

APPENDIX 2

Statement of Community Involvement

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Statement of Community Involvement

Section 1: Introduction

1.1 This Statement of Community Involvement (SCI) sets out how and when you can influence new planning documents covering Rotherham and the ways in which you can comment on planning applications, as well as other forms of consent such as listed building consent or telecommunications applications.

1.2. Engagement is key to providing cost-effective services which meet the needs of our communities. It plays a critical role in shaping the places where people live, work and visit. By encouraging engagement, people and communities can be given the information, power and responsibility they need to respond to the challenges and opportunities they and their communities face.

Our approach to community involvement

1.3 Section 1, this section, describes our overall approach to community engagement and involvement in the planning process. There are two further sections on the following topics:

Section 2 - influencing the Local Plan

Section 3 - getting involved in planning decisions

1.4 When we involve you in preparing and revising the Local Plan or consult you on planning applications or other forms of consent we will:

- **Keep the process simple** by writing in plain English and explaining any planning terms that we need to use.
- **Make it easy for you to get involved** by setting out when and where you can provide your comments. We will always try and plan public events so they are accessible to all people and groups and use existing community involvement networks.
- **Be inclusive** by providing information in an accessible format and giving clear advice on how the planning system works, and encourage involvement from those groups that are not usually involved in the planning process.
- **Share information with you** using the Council's website, in our libraries and at the Council's principal office whenever this is appropriate and effective.
- **Make copies of Local Plan documents available** to view at key locations throughout the borough.

- **Make sure your involvement is effective** - all comments received by the authority will be recorded, read carefully and taken into account when they are relevant planning considerations.
- **Strive to meet our timetable** for the preparation and review of the Local Plan and also meet Government targets for deciding on planning applications.

Who will we involve?

1.5 We want everyone to have the chance to have their say on the Local Plan, and on planning applications, wherever it is relevant.

1.6 We maintain a consultation database of individuals, groups and stakeholders who we regularly contact on planning policy matters (that are of interest to them). We will continue to involve individuals, groups and organisations in the preparation of our new planning documents so that everyone has the chance to shape the future of the district. If you would like to be added to our database then you can register online through our consultation website at <http://rotherham.limehouse.co.uk/portal> or contact the Planning Policy team using the details below.

1.7 Government regulations require us to ensure that certain groups are consulted at key stages in the preparation and review of the Local Plan, for example the Coal Authority, Environment Agency, English Heritage, Natural England, the Highways Agency and the Homes and Communities Agency. These regulations change from time to time and this list may be amended.

1.8 We are committed to doing everything reasonably possible to make our community involvement inclusive. This means that we aim to give everyone in Rotherham an opportunity to be involved in the decisions that we take. The Council's Equal Opportunities Policy explains our approach to inclusion and the Community Engagement Framework seeks to ensure that community engagement underpins and is built into everything that the Council does. Allied to this, the Customer Charter & Customer Access Strategy both give clear and simple advice on what you should expect from us.

1.9 We can make documents available in alternative formats on request. This can include large print, Braille and alternative languages. For assistance with this, please contact p2ptlteam@rotherham.gov.uk

How will we involve you?

1.10 We will keep you informed through a variety of methods including our website www.rotherham.gov.uk, emails, and letters when appropriate. We may also post notices in local newspapers.

1.11 The ways in which you can have your say on the planning process will vary depending on the issue, and different techniques may be used at different stages in the production of a planning document or assessment of a planning application.

The role of planning officers

1.12 The Council's planning officers work in two teams within the Planning Service, which is based at Riverside House:

- The **Planning Policy Team** produces the planning documents that make up the Local Plan and can be contacted for advice on planning policy. They organise and lead the consultations on draft planning documents and consider relevant consultation responses, making changes to draft documents where appropriate.

Web: www.rotherham.gov.uk/localplan

Tel: 01709 823869

Email: planning.policy@rotherham.gov.uk

- The **Development Management Team** assesses planning applications in accordance with the policies of the adopted Development Plan, the National Planning Policy Framework (NPPF) and any other material considerations including consultation responses and other comments. They can be contacted for pre-application advice for all major developments and other advice on planning applications.

