be carefully considered in determining the optimum consultation approach in each case.

i. **Co-ordinate with other departments to reduce risks of consultation fatigue:**

It is crucial that planning consultations take into account the consultations carried out by other departments within the Council and other relevant documents that the Council produces. These include documents such as transport, economic and housing strategies, and in particular the Community Strategy, as there are possibilities to work together on consultations and also to share

information. Where possible, we will seek to engage with officers from different departments within the Council to encourage cross-cutting and sharing of information.

## 5. Who Will Be Involved?

### Community Profile

5.1 When considering which groups and individuals to involve it is important to consider the specific characteristics of the population of York and the surrounding area.

5.2 York is situated within the Yorkshire and Humber region. The Emerging Yorkshire and Humber Regional Spatial Strategy identifies 7 sub areas that reflect existing relationships between places. York is identified as part of the Leeds City Region and also as part of a wider 'York sub area' which covers the City of York and its wider hinterland or 'area of influence'. This includes up to Malton, some of the East Riding, west to the A1 and south to Selby.

5.3 York is a commercial city renowned for its heritage. It covers an area of approximately 272 square kilometres made up of the historic city centre and the surrounding urban area along with a number of villages and semi-rural settlements. Of this, approximately 220 square kilometres is in the draft Green Belt (see Map 1). The precise boundary of the Green Belt will be determined through the Local Development Framework (LDF). Those living in rural areas, including villages and smaller settlements make up approximately 6% of the population, whilst the remaining 94% live in the city centre and surrounding urban areas.

5.4 The population of York in 2005 was 186,800 persons; of this 48.3% were male and 51.7% female. Children aged less than 5

years made up 4.8% of the population. In mid-2005 6.2% of the resident population of York were aged 75 and over. The population of York is increasing, growing by 9.5% between 1991 and 2001, and is projected to increase by 9.2% between 2003 and 2011. 17% of people in York are disabled (have a limiting long term illness or medical condition).

5.5 The unemployment rate for York in 2003 was 1.6%. At the time of the 2001 Census, of all the people unemployed in York 18.36% were aged over 50 years, 6.73% had never worked and 24% were long-term unemployed. York is ranked as 219th out of a total of 354 local authorities as being amongst the least socially deprived areas.

5.6 York experiences a positive net flow of daily trips to work; this means that overall more people commute into York for work than commute out. Data from the 2001 Census shows that 22,445 people travel into the City of York Authority area to work, compared to 17,199 travelling out. The majority of these journeys into York originate from locations in the East Riding of Yorkshire, Leeds, Hambleton, Ryedale and Selby.

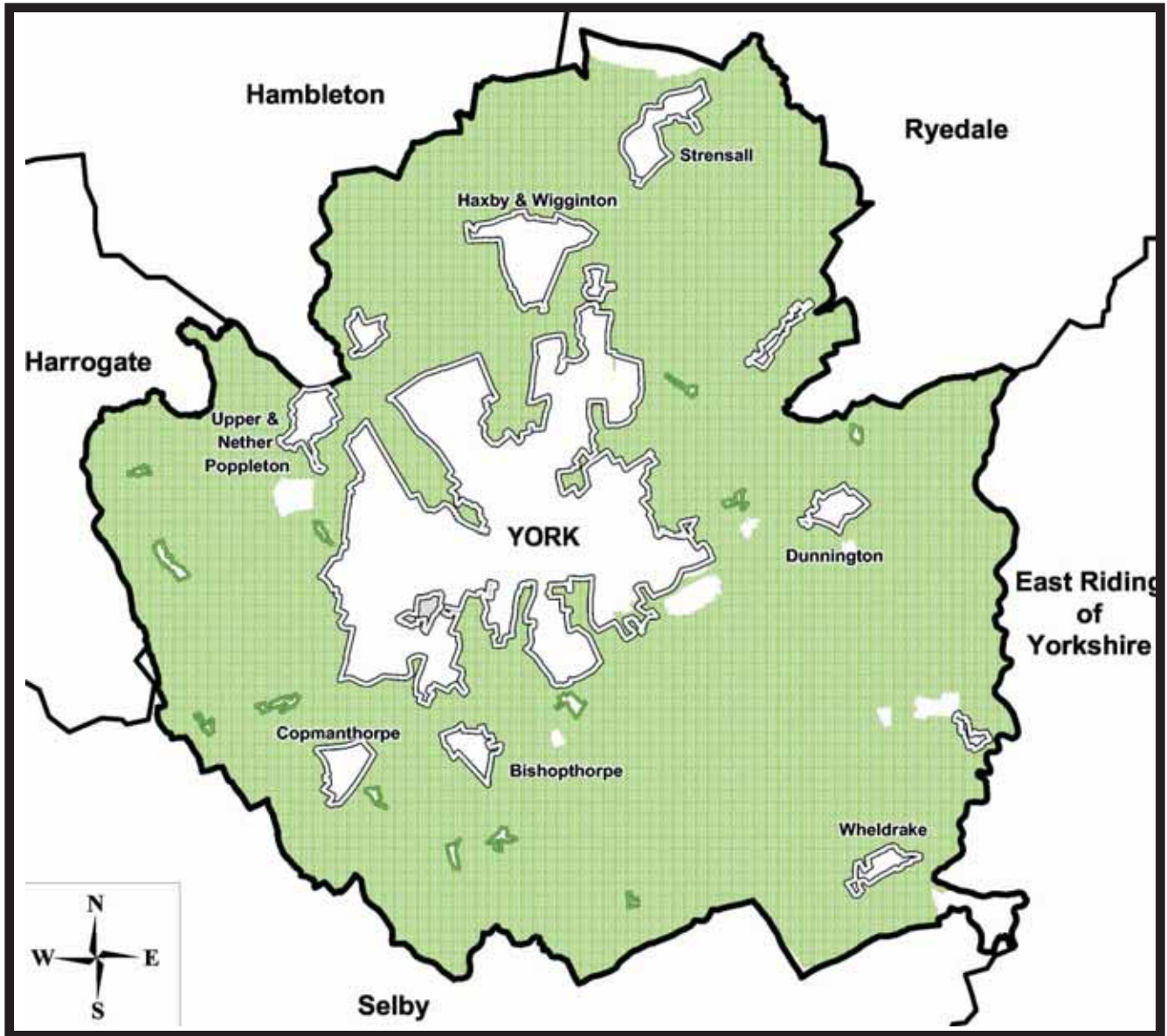
5.7 York is located in one of the fastest growing economic areas in the UK<sup>2</sup>. It continues to be the home of traditional industries such as rail and engineering, food and building industries. However, a strong finance and management services sector has developed in York, including headquarters, the professional sector and call centres. Furthermore, the Science City York initiative is supporting the development of the bioscience, digital and creative clusters that have emerged in the City. Tourism also forms a major element of the City's economy.

5.8 York has an increasingly diverse population. The 2003 Annual Population Survey shows that 6.1% of the population are





2.york-england.com (Inward Investment Board)



# Map 1: The City of York Unitary Authority Area



**Key:**

-  City of York Local Authority Boundary
-  Draft Greenbelt (precise boundaries to be determined through the LDF)
-  Draft defined Settlement Limit (precise boundaries to be determined through the LDF)
-  Draft defined Settlement Limit washed over by Draft Greenbelt

from black and minority ethnic groups. The largest minority ethnic groups being Travellers, people of South Asian origin, Chinese people, and people of Turkish origin. Since the last census (2001) there have been new groups of people coming to live and work in York, particularly people of Kurdish origin, people from Eastern Europe, and overseas students attending the universities in York. This trend is set to continue over the next few years. The census also tells us that whilst most people (74%) are Christian there are also significant minority faith groups in York representing all of the major world faith groups.

5.9 Consultation needs to reflect those groups identified in the community profile. The Council wants to ensure that a wide range of social, economic, community, voluntary, business and hard to reach groups are consulted as well as the general public and individuals.

#### **Hard to Reach Groups**

5.10 Consulting hard to reach groups is an important part of the new planning process. There are many reasons why different parts of the community may not get involved in planning such as language and cultural differences, different beliefs and values, a lack of confidence in the planning system, or lack of time and ability to attend events. A starting point for trying to reach these hard to reach groups is through the *Inclusive York Forum*. The role of this group is to review progress towards achieving the Inclusive City aims set out in the Community Strategy and to champion issues of inclusiveness whilst promoting the active engagement of communities of interest. Membership of the group has been established to include the representatives of the different communities of interest within York.

5.11 The Council recognises that overall the general public could be considered as

hard to reach for many of the reasons outlined above, however, within this the following particular groups have been identified. Many of these have been identified through the community profile and to reflect the types of groups which are members of the *Inclusive York Forum*.

1. People from Black and Minority Ethnic groups
2. Faith groups
3. Gypsies and Travellers
4. People with learning difficulties
5. Disabled people
6. Lesbian, Gay, Bisexual and Transgender (LGBT) groups
7. Young people
8. Older people
9. Homeless people
10. Carers (including young carers)
11. People living in areas of deprivation or on a low income
12. People living in remote rural areas

5.12 As part of the *Race Relations Amendment Act 2000*, the *Disability Discrimination Act 2005* and the *Gender Equality Duty*, the Council is required to assess emerging policies and strategies which have potential equality implications. In preparing planning documents (as part of the LDF), we will seek to meet the requirements of the above Acts and Duty, with input from the *Social Inclusion Working Group*, the Council's Equalities Officer and in line with guidance set out in the Council's Equality Strategy (*Pride in Our Communities*).

## Key Groups to Involve:

5.13 In the context of York's community profile and the identification of certain hard to reach groups, if involvement is to be effective it is considered that the overall target groups for involvement are:

Specific Consultation Bodies including:

- Central, regional and local government
- Statutory bodies

General Consultation Bodies including:

- Voluntary bodies
- Racial, ethnic or national bodies
- Religious groups
- Disability groups
- Business groups

Other Locally Identified Groups including:

- General public (including hard to reach groups)
- Local interest groups
- Developers/landowners/agents

5.14 A more detailed list of the groups to be involved is set out in Annex 1, under the headings: specific consultation bodies; general consultation bodies; and other locally identified groups.

5.15 The Council has compiled a database to include the individuals and organisations who have registered an interest in the York LDF process. However, this is not a fixed list and further contacts will be added as they are identified, whilst others may no longer wish to be involved and will be removed from the database on request. **To request to be included on the database so that we can contact you at key stages as we prepare planning documents or to delete or**

**amend your details please contact City Development (contact details provided in Annex 3).**

## 6. Methods of Community Involvement

6.1 The new planning system places greater emphasis on involving people from the start of the process ('front-loading'), and consensus building with local communities on the content of the plans that will shape the future of the City. Traditionally, community involvement in the planning process would involve inviting comments on proposed policies and applications in a written document (with relevant maps) at specific stages during the process. The new planning system encourages greater community involvement throughout the process. In order to widen the involvement of the community, especially in consulting with hard to reach groups, a range of consultation methods will be used.

6.2 Table 1 identifies the range of consultation methods which may be used. It also highlights the strengths and weaknesses of these various methods that the Council will take into account when deciding how to consult on documents and planning applications. To encourage maximum input the methods of consultation used in each case will be tailored to the consultees and the type of document or development being consulted on. Factors such as the accessibility of venues, timings and working hours, care needs and language must be carefully considered in determining the optimum consultation approach in each case. The Council recognises that in most cases an effective consultation involves employing a wide range of often overlapping measures to reach as many people as possible.

Table 1 Proposed Methods of Community Involvement

Method	Main Considerations	Strengths	Weaknesses
<b>Documents available for inspection at Local Planning Authority (LPA) offices</b>	Minimum requirement - Specify how and when people should respond.	Can give detailed information and provide for detailed responses.	Low response rates; can exclude people with poor language skills; reading and responding to documents can be time consuming; requires confidence and ability to get to the Council's offices.
<b>Letters to specific consultation bodies and other national consultees</b>	Minimum requirement – Specify how and when people should respond.	Letters can be written to get specific feedback on particular matters.	Consultees may not have enough time to answer specific points.
<b>E-mail, web site</b>	Will include all relevant documents in pdf and word format.	Cheap to distribute; easily updated and amended; has particular appeal to young people; is a simple way of sharing and gaining information.	Limited access; information needs to be carefully designed for the internet; low response rate; requires IT skills.
<b>Local Media</b>	TV, radio, press releases and advertisements can explain documents and processes in simple language. The Council can publish press releases, and seek to include articles in 'Your Ward' and 'Your City' and Parish Newsletters.	Can reach a wide audience, but also be tailored to specific audiences; good way of raising awareness.	Lack of feedback; may be treated as junk mail and not read; TV and radio items can be missed; details can be inaccurate and can exclude people with low literacy skills.
<b>Leaflets/Brochures</b>	Can publicise the proposed document or planning application, explain the process in simple language and invite comment.	Can be sent to all addresses in the York area or targeted to local schools/colleges, local shops, local supermarkets, workplaces and businesses; can simplify complex topics.	May be treated as junk mail and not read; can exclude people with poor literacy skills; reading and responding can be time consuming.
<b>Newsletters/Magazines</b>	Can publicise the proposed document or planning application, explain the process in simple language and invite comment, e.g. through staff association newsletters.	Can reach a wide range of individuals and groups with an interest in the York area; can be written for a specific audience; and can simplify complex topics.	Low response rate; can exclude people with poor language skills; reading and responding to articles can be time consuming.



## Table 1 Proposed Methods of Community Involvement

Method	Main Considerations	Strengths	Weaknesses
<b>Public Exhibitions</b>	Useful method for showing proposals visually in areas where changes are proposed. Exhibitions could be held in various venues including the Council's mobile exhibition unit. There is also the opportunity to tie exhibitions into other events taking place in the city such as festivals and fetes.	Gives residents some flexibility in deciding when to visit; can encourage feedback and comment; can reach more rural areas; a good alternative for those with poor literacy skills; allows for a better quality of consultation to a number of people.	People attending may not be representative of the wider community; responses will be skewed towards the information presented; exhibitions cannot cover all areas; requires confidence and ability to get to the exhibition.
<b>Formal written consultation/ community surveys</b>	Good introduction to main issues; responses can help identify key interests and groups; consultation around key issues.	A good method of getting reliable statistical data; can be targeted to a specific audience; easy to understand and analyse.	Low response rates; will exclude people with poor language skills; responding to lengthy documents can be time consuming; issues could be over-simplified.
<b>One-to-One meetings with selected stakeholders</b>	Identifies key issues and key groups.	Useful method of getting a targeted response; face to face meetings allow for instant feedback; a good alternative for those with poor literacy skills.	Time consuming and slow.
<b>Public Meetings</b>	Useful when area specific proposals are made.	Good method of informing the public and getting their views; a useful means of creating interest in local issues; provide a good opportunity for taking 'straw polls' on key issues.	Those attending may not be representative of the wider community; large meetings can inhibit the expression of all views; meetings can be hijacked by single issue groups or the most vocal; the Council may appear defensive when presenting proposals.
<b>Focus Groups</b> (selected groups of participants with particular characteristics)	Useful for area based discussions or for specific topics.	Focus groups allow the Council to find out what is important to certain groups; groups can create ideas on issues or help identify solutions to problems; focus groups can help to involve marginalised groups if the process is externally managed.	Works best with a trained facilitator, so is expensive; group discussions may inhibit some members from taking part; the group may not be a true representation of the community.

Table 1 Proposed Methods of Community Involvement

Method	Main Considerations	Strengths	Weaknesses
<b>Area Forums</b> (would be set up where appropriate to discuss a particular issue, site or application where these impact on a particular area)	Tailor made groups for local issues, area based policies or planning applications.	Allows the Council to use data collected by members of the group and to pool data from various sources; helps to get the views of minority groups.	Danger that the group can be hijacked by those whose views are not fully representative of the group as a whole.
<b>Planning Aid</b>	Will target hard to reach groups and increase their ability to take part.	An independent broker, able to mediate between conflicting interests; able to engage those who would usually be excluded and those with limited financial means; planning aid services are free of charge to the public.	May be time consuming; can only serve deprived groups and individuals.
<b>Workshops/ 'Planning for real' activities</b> (uses simple models as a focus for people to put forward and prioritise ideas on how their area can be improved)	Puts forward and prioritises ideas.	Hands on; visual; allows for different ages and levels of ability.	Time consuming; external facilitator brings about the best results.
<b>Parish Councils</b>	Engaging more fully with these groups than as required as statutory consultee.	A good way of informing local people and gaining their views; exploring particular issues in more depth; making use of local knowledge and creating opportunities for capacity building where these groups can begin to carry out consultation themselves, for example through work on Village Design Statements and Parish Plans.	Views expressed by the group may not be representative of the community as a whole.

Method	Main Considerations	Strengths	Weaknesses
<b>Ward Committees, Planning Panels and other Community Groups, Organisations and Forums</b>	Engaging with these groups in a range of ways means that local groups can become involved in the planning process.	A good way of informing local people and gaining their views; exploring particular issues in more depth; making use of local knowledge and creating opportunities for capacity building where these groups can begin to carry out consultation themselves, for example through work on Village Design Statements and Parish Plans.	Views expressed by the group may not be representative of the community as a whole.

# Part Two: Consultation on the Local Development Framework

Workshop event with York Professional Initiative, discussing the future vision for York



# Part Two: Consultation on the Local Development Framework

## 7. Consultation on the Local Development Framework (LDF)

7.1 The LDF will guide and manage development in York over the next two decades. The LDF will consist of a number of documents that will each cover a specific topic or area. These documents can be prepared and adopted independently of each other, allowing for the continual updating of planning policy. The timescale and programme for preparing the LDF in York is set out in the Local Development Scheme which is available on the Council's website ([www.york.gov.uk](http://www.york.gov.uk)).

7.2 The LDF will be made up of three main types of document (As illustrated in Figure 1 overleaf):

### **Type 1: Development Plan Documents (DPDs)**

The following DPDs will form the City of York LDF:

- Core Strategy + Strategic Policies (DPD);
- Development Control (DPD);
- Key Allocations & Proposals Map (DPD); and
- Area Action Plans (DPD).

### **Type 2: Supplementary Planning Documents (SPDs)**

### **Type 3: Procedural Documents**

7.3 Type 1 and Type 2 documents are subject to Sustainability Appraisal (incorporating Strategic Environmental Assessment). The purpose of Sustainability Appraisal is to appraise the social, environmental and economic effects of the strategies and policies in a document from

the outset of the preparation process. This will ensure that decisions are made that accord with sustainable development. The Council will involve the community in the production of the Sustainability Appraisal work that will be carried out as part of the LDF process.