Web: www.rotherham.gov.uk/planning

Tel: 01709 823865

Email: development.management@rotherham.gov.uk

The planning officers from both teams work closely together in preparing planning policies, in the assessment of planning applications and in providing specialist professional planning advice on key development projects with land-use implications.

The role of councillors

1.13 Locally elected councillors have a key role in the planning process in the following ways:

- The Council meeting is responsible for approving and adopting key statutory planning policy documents such as the Local Plan.
- The Council's Planning Board is made up of councillors who make decisions on the more major or controversial planning applications.
- Councillors represent their respective wards and listen to residents' concerns on planning issues (at ward surgeries or public meetings and consultations).

- Councillors can voice their support or make objections to planning applications in writing and speak at Planning Board on behalf of their constituents.

1.14 The role of locally elected councillors in representing the views and concerns of residents in the planning process is very important. However, your views can only be formally taken into account when you make them in writing to the Planning Policy Team within the specified time period for a particular consultation. There are existing rules for the way that councillors and council officers conduct their activities, which ensure that any potential conflicts of interest are resolved in a transparent way.

Planning Aid England

1.15 Planning Aid England is a voluntary organisation linked to the Royal Town Planning Institute (RTPI). Through its network of volunteers, who are chartered town planners, it can provide independent and impartial advice and support for Neighbourhood Planning and other planning matters. Please contact Planning Aid England for further information at www.rtpi.org.uk/planningaid to understand what support is available.

Section 2: Influencing the Local Plan

A new planning system

2.1 The Government wants to give local people a greater role in shaping their neighbourhoods, and the changes to the planning system set out in the Localism Act 2011 and National Planning Policy Framework (NPPF, March 2012) give communities the opportunity to get more involved in the preparation of planning documents for their areas.

2.2 The Localism Act also introduced the 'duty to co-operate'. This is a legal requirement setting out how local planning authorities, national park authorities, county councils and a number of other public organisations must work with one another in a collaborative manner and to consider joint approaches when preparing their local plans.

Rotherham Local Plan

2.3 The Local Plan will be the new development plan for Rotherham. It will set out the spatial policies, guidance, land use designations and site allocations against which all planning applications and other development proposals in the borough will be assessed.

2.4 It will provide the formal statutory framework for sustainable development and lay the foundations for regeneration and economic growth, while protecting our most valuable built and natural environmental assets.

2.5 Our Local Plan will be made up of the following documents:

Core Strategy – this sets out the vision and strategic objectives for Rotherham up to the year 2028. It includes local targets for housing, employment and retail development and sets out broad locations and amounts of development for the borough. It must comply with Government planning policy. This strategic level document provides the context for any Neighbourhood Plans that might be produced.

Barnsley, Doncaster and Rotherham Joint Waste Core Strategy – provides a detailed planning framework to manage all types of waste in the three boroughs, including commercial and industrial waste, construction, demolition and excavation waste, hazardous waste and agricultural waste. It allocates new sites to manage waste, safeguards existing waste facilities of strategic importance and sets out criteria for assessing waste management proposals.

Sites & Policies document – this allocates land for a variety of uses, including housing and employment. It also sets out detailed policies that will guide decisions on planning applications.

Community Infrastructure Levy (CIL) – this is a tariff-based charging schedule. When planning permission is granted for certain types of development (e.g. housing)

the developer will be required to pay a financial contribution. This will be used towards providing and maintaining the strategic and local infrastructure identified by us to support growth. Infrastructure can be road improvements, schools, health facilities etc.

Supplementary Planning Documents (SPDs) – these are prepared to provide further detailed supporting guidance where necessary. Although they do not have the same weight as development plan documents they can still form a material consideration in determining planning applications. They can be produced more quickly as they are not subject to an independent public examination, and we will ask you what you think of any draft SPDs at an early stage in their preparation.

In preparing and reviewing our Local Plan we will also publish on our website:

- **Local Development Scheme (LDS)** – setting out what planning documents we will produce and the timetable for their production.
- **Annual Monitoring Report** – setting out the progress made in producing our local plan documents and our (and partners’) performance in implementing planning policies and proposals.