7.4 Figure 2 shows the main stages of community involvement on LDF documents. The preparation of DPDs and SPDs will include a number of stages with opportunities to comment at each stage.

**Figure 1: York's Local Development Framework**

**Type 1  
Development Plan Documents (DPDs)**

These are subject to independent examination and have the full weight of development plan status when the Council are considering planning applications. They will be informed by extensive community involvement and Sustainability Appraisal.

**Required DPDs:**

**Core Strategy** - The vision, objectives and strategy for the future development of York, and strategic policies to deliver them.

**Site Specific Allocations** - Site allocations for housing, employment and other development.

**Proposals Map** - The proposal map illustrates on a base map all the policies contained in DPDs.

**Optional DPDs:**

**Area Action Plans** - Used to provide a planning framework for areas of change and areas of conservation.

**Other DPDs:**

**Development Control DPD** - This will contain detailed policies guiding particular forms of development.

**Type 2  
Supplementary Planning Documents (SPD)**

These will not have development plan status, but will be used to expand policy or provide further detail to policies in the DPDs, for example these could include development briefs for particular sites or design guides. However, like DPDs, they will be informed by extensive community involvement and sustainability appraisal, but they will not be subject to independent examination.

**York's LDF**

**Type 3**

**Procedural Documents**

These documents will be publicly available but only the SCI is subject to community involvement and independent examination.

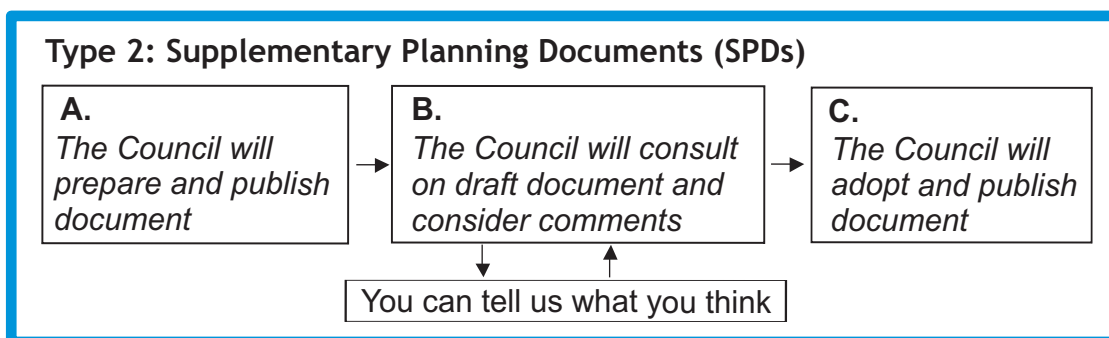
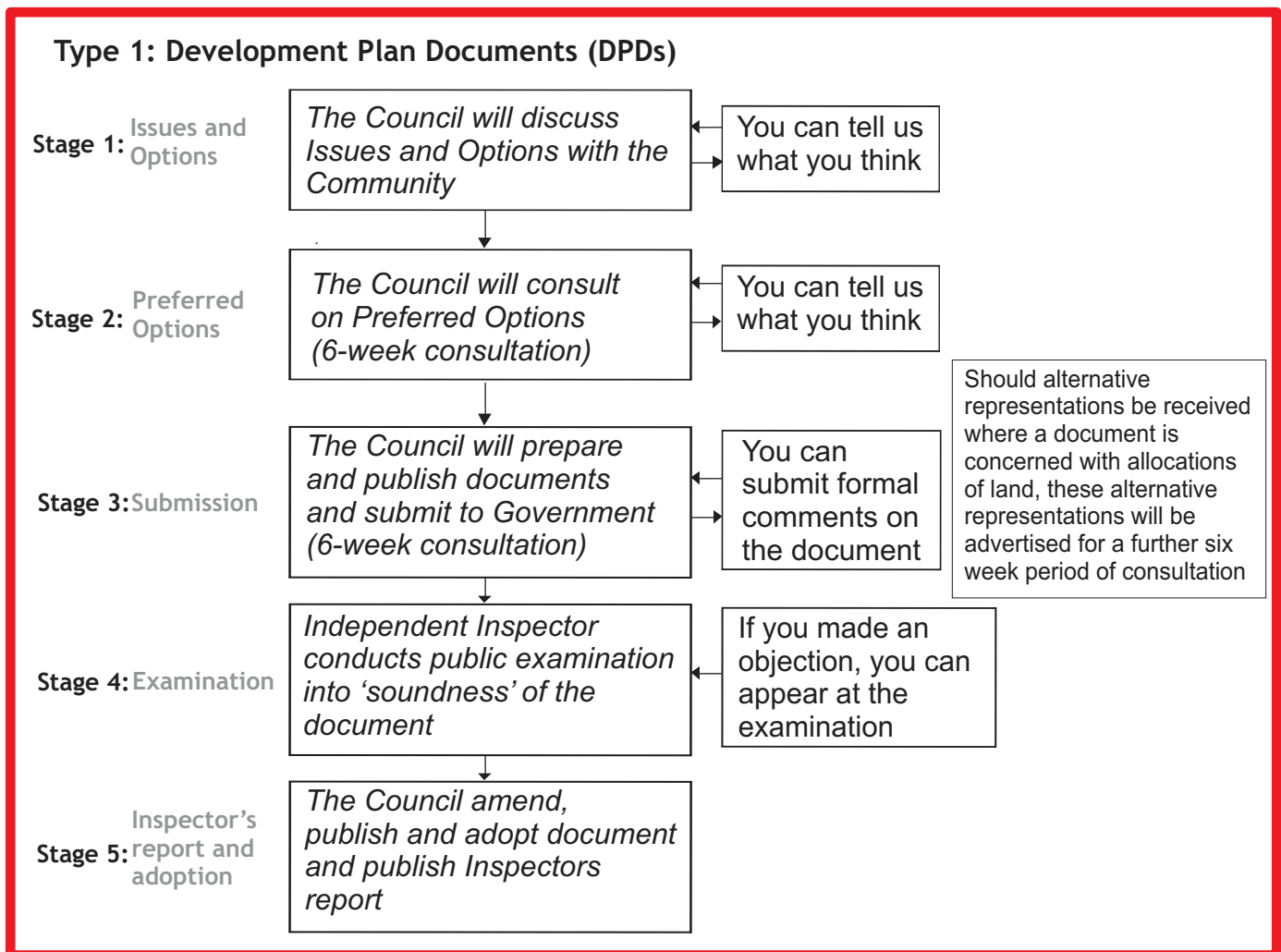
**Local Development Scheme (LDS)** - A three year project plan.

**SCI** - Sets out how the community will be consulted on the LDF.

**Annual Monitoring Report** - A document produced each year which shows progress on all the separate parts of the LDF.

All DPDs and SPDs are subject to a Sustainability Appraisal (incorporating a Strategic Environmental Assessment (SEA)) and the procedures set out in the SCI.

## Figure 2: Process for Preparing Local Development Framework Documents



7.5 The Council wants to involve the community throughout the LDF plan making process, and will try to do this in various ways. The methods used will depend on the stage of preparation of each document and the likely level and type of interest. Some topics will be of localised concern and some issues will affect only certain places so consultation needs to reflect this. For example, consultation regarding Area Action

Plans (DPDs) and Development Briefs (SPDs) will have a localised focus.

7.6 Drawing on the guiding principles for involvement set out in Part One, the Council will make 10 key commitments for seeking to achieve effective community involvement in the preparation of the LDF. These are set out overleaf.

**Key Commitments:**

1. involve the community from the earliest stages of plan preparation by asking for your views on planning issues and options;
2. produce reports which provide feedback on consultations and respond to issues raised;
3. tell you when new draft or revised planning documents are published, where you can see them, and when you can respond;
4. promptly publish and make available all new or revised planning documents;
5. offer help to, and develop the knowledge of, people and groups with little previous experience of the planning system;
6. make information available through a variety of methods;
7. give you formal notice of the opportunity to make representations on a planning document;
8. attempt to create agreement between opposing views;
9. give you notice of an examination in public; and
10. give you notice of the Council's intention to adopt a planning document.

7.7 Table 2 provides more information on these commitments, setting out what we will do to involve the community and stakeholders at key stages, the reasons for doing it, and the methods we will use. The minimum requirements for carrying out consultation on LDF documents, as set out in the Regulations, are summarised in Annex 2.

**Table 2: How and why community involvement will be sought in the preparation of the Local Development Framework**

Key Commitments	Relevant Document Stage (Fig 2)	How we will do it	Why we will do it
<b>1. Involve you from the earliest stages of plan preparation by asking for your views on planning issues and options.</b>	Type 1 (DPD): Stage 1	<ul style="list-style-type: none"> <li>• Hold workshops/public events in local venues where you can meet planners face to face.</li> <li>• Arrange meetings with community groups and organisations.</li> <li>• Arrange events for groups who would not otherwise get involved.</li> <li>• Questionnaires and letters.</li> <li>• City wide publications such as 'Your City' and 'Your Ward'.</li> <li>• Issue a press release.</li> </ul>	<ul style="list-style-type: none"> <li>• To find out what people want.</li> <li>• To share and gather information.</li> <li>• To identify local issues.</li> <li>• To involve hard to reach groups.</li> <li>• To help define preferred options.</li> <li>• To increase awareness of planning issues across the York area.</li> <li>• To provide the scope for face to face discussion with a planning officer.</li> <li>• To achieve local ownership.</li> <li>• To develop consensus.</li> <li>• To strengthen the evidence base.</li> </ul>
<b>2. Produce reports which provide feedback on consultations and respond to issues raised.</b>	Type 1 (DPD): Stages 2 and 3  Type 2 (SPD): Stage C	<ul style="list-style-type: none"> <li>• Notify by post or e-mail all those who made comments.</li> <li>• Send copies of reports to Specific Consultation Bodies.</li> <li>• Publish report on the Council's website.</li> <li>• Provide copies at all local libraries and at the Council's Planning and Guildhall receptions.</li> <li>• Copies will be made available free to non-profit making organisations. Copies for residents and others will be available at no more than cost price.</li> </ul>	<ul style="list-style-type: none"> <li>• To provide feedback to those who have commented and those who have an interest.</li> <li>• To ensure the information is widely available, and that the community understands the background and reasons for decisions at an early stage.</li> <li>• To comply with Regulations.</li> </ul>



Key Commitments	Relevant Document Stage (Fig 2)	How we will do it	Why we will do it
<b>3. Tell you when new draft or revised planning documents are published, where you can see them, and when you can respond.</b>	Type 1 (DPD): Stages 2 and 3  Type 2 (SPD): Stage B	<ul style="list-style-type: none"> <li>• City wide publications such as 'Your City' and 'Your Ward'.</li> <li>• Letter/email to consultees and all those on the database.</li> <li>• Notices in libraries and at the Council's Planning and Guildhall receptions.</li> <li>• A notice on the Council's website at the start of the consultation period saying where new documents can be seen.</li> <li>• Issue a press release.</li> </ul>	<ul style="list-style-type: none"> <li>• To keep everybody informed and up-to-date about the plans being prepared.</li> <li>• To improve awareness of new documents amongst those most affected.</li> </ul>
<b>4. Promptly publish and make available all new or revised planning documents.</b>	Type 1 (DPD): Stages 2,3 and 5  Type 2 (SPD): Stages B and C	<ul style="list-style-type: none"> <li>• Put all new published and revised planning documents on the Council's website.</li> <li>• Copies will be made available free to non-profit making organisations. Copies for residents and others will be available at no more than cost price.</li> <li>• Make paper copies of LDF documents and any background documents available to view at libraries and the Council's Planning and Guildhall receptions.</li> <li>• Issue a press release.</li> </ul>	<ul style="list-style-type: none"> <li>• To enable anyone to see for themselves what the Council is proposing.</li> </ul>
<b>5. Offer help to, and develop the knowledge of, people and groups with little previous experience of the planning system.</b>	Type 1 (DPD): All Stages  Type 2 (SPD): All Stages	<ul style="list-style-type: none"> <li>• Work with City of York Local Strategic Partnership (LSP) to reach as many groups as possible who would like support to develop their knowledge of the planning system.</li> <li>• Promote the use of Yorkshire Planning Aid by hard to reach groups.</li> <li>• Through planning officers attending meetings with hard to reach groups.</li> <li>• With locally specific documents such as Area Action Plans and Development Briefs ensure that people and groups understand the detail of proposals.</li> </ul>	<ul style="list-style-type: none"> <li>• To help local communities to become involved in the process.</li> <li>• To increase participation amongst hard to reach groups.</li> </ul>

Key Commitments	Relevant Document Stage (Fig 2)	How we will do it	Why we will do it
<p><b>6. Make information available through a variety of methods.</b></p>	<p>Type 1 (DPD): All Stages</p> <p>Type 2 (SPD): All Stages</p>	<ul style="list-style-type: none"> <li>• Wherever possible, information will be made available in both paper and electronic formats.</li> <li>• The Council will seek to maximise use of its website and ensure it provides up to date information</li> <li>• Copies of all documents will be made available at local libraries and at the Council's Planning and Guildhall receptions.</li> <li>• All information will be available on request in Braille, large print, audio format or Easy Read.</li> <li>• Press releases and, where appropriate, articles in the Council's newsletter, 'Your City', will provide updates on progress with the LDF.</li> <li>• Where requested we will provide information in community languages, including British Sign Language, Urdu, Turkish, Cantonese and Bengali.</li> </ul>	<ul style="list-style-type: none"> <li>• To ensure that information is widely available.</li> <li>• To increase participation amongst hard to reach groups.</li> </ul>
<p><b>7. Give you formal notice of the opportunity to make representations on a planning document.</b></p>	<p>Type 1 (DPD): Stages 2 and 3</p> <p>Type 2 (SPD): Stage B</p>	<ul style="list-style-type: none"> <li>• Publish at least one public notice in a local newspaper and on the Council website, stating where you can view the documents, along with when, how and to whom you should send any formal representations.</li> <li>• Issue a press release.</li> <li>• Provide forms for comments with all planning documents sent out, and at local libraries and at the Council's Planning and Guildhall receptions.</li> <li>• Make forms for formal comments available on the Council's website.</li> <li>• Send Specific Consultation Bodies a copy of the relevant documents and the form for representations.</li> <li>• Send General Consultation Bodies a copy of the notice announcing the publication of a new document stating where it can be seen.</li> <li>• Accept comments from respondents either:               <ul style="list-style-type: none"> <li>- in writing or on a response form;</li> <li>- via electronic means (e-mail);</li> <li>- where people are unable to use the above means, by dictating responses to a Council officer.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• To meet the requirements of the Planning Regulations.</li> <li>• To give you the opportunity to state whether you support or object to specific policies and proposals.</li> </ul>

Key Commitments	Relevant Document Stage (Fig 2)	How we will do it	Why we will do it
<b>8. Attempt to create agreement between opposing views.</b>	Type 1 (DPD): Stages 2 and 3  Type 2 (SPD): Stage B	<ul style="list-style-type: none"> <li>• Hold meetings as needed with individuals and groups to explore particular issues in more depth.</li> <li>• Assist with the exchange of information.</li> <li>• Prepare a report which summarises the comments made and how we intend to respond.</li> <li>• With regard to Area Action Plans and SPD Development Briefs, given the detail included within these documents care must be taken to ensure issues arising are fully understood in terms of how they will affect development on the ground.</li> </ul>	<ul style="list-style-type: none"> <li>• To promote dialogue between the local and business community.</li> <li>• To find common ground, and to reduce disagreement.</li> <li>• To develop consensus as far as possible.</li> </ul>
<b>9. Give you notice of an examination in public.</b>	Type 1 (DPD): Stage 4	<ul style="list-style-type: none"> <li>• Publish at least one notice in a local paper circulating in the area.</li> <li>• Press release.</li> <li>• Post notices in libraries and the Council's Planning and Guildhall receptions.</li> <li>• Notify directly those who have outstanding objections.</li> </ul>	<ul style="list-style-type: none"> <li>• In order that everyone who has the right to be heard at the Public Examination is made aware of the arrangement.</li> <li>• In order that all interested parties are made aware of when and where it will take place.</li> </ul>
<b>10. Give you notice of the Council's intention to adopt a planning document.</b>	Type 1 (DPD): Stage 5  Type 2 (SPD): Stage C	<ul style="list-style-type: none"> <li>• Publish and make available copies of the document at the Libraries and at the Council's Planning and Guildhall receptions during normal opening hours.</li> <li>• Make copies available on the Council's website.</li> <li>• Send copies to the Specific Consultation Bodies who have requested a copy.</li> <li>• Place an advert in the local press giving details of the document and stating where it can be seen.</li> <li>• Issue a press release.</li> </ul>	<ul style="list-style-type: none"> <li>• To ensure that all those with an interest in the document know about the Council's intentions and are aware of their right of appeal to the High Court.</li> </ul>

# Part Three: Consultation on Planning Applications

All visitors please report to this desk



Planning applications and plans can be viewed at the Planning reception desk



# Part Three: Consultation on Planning Applications

## 8. Involving the Community

8.1 The Council is committed to ensuring that the views of the community on planning applications are taken fully into account. We deal with a wide range of applications; from house extensions to large-scale schemes such as new housing, shops or offices. Your views are important, whether as a neighbour or as a member of the wider community. They help the Council to make fair, well balanced decisions, often where difficult choices have to be made.

8.2 The Council wishes to make the process of dealing with a planning application, and the reasons for deciding whether to approve or refuse it, open and accessible to everyone. Our aim is to achieve good, well-designed schemes that contribute to the needs of the local community and, in turn, to the City overall.

8.3 The Council is committed to facilitating community involvement at all stages of the planning application process, that is prior to an application being submitted; once an application is submitted to the Council; and after a decision has been made. Although National legislation<sup>2</sup> sets out the minimum the Council is required to do to consult the community on applications once they are submitted, the Council believes that, particularly for major or locally sensitive sites, wider community involvement is needed before an application is drawn up and submitted to the Council (the 'pre-application' stage). Guided by the principles set out in paragraph 4.3, this part of the SCI goes through each stage of dealing with a planning application, setting out what is expected from applicants at the pre-application stage and how the Council will

consult and involve the community once an application is submitted.