Neighbourhood Plans

2.6 Local communities can now prepare plans for their local areas themselves if they wish to do so. Any community initiated neighbourhood plans will form part of the statutory development plan for those areas of the borough, once they have passed through independent examination and a local community referendum.

2.7 The local planning authority does not prepare Neighbourhood Plans, but the Council does have a duty to provide advice and technical assistance to community groups engaged in Neighbourhood Planning, particularly in relation to the initial designation of neighbourhood areas and neighbourhood forums, as well as the examination process and holding referendums.

Further information can be found on the government’s website by searching for neighbourhood planning on www.gov.uk

Preparing the Local Plan

When will we involve you?

2.8 There are a number of key stages involved in preparing documents for the Local Plan. These stages are required by Government planning legislation and regulations and are designed to ensure that the process is as open and transparent as possible.

2.9 The diagrams below illustrate the key stages in the production of Development Plan Documents and Supplementary Planning Documents as well as the Community Infrastructure Levy (CIL). The shaded stages also show when you can get involved in

the planning process – getting involved at the earliest stages of preparation will ensure your views have the most opportunity for being taken into account. DPDs and the CIL will be subject to independent examination, chaired by a Planning Inspector, when people will be able to speak if they have made a formal representation at the last stage of public consultation.

Figure 1: Key Stages in Preparing Development Plan Documents (DPDs)

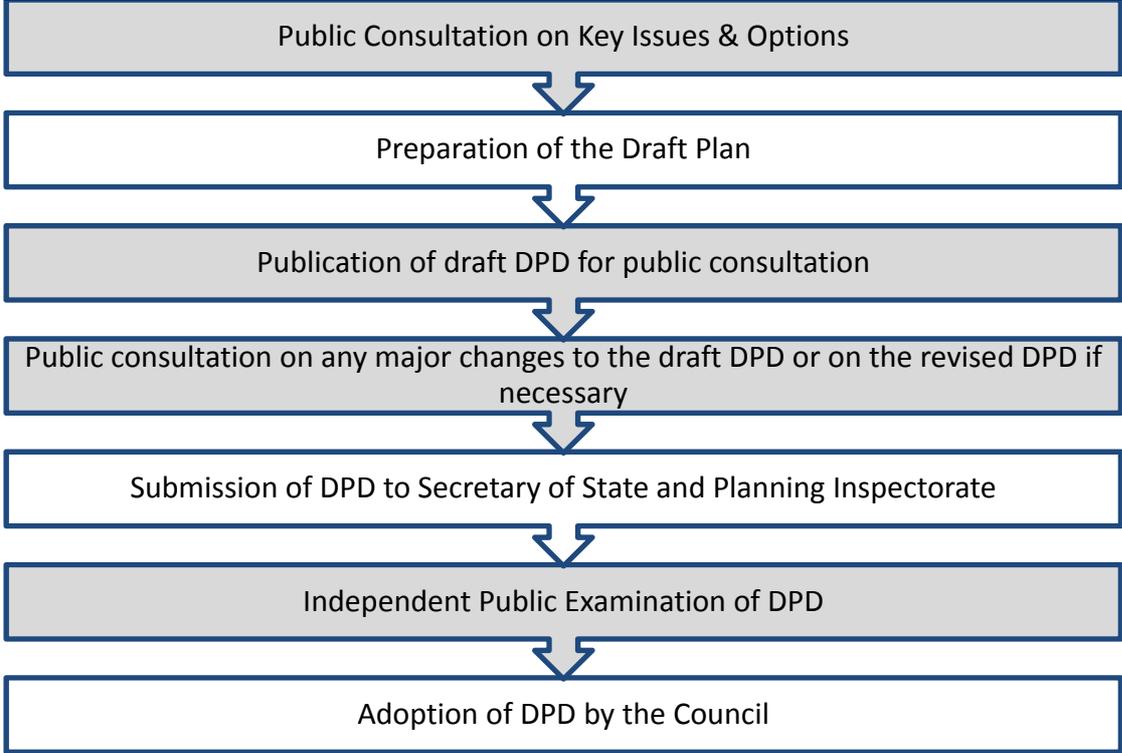


Figure 2: Key stages in preparing Supplementary Planning Documents (SPD)