8.4 National and local planning policies are evolving all the time to keep planning up-to-date and responsive to people's needs. The Government also sets time targets within which local councils should reach a decision upon different types of planning applications. To meet these challenges, our staff resources have to be used as effectively and wisely as possible by making consultations appropriate to the type of application concerned.

## 9. Community Involvement before a Planning Application is Submitted

9.1 The Council will strongly encourage applicants who are preparing a planning application on a major or locally sensitive site (see paragraph 9.3 below) to involve the community, as early as possible, before the application is submitted. Taking time for discussions at the start helps everyone involved to understand the issues and concerns about the scheme. The applicant is able to explain the thinking behind proposals to local people; who in turn can make their views known, bringing out the things they value, or the problems they have with the proposals.

9.2 As set out in paragraph 2.1 of the SCI, this early involvement benefits all parties. Costly revisions to proposals at an advanced stage, or unforeseen last minute problems, can be avoided. A good quality scheme can be shaped from the outset and decisions made with all the necessary information to hand, meaning that time and resources are saved in the long run.

2. The Town and Country Planning (General Development Procedure) Order 1995, and the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990

### What are "Major or Locally Sensitive" Applications?

9.3 For guidance purposes, the Council considers that the following types of applications require pre-application community involvement. The onus will be upon the applicant to carry this out:

- applications requiring an Environmental Impact Assessment;
- major applications, as defined in the Town and Country Planning (General Development Procedure) Order 1995. This includes residential development of 10 units plus, or on a site of 0.5 hectare or greater and other developments of over 1000sqm or on a site of 1 hectare or more; or
- applications which are likely to attract significant community interest.

### What is Expected from the Applicant?

9.4 Applicants are strongly encouraged, in the first instance, to discuss how the community should be involved with a Planning Officer (contact details provided in Annex 3), as part of pre-application discussions. During these discussions, confidentiality on private matters, such as financial or personal information, will be respected. Some or all of the following approaches are needed to make community involvement helpful and effective, geared to the nature and scale of the application concerned.

#### *Publicity:*

Notify local residents by letter or leaflet; place an advert in the local newspaper; and/or use local notice boards. Always say how people can find out more.

#### *A public event:*

Arrange an event such as an exhibition or "open house" at a time and place to attract as many people as possible; for example actually on the site or at a nearby meeting hall. Attend the event and have well presented display material.

#### *Making contacts:*

Contact Parish Councils; local community or amenity groups; and/or City Councillors for the Ward concerned.

#### *Applicants should ensure that:*

- adequate time is allowed for people to comment, at least 21 days from the date of the latest publicity or events;
- material is presented factually and without bias; and
- people know how their comments will be dealt with, and what the next stages are.

9.5 Other ideas for involving the community are also given in Table 1 (See page 11). The Council will assist, where possible, with lists of contacts, venues, and factual information on planning policies. However, Council officers and elected Councillors have to remain impartial, so as not to prejudice the later stages of considering the application.

9.6 Also at this stage, applicants should take into account national, regional and local planning policies, the Community

Strategy and documents produced by the community, such as Village Design Statements and Parish Plans. Planning Officers will advise on these and the policy context for the site.

### Small Scale Applications

9.7 Even for smaller applications, not included in the list above, pre-application consultations with near neighbours or local people may be beneficial. For house extensions, we encourage discussions with immediate neighbours.

### Submitting the Application

9.8 When submitting the application, a report setting out the community involvement undertaken and its outcome should be included. Any amendments made to the scheme as a result should be outlined. The Council cannot refuse to accept a planning application because the applicant has not undertaken pre-application community involvement. However, the Planning Committee will be made aware of the degree, or otherwise, of community involvement, as part of the Planning Officer's report. Most planning applications now have to be accompanied by a Design and Access Statement and preparing a meaningful statement will often necessitate community involvement to fully assess the design and access context. Overall, pre-application involvement needs to be regarded increasingly by applicants as an integral part of preparing an application.



## 10. Community Involvement when a Planning Application is Submitted

10.1 Once an application is received, the Council will use a combination of ways to inform and involve the community, appropriate for the application concerned. These are intended to gather together a wide range of views; from the individuals, amenity groups and specialists involved. In Annex 4 we set out exactly how the Council publicises planning applications. Information on each method is provided below:

- a. Weekly Lists: a list of all applications received each week is available on the Council's website at [www.york.gov.uk/planning/weekly.html](http://www.york.gov.uk/planning/weekly.html).
- b. Copies of all applications and plans can be inspected at our Reception, 9 St Leonard's Place, York. Reception staff and a Duty Planning Officer will

- be available to deal with your queries.
- c. Website: all applications are available to view on the Council's website at [www.york.gov.uk/planning/searchapp.html](http://www.york.gov.uk/planning/searchapp.html). The Council has begun to use electronic communication to consult on planning applications with certain bodies, such as Parish Councils and other regular consultees. We will encourage further use of electronic consultation with other consultees.
  - d. Parish Councils or Neighbourhood Planning Panels are consulted by letter on every application in their area.
  - e. Neighbours: In the majority of cases we write to near neighbours about the application and how to comment. There are only a few exceptions where letters are not sent out, for example, internal alterations to a listed building.
  - f. Site Notices: These are displayed for some applications at or near the application site, for 21 days. The notice will give the Council's address and the date by which comments should be made. Notices are used, for example, where an application would affect a landscape setting; where neighbours are difficult to identify; where significant commercial activity is proposed in a residential area; for proposals in a Conservation Area or where the proposal will affect trees that have a Tree Preservation Order.
  - g. Newspaper advertisements: For some applications advertisements will be placed in the main local newspaper, under 'Public Notices'. Examples of applications advertised in this way are: applications in Conservation Areas and major developments. The advert will advise when and where to comment.
  - h. Specific Consultation Bodies (see Annex 1) and Amenity and Advisory Groups are consulted where appropriate.
  - i. Specialist advice is sought from colleagues in other departments of the Council: for example regarding effects upon traffic movement, pollution, noise, safety, trees, and natural habitats.
- 10.2 The Council will also encourage members of the community to take up other opportunities to become involved; for example by attending local Parish Council and Ward Committee meetings; approaching a Ward Councillor; or local residents' groups. An important part of successful overall involvement is building up the community's own capacity to contribute to the debate about local issues and concerns.
- 10.3 Where appropriate for applications on major or locally sensitive sites, and subject to resources being available, Planning Officers will provide support to community meetings at which the application is being discussed or displayed. This could involve attending the meeting to understand the views being expressed or providing factual information to help inform discussions at the meeting. Examples are meetings of Parish Councils, local residents groups and Ward Committees.
- Access to Information**
- 10.4 Planning application files will be open for inspection by anyone and therefore letters received about the application cannot be kept confidential. Additional information is often submitted as part of applications or during the application process, for example relating to

archaeological surveys or Environmental Impact Assessments. All of this information is available to view as part of the application file. Application files are available to view on the Council's website or with prior notice, can be viewed at our Reception at 9 St Leonard's Place, York.

### Making Comments or Objections

10.5 Anyone can make a comment or objection on a planning application to the Development Control section. Comments can be made by letter, email, fax or online. The timescale allowed for making comments is 21 days. However, bodies such as Natural England will be allowed a longer period of time to comment on applications where this is prescribed by legislation. The Council will send an acknowledgement of the comment using the same format in which the comment or objection was received. Each application is dealt with by a Planning Officer, who will carefully consider your comments. The application can be discussed informally with the Officer at any stage.

### Amendments to Schemes

10.6 Amendments to the scheme may be sought through negotiation with the applicant. The Council will consult all respondents again, and other consultees as appropriate, if the amendments are significant or would directly affect a neighbour. Most amendments are made to seek an improved design or to overcome the concerns of respondents. Therefore, bearing in mind the need to deal with applications efficiently, a shorter timescale for responses on amendments is required; normally 10 or 14 days, at the discretion of the Planning Officer. Where the applicant puts forward significant amendments after the application has been determined, a new

planning application will be required.

### Reporting and Decision Making

10.7 The Planning Officer draws together all the issues and public comments made on the planning application into a written report. This summarises the relevant national and local planning policies, supplementary guidance (such as Village Design Statements) specialist advice and the range of comment from neighbours and the wider community. The report will recommend whether the application should be approved or refused.

10.8 The final decision is then made through one of the following:

- through the authority granted by the Council to Senior Planning Officers, called '**Delegated Authority**'. This enables planning applications, which fit with overall planning policies, to be dealt with more quickly. In fact most applications fall within this category, and include residential or commercial development up to a certain size; house extensions; advertisements; and changes of use. However, within three days of the close of consultation, Members are able to request in writing that such applications are considered at committee, if there is a legitimate planning reason to do so. Objectors can approach their local Member with concerns regarding an application;
- by one of the **Area Planning Sub-Committees**, which deal with respective parts of the City; or
- by the **Main Planning Committee**, which usually deals with large scale planning applications.

Details on how we determine which applications are dealt with by Committees, and which by Officers, is set out in Annex 5.



10.9 If the decision is to be made by the Committee or Sub-Committee, copies of the Officer's report will be made available to the public five clear working days before the meeting and put on the Council's website. Where approval is recommended, the Officer's report will include a list of planning conditions and sometimes draft section 106 or 278 Agreements. You may comment upon these when the report is published. In complex cases, we will endeavour to bring forward the publication date. However it is preferable for comments upon conditions and on Agreements to be made by registering to speak at the meeting. This will ensure that Committee Members are aware of your comments. If a decision is made through delegated authority the Officer's report is available on request, after the decision has been taken.

### **Being Involved at the Planning Committee**

10.10 If you have commented on an application being considered by the Area or Main Planning Committee, the Council will advise you about the time and place of the meeting. The dates of the meeting are also available on the Council's website ([www.york.gov.uk](http://www.york.gov.uk)), and are displayed on the Notice Board outside the Guildhall. Anyone is welcome to attend a meeting if they want to observe. Those wishing to speak at a Planning Committee meeting need to register with the Council's Democratic Services (contact details provided in Annex 3). During the course of a Committee meeting, there will often be several people who register to speak. It is important that each speaker has an equal opportunity to convey their concerns to the Committee Members, about the particular application involved. Therefore, it is necessary to limit the number of speakers upon any one application. Currently, requests to speak

have to be registered on a 'first-come-first-served' basis. However a representative from the Parish Council will always be allowed to speak. Currently each speaker is limited to 3 minutes. Further information on speaking at Council meetings is set out in the Council's Constitution and in the Council's 'Have Your Say' leaflet which are available from Democratic Services. The leaflet is also available on the Council's website. In addition, if problems arise, the Chair of the meeting always has the discretion to ensure that speakers are heard fairly.

10.11 The application is then debated and a decision usually made at the meeting. Sometimes a decision is deferred to a future meeting, for example to allow further consideration of controversial issues. Whilst taking into account all comments made about an application, at the meeting, Committee Members have to consider the applications before them objectively, based upon planning grounds.

## **11. After a Decision has been Made**

11.1 In all cases, the Council will contact everyone who has commented on the application to advise them of the decision, either by letter or email. Applications that are approved usually have conditions attached, for example about the exact bricks to be used or measures to contain noise. Details will be provided in the letter or e-mail.

### **Appealing Against a Decision**

11.2 If planning permission is refused by the Council, the applicant can appeal against the decision. Appeals are determined by a government body, called

the Planning Inspectorate who will take all public representations into consideration together with the applicant's and the Council's case. Only an applicant can appeal against a Council's decision. Other people are not allowed to appeal against a decision although they can make comments once an appeal is made.

11.3 When an appeal is received, the Council will write to the Parish Council or Neighbourhood Planning Panel and to anyone who commented on the application. In this letter we explain how to make comments to the Planning Inspectorate.

## **Enforcement**

11.4 Government legislation gives the Council power to take action against unauthorised development. This happens when someone carries out work without the planning permission that is needed. Also if the development is not built in accordance with approved plans, it is unauthorised.

11.5 Anyone can make a complaint to the Council, if they believe a development is unauthorised. The Council will treat such complaints in confidence and the files will not be available for public inspection. The complaint will be dealt with by a Planning Enforcement Officer and the Council will keep those who have complained informed about progress on the case.

# Part Four: Resources and Monitoring



Members of the Talkabout panel at a workshop to inform the Local Development Framework

# Part Four: Resources and Monitoring

## 12. Resources

12.1 It is acknowledged that a high level of skill and experience will be needed to achieve effective engagement. Planning Policy Officers and Development Control Officers supported by appropriate budgets to fund engagement activities are in place to consult with the community in the production of the LDF and when determining planning applications. It is anticipated that the main additional costs associated with the involvement outlined in the SCI will be staff time, printing and publicity.

12.2 The City Council's City Development section will be responsible for leading, coordinating and producing the key elements of the LDF. The section comprises four inter-related teams each led by a Principal Officer and covering Forward Planning, Research and Information, Development Projects and York Northwest, with the Principal Officer - Forward Planning undertaking the role of LDF project manager. Primarily although not exclusively, Forward Planning will lead on the production of the DPDs; and Development Projects and York Northwest will lead on the production of Area Action Plans with each of these teams managing the associated consultation. The wider team will, however, be involved at key stages of LDF consultation including supporting consultation exercises and dealing with responses.

12.3 The Council's Development Control section will be responsible for engagement and consultation as part of the process of determining planning applications. In addition the Council's Design, Conservation and Sustainable Development Team currently includes two Community Planning Officers who will provide assistance during key consultation exercises for both the LDF and

planning applications. Annex 3 sets out the contact details for each of the departments referred to above.

12.4 Every effort will be made to link consultation on Local Development Documents with other community engagement activities relating to the preparation of the Community Strategy and other relevant corporate strategies, in order to avoid duplication and thus reducing 'consultation fatigue'. By working closely with the Local Strategic Partnership, 'Without Walls' and any other groups flowing from the Community Strategy, the Council will ensure that the Local Development Framework is closely integrated with the Community Strategy.

12.5 The Council will, where appropriate, consider working with Planning Aid to help communities to participate in the LDF process and major planning applications. Yorkshire Planning Aid provides a free, independent and professional planning advice service to individuals and groups from within the Yorkshire and Humber region who cannot afford professional fees. The service is targeted at disadvantaged communities, and at groups which represent or work with people who need support and guidance in order to get involved with the planning system, for example young people, people with disabilities, or people from ethnic minority communities. Contact details are provided in Annex 3.

## 13. Monitoring and Review

13.1 A process of monitoring and review of the SCI will be undertaken annually through the production of the Annual Monitoring Report (AMR) which assesses the progress of the LDF and its constituent documents. In terms of the LDF, the Key Commitments set

out in Part Two (on page 19) will be used as the basis for monitoring and reviewing the effectiveness of the SCI. Where appropriate, when carrying out consultation or involving the community, we will also ask for people to submit comments on how they heard about the consultation and what they thought about the methods used. In terms of planning applications, the Council will seek to monitor the Development Control Service at regular intervals, in relation to the procedures set out in the SCI, to review the involvement of the community in the decision making process, and quality outcomes in terms of the standard of development being achieved.

13.2 Monitoring enables us to learn from the consultation process and improve and amend our arrangements for future consultation as necessary. Where the procedures prove to be unsuccessful or where revised procedures are needed to meet new circumstances, a formal review of the SCI and re-submission to the Secretary of State will be undertaken.

13.3 Revisions to the SCI may be required to reflect changes in legislation, Government advice and other guidance, and as a result of our own experience of carrying out consultation.





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# Annex 1 Key Groups to Involve

The City of York Council will consider the need to consult, where appropriate, the following agencies and organisations in the preparation of the LDF and in making decisions on planning applications. The list below has been compiled from Annex E of Planning Policy Statement 12 (PPS12) and suggested consultees identified through the initial consultation process. Where possible, local branches of organisations will be contacted. Please note, this list is not exhaustive and also relates to successor bodies where re-organisations occur.

## **Specific Consultation Bodies include:**

- The Regional Planning Body
- Government Office for Yorkshire and the Humber
- North Yorkshire County Council and neighbouring authorities
- Parish Councils (both within and adjoining the area)
- Natural England (formerly Countryside Agency and English Nature)
- Environment Agency
- Highways Agency
- English Heritage
- Network Rail
- Yorkshire Forward
- Owners/controllers of telecommunications apparatus
- Strategic Health Authority
- Those organisations that provide electricity, gas and water and deal with sewerage.
- The Historic Buildings and Monuments Commission for England

The Council will also consult with the various government departments as appropriate, in particular the Department for Environment, Food and Rural Affairs, the Ministry of Defence, the Home Office and the Department for Transport.

## **General Consultation Bodies include:**

### **Voluntary bodies whose work benefits any part of the City:**

- York Council for Voluntary Service

### **Bodies representing the interests of different racial, ethnic or national groups in the area:**

- York Racial Equality Network
- Commission for Racial Equality
- Equal Opportunities Commission

### **Bodies representing the interests of different religious groups in the area:**

- Churches Together in York
- York Mosque
- Church Commissioners
- Diocesan Board of Finance

**Bodies which represent the interests of disabled persons in the area:**

- Disabled Persons' Transport Advisory Committee
- Disability Rights Commission
- Equal Opportunities Commission

**Bodies representing the interests of the business community and employees in the area:**

- York and District Trade Union Council
- York and North Yorkshire Chamber of Commerce
- Business Link
- Local Confederation of British Industry (CBI)
- Local Branches of the Institute of Directors
- Clifton Moor Business Association
- York Business Pride (City Centre Partnership)
- York Science Park
- York England
- British Chemical Distributors and Traders Association
- Science City York Board
- National Farmers Union (NFU)
- First Stop Tourism Partnership
- York and North Yorkshire Partnership Unit

**Other Locally Identified Groups include:**

**Local Strategic Partnership Boards:**

- Inclusive York Forum
- York @ Large
- Safer York Partnership
- Lifelong Learning Partnership
- Economic Development Board
- York Environment Forum
- Healthy City Board

**Bodies representing the interests of different age groups in the area:**

- Older People's Assembly
- Youth Forum
- Age Concern
- Help the Aged

**Bodies with a particular interest in the planning process, including those with a specific remit to protect the historic and architectural heritage of the City:**

- York Open Planning Forum
- Ward Planning Panels
- York Civic Trust
- Commission for Architecture and the Built Environment (CABE)
- Conservation Areas Advisory Panel (CAAP)
- Police Architectural Liaison Officers/Crime Prevention Design
- Royal Institute of Chartered Surveyors – Yorkshire and Humber Region
- York Guild of Building
- The National Trust