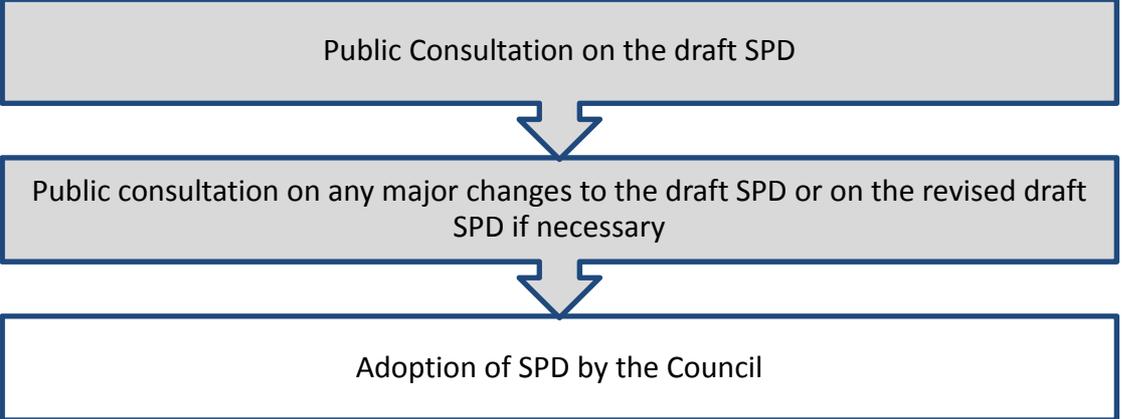
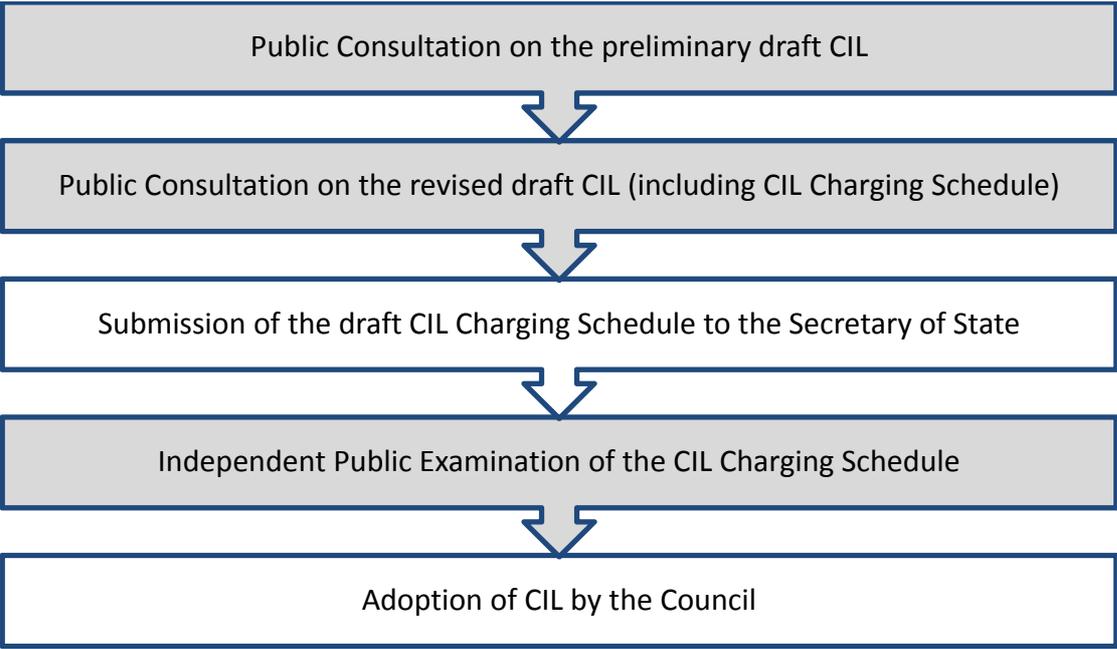


Figure 3: Key Stages in preparing the Community