**Education Providers:**

- York College
- Askham Bryan College
- College of Law
- Learning and Skills Council
- School Governors
- University of York
- York St John University
- Pre-school Learning Alliance
- Private Schools

**Public Sector:**

- Community Rangers
- Fire and Rescue Services
- North Yorkshire Police
- Health and Safety Executive
- Housing Corporation
- Selby and York Primary Care Trust
- York Hospitals NHS Trust
- English Partnerships
- Health and Social Care Partnership
- Armed Forces Personnel

**Environmental Interest Groups:**

- British Geological Survey
- Centre for Ecology and Hydrology
- Campaign to Protect Rural England (CPRE)
- Friends of the Earth
- Royal Society for the Protection of Birds (RSPB)
- Wildlife Trusts
- Forestry Commission
- National Environment Panel
- York Natural Environment Panel (YNEP)
- York Natural Environment Trust (YNET)
- British Waterways, navigation authorities
- Greenpeace
- Local greenspace “Friends Groups”
- Woodland Trust

**Community/Amenity/Interest Groups:**

- Area Action Groups
- Campaign for Real Ale
- Civic Societies
- Community Groups
- Minster Rail Campaign
- Neighbourhood Watch Groups
- Patients Forum
- Residents and Community Associations
- The Theatres Trust
- Village Trusts
- York Tomorrow

**Transport:**

- Civil Aviation Authority
- Freight Transport Association
- Local Transport Authorities
- Local Transport Operators
- Passenger Transport Authorities
- Passenger Transport Executives
- Rail Companies and the Rail Freight Group
- Road Haulage Association
- Sustrans
- Transport 2000
- Cyclists' Touring Club
- York Cycle Campaign

**Property / Housing:**

- Estate Agents
- Regional Housing Boards
- Registered Social Landlords
- The Home Builders Federation
- Crown Estate Office
- Royal Mail Property Holdings
- Planning consultants/agents
- Developers/house builders
- Landowners
- Shelter

**Sports and Leisure:**

- National Playing Fields Association
- Regional Sports Boards
- Sport England
- York Sports Council

**Utility Companies/ Resources:**

- National Grid Company
- Internal Drainage Boards
- Coal Authority

**Gypsies and Travellers:**

- Friends, Families and Travellers
- Gypsy Council
- York Travellers Trust

**Media:**

- York Television and Radio
- Local Press



# Annex 2

## Extract from The Town and Country Planning (Local Development) Regulations 2004

### Summary of the requirements for consulting on Development Plan Documents (DPDs) as set out in the Regulations:

#### Regulation 25: Pre-submission consultation

Before a local planning authority comply with regulation 26 they must consult:

- Each of the specific consultation bodies to the extent that the local authority think that the proposed subject matter of the DPD affects the body. For example; regional bodies, government agencies and utility providers.
- Other general consultation bodies which the local planning authority consider appropriate.

#### Regulation 26: Pre-submission public participation

Before a local planning authority prepare and submit a DPD to the Secretary of State they must:

- Make the pre-submission documents available for inspection during office hours:
  - At their principal office
  - At other places within their area as the authority consider appropriate
- Publish the document on their website.
- Send copies to those bodies consulted under regulation 25.
- Locally advertise that the documents are available for inspection and the places and times at which they can be inspected.

#### Regulation 27: Representations on proposals for a DPD

- Any person may make representations about a local planning authority's proposals for a DPD.
- Any representations must be made within a period of 6 weeks.

#### Regulation 28: Submission of documents and information to the Secretary of State

As soon as possible after submitting the DPD to the Secretary of State the local authority must:

- Make the pre-submission documents available for inspection during office hours:
  - At their principal office
  - At other places within their area as the authority consider appropriate
- Publish the documents on their website.
- Send copies of the documents to those bodies consulted under regulation 25.
- Locally advertise that the document are available for inspection and the places and times at which they can be inspected.

#### Regulation 29: Representations on DPDs

- Any person may make representations about a local planning authority's proposals for a DPD.
- Any representations must be made within a period of 6 weeks

#### Regulation 32: Handling of representations: site allocation representations

As soon as possible after the Submission consultation the local planning authority must:

- Make a site allocation representation available for inspection during office hours:
  - at their principal office
  - at other places within their area as the authority consider appropriate
- where practicable publish the representation on their website
- send information on the representation to those bodies consulted under regulation 25
- locally advertise that the representation is available for inspection and the places and times at which they can be inspected.

### **Regulation 33: Representations on a site allocation representation**

- Any person may make representations on a site allocation representation
- Any representations must be made within a period of 6 weeks

As soon as possible after receiving a representation on a site allocation representation the local planning authority must send to the Secretary of State:

- Copies of all the representations made or a statement that no representations have been made

## **Summary of the requirements for consulting on Supplementary Planning Documents (SPDs) as set out in the Regulations:**

### **Regulation 17: Public Participation**

Before a local planning authority adopt an SPD they must:

- Make the SPD documents available for inspection during office hours:
  - At their principal office
  - At other places within their area as the authority consider appropriate
- Prepare a statement setting out:
  - the names of any persons whom the authority consulted in connection with the preparation of the SPD
  - how those persons were consulted
  - a summary of the main issues raised in those consultations
  - how those issues have been addressed in the SPD
- Publish the documents on their website
- Send copies of the documents to:
  - Each of the specific consultation bodies to the extent that the local authority thinks that the proposed subject matter of the SPD affects the body. For example; regional bodies, government agencies and utility providers.
  - Other general consultation bodies which the local planning authority consider appropriate.
- Locally advertise that the documents are available for inspection and the places and times at which they can be inspected.

### **Regulation 18: Representations on SPDs**

- Any person may make representations about an SPD.
- The authority should invite representations on SPD over a period of between 4 and 6 weeks.

### **Regulation 19: Adoption of SPDs**

As soon as possible after the local planning authority adopt the SPD they must:

- Make the SPD documents available for inspection during office hours:
  - At their principal office
  - At other places within their area as the authority consider appropriate
- Publish the documents on their website.
- Send the adoption statement to any person who has asked to be notified of the adoption of the SPD.

# Annex 3 Key Contacts

## City of York Council

9 St. Leonards Place

York

Y01 7ET

Team	Telephone Contact	Email Contact
<b>City Development</b>	01904 551466	<a href="mailto:citydevelopment@york.gov.uk">citydevelopment@york.gov.uk</a>
<b>Development Control</b>	East: 01904 551353/1322 West & Central: 01904 551339/1327	<a href="mailto:planning.enquiries@york.gov.uk">planning.enquiries@york.gov.uk</a>
<b>Design, Conservation and Sustainable Development</b>	01904 551694 01904 551346 01904 551305/1329 01904 551662	<a href="mailto:community.planning@york.gov.uk">community.planning@york.gov.uk</a> <a href="mailto:archaeology@york.gov.uk">archaeology@york.gov.uk</a> <a href="mailto:historic.environment@york.gov.uk">historic.environment@york.gov.uk</a> <a href="mailto:natural.environment@york.gov.uk">natural.environment@york.gov.uk</a>
<b>Planning Enforcement</b>	01904 613161	<a href="mailto:planning.enquiries@york.gov.uk">planning.enquiries@york.gov.uk</a>
<b>Democratic Services</b>	01904 551088	<a href="mailto:democratic.services@york.gov.uk">democratic.services@york.gov.uk</a>

## Other

Yorkshire Planning Aid

Telephone Advice Line: 0870 850 9808 (9am-4pm Tuesday, Wednesday and Friday)

The Green Sand Foundry

99 Water Lane

Leeds



LS11 SQN

(0113) 237 8486





# Annex 4 How the Council Publicises Planning Applications

This table includes the main types of applications received by the Council

Type of Application	Publicity	Weekly List of applications received	Details on Website	View Application At the Council's Planning office	Parish Council/ Planning Panel Notification	Neighbour Notification Letter	Site Notice By Council	Site Notice By Applicant	Press Notice	Days for Written Comment	Opportunity to speak if Planning Committee Decision
						B	H	H		C	D
• Application to display adverts		✓	✓	✓	✓	✓ E	✓ E	✓ E	✓ E	21	✓
• Application for Conservation Area Consent		✓	✓	✓	✓	✓ E	✓ E		✓ E	21	✓
• Application for Certificate of Existing Lawful Use		✓	✓	✓	✓	✓				21	✓
• Application for Certificate of Proposed Lawful Use		✓	✓	✓	✓	✓				21	✓
• Prior notification of Agricultural Development		✓	✓	✓	✓			✓		21	✓
• Prior notification of Demolition of dwelling or adjacent building		✓	✓	✓	✓			✓		21	✓
• Prior notification of Telecommunications Development		✓	✓	✓	✓	✓ E				21	✓
• Full Planning Application (Householder)		✓	✓	✓	✓	✓ E	✓ E		✓ E	21	✓
• Full Planning Application (Other cases)		✓	✓	✓	✓	✓ E	✓ E		✓ E	21	✓
• Full Planning Application (Major Scheme) A		✓	✓	✓	✓	✓ E	✓ E		✓ E	21	✓
• Outline planning application		✓	✓	✓	✓	✓ E	✓ E		✓ E	21	✓
• Outline planning application (major scheme) A		✓	✓	✓	✓	✓ E	✓ E		✓ E	21	✓

# Statement of Community Involvement

Type of Application	Publicity	Weekly List of applications received	Details on Website	View Application At the Council's Planning office	Parish Council/ Planning Panel Notification	Neighbour Notification Letter	Site Notice By Council	Site Notice By Applicant	Press Notice	Days for Written Comment	Opportunity to speak if Planning Committee Decision
						B	H	H		C	D
• Application for approval of Reserved Matters		✓	✓	✓	✓	✓ E	✓ E		✓ E	21	✓
• Application for approval of Reserved Matters (Major Scheme) A		✓	✓	✓	✓	✓ E	✓ E		✓ E	21	✓
• Hazardous Substances Consent		✓	✓	✓	✓	✓ E	✓ E		✓ E	21	✓
• Application for Listed Building Consent		✓	✓	✓	✓	✓ EF	✓ E		✓ E	21	✓
• Hedgerow Removal Notice G		✓	✓	✓	✓	✓				21	✓
• Application for Tree Preservation Order Consent		✓	✓	✓	✓	✓ E		✓ E	✓ E	21	✓

A. "Major" Applications are larger schemes, as defined by the Town and Country Planning (General Development Procedure) Order 1995. They include (i) residential development of 10 units or more, or on a site 0.5 hectare or more (ii) commercial and other developments with a gross floor area of 1,000 sq m or more, or on a site of 1 hectare or more.

B. By "neighbour" we mean the occupants of property which has a boundary that is contiguous with, or touches the boundary of, the application site. Where neighbours cannot readily be identified, a site notice would be displayed, where appropriate.

C. We ask that these prescribed timescales are observed wherever possible. If you have difficulty in doing so, please contact the Case Officer. However, bodies such as Natural England will be allowed a longer period of time to comment on applications where this is prescribed by legislation. The timescale relates to initial consultations upon applications. Responses to follow-up consultations, for example, due to significant amendments to the scheme, may be sought in a shorter timescale, normally 14 days.

D. Please see Annex 5 and the Council's protocol for speaking at Committee in the "Have Your Say" leaflet.

E. Only where required by Orders and Regulations, including the Town and Country Planning (General Development Procedure) Order 1995 and the Planning (Listed Building and Conservation Areas) Regulations 1990.

F. Letters may not be sent where publicity is carried out through an accompanying planning application.

G. CYC has to follow criteria under the Hedgerow Regulations 1997

H. In some cases, the Council issues the Notice, but it is displayed by the applicant.



# Annex 5 Decision Making on Planning Applications

In accordance with Government legislation, the Council operates a scheme which determines how decisions are made on different types of application. The scheme defines which applications are dealt with by Committees and which by Officers. The current scheme was approved by the Council in 2006, and includes the following main types of applications, for Full<sup>1</sup> and Outline<sup>2</sup> applications respectively

## Residential Development

Decision	by Planning Committee	50+ dwellings (full) or sites over 1.0 hectare (outline)
	by Area Planning Sub-Committee	10-50 dwellings (full) or sites of 0.1 to 1.0 hectare (outline)
	by Delegated Authority to Officers	1-9 dwellings (full) or sites up to 0.1 hectare (outline)

## Commercial and other Development (eg industrial, warehouses, offices, shops)

Decision	by Planning Committee	Floorspace over 3,000 sqm (full) or sites over 1.5 hectares (outline)
	by Area Planning Sub-Committee	Floorspace 1,000-3,000 sqm (full) or sites 1.0-1.5 hectares (outline)
	by Delegated Authority to Officers	Floorspace up to 1,000 sqm (full) or sites up to 1.0 hectare (outline)

1.Full Applications: With these applications the full details of the proposals are included for consideration.

2.Outline Applications: These are submitted to establish whether development is acceptable in principle and detailed plans are not usually submitted at this stage. Any outstanding details, such as access, design and landscaping, are then set out in a 'reserved matters' application.

# Annex 6 Glossary of Terms

**Annual Monitoring Report (AMR):** part of the *Local Development Framework*, the annual monitoring report will assess the implementation of the Local Development Scheme and the extent to which policies in *Local Development Documents* are being successfully implemented.

**Area Action Plan:** used to provide a planning framework for areas of change and areas of conservation. Area Action Plans will have the status of *Development Plan Documents*.

**Community Strategy:** A document prepared by York's Local Strategic Partnership (Without Walls). The Strategy aims to promote and improve the economic, social and environmental well being of the Community. The Local Development Framework should be a key component in the delivery of the Community Strategy.

**Core Strategy:** sets out the long-term spatial vision for the local planning authority area, the spatial objectives and strategic policies to deliver that vision. The Core Strategy will have the status of a *Development Plan Document*.

**Design and Access Statement:** A design and access statement is a short report accompanying and supporting a planning application to illustrate the process that has led to the development proposal, and to explain and justify the proposal in a structured way. Details of when a Design and Access Statement is required are set out in DCLG Circular 01/2006: 'Guidance on Changes to the Development Control System'.

**Development Plan:** The development plan is the statutory plan used to determine planning applications for the use or development of land. The existing Local Plan and the County Council Structure Plan together form the development plan. These will be replaced under the new system by a Regional Spatial Strategy prepared by the Yorkshire and Humber Assembly and *Development Plan Documents* prepared by the City of York Council.

**Development Plan Documents (DPDs):** spatial planning documents that are subject to independent examination and together with the relevant Regional Spatial Strategy, will form the *development plan* for a local authority area for the purpose of the Act. They can include a *Core Strategy*, Site Specific Allocations of land, and *Area Action Plans* (where needed). Other *Development Plan Documents*, including generic *Development Control Policies*, can be produced. Individual *Development Plan Documents* or part of a document can be reviewed independently from other *Development Plan Documents*. Each authority must set out the programme for preparing its *Development Plan Documents* in the *Local Development Scheme*.

**Development Control Policies:** these will be a range of criteria based policies which are required to ensure that all development within the areas meets the vision and objectives set out in the *Core Strategy*. They may be included in any *Development Plan Document* or may form a standalone document, such as a Development Control DPD.

**Inspector's Report:** A document written by an independent Inspector from the Planning Inspectorate which assesses the soundness of the documents which form part of the *Local Development Framework*.

**Local Development Documents (LDDs):** the collective term in the Planning and Compulsory Purchase Act for *Development Plan Documents*, *Supplementary Planning Documents* and the *Statement of Community Involvement*.

**Local Development Framework (LDF):** the name for the portfolio of *Local Development Documents*. It consists of *Development Plan Documents*, *Supplementary Planning Documents*, a *Statement of Community Involvement*, the *Local Development Scheme* and *Annual Monitoring Reports*. Together these documents will provide the framework for delivering the spatial planning strategy for a local authority area and may also include local development orders and simplified planning zones.

**Local Development Scheme (LDS):** sets out the programme for preparing *Local Development Documents*. All authorities must submit a Scheme to the Secretary of State for approval within six months of the commencement of the Act.

**Monitoring and Review:** Periodic assessment of progress towards targets, aims and objectives. It may involve the alteration of policies, plans and strategies to meet the changed circumstances.

**Planning Policy Statements (PPS):** A statement setting out Government policy on planning issues and procedures.

**Planning Aid:** Planning Aid provides free, independent professional help, advice and support on planning issues to people and communities who cannot afford to hire a planning consultant. Planning Aid complements the work of Local Authorities but is wholly independent of them.

**Proposals Map:** the adopted proposals map illustrates on a base map, (reproduced from, or based upon a map to a registered scale) all the policies contained in the *DPDs*, together with any saved policies. It must be revised each time a new *DPD* is adopted, and it should always reflect the up-to-date planning strategy for the area. Proposals for changes to the adopted proposals map accompany submitted *DPDs* in the form of a submission proposals map.

**Regional Spatial Strategy (RSS):** sets out the region's policies in relation to the development and use of land and forms part of the development plan for local planning authorities. Planning Policy Statement 11 'Regional Spatial Strategies' provides detailed guidance on the function and preparation of Regional Spatial Strategies.

**Section 106 Agreement (S106):** Section 106 of the Town and Country Planning Act 1990 allows a Local Planning Authority (LPA) to enter into a legally binding agreement, or planning obligation, with a land developer over a related issue. The obligation is sometimes termed as a 'Section 106 agreement'.

**Section 278 Agreement:** A legal agreement between the applicant and the Council (as Highway Authority) for works carried out in the public highway outside the applicant's control, which the Highway authority deem to be necessary for development to proceed.

**Social Inclusion Working Group:** will provide a robust oversight of the equalities work in the Council and give an effective voice to the community forums that feed into it. It will advise the Council's Executive on all matters relating to equalities issues, promote awareness of equalities issues and ensure improved access and facilities for all service users.

**Statement of Community Involvement (SCI):** sets out the standards which authorities will achieve with regard to involving local communities in the preparation of *local development documents* and development control decisions. The *SCI* is not a *DPD*, but is subject to an independent examination.

**Strategic Environmental Assessment (SEA):** A report which assesses the potential environmental impacts of a proposal or *DPD*.

**Supplementary Planning Documents (SPDs):** provide supplementary information in respect of the policies in the *DPDs*. They do not form part of the Development Plan and are not subject to independent examination.

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City of York Council  
9 St Leonards Place  
York  
YO1 7ET  
Tel (01904) 551466  
Email: [citydevelopment@york.gov.uk](mailto:citydevelopment@york.gov.uk)

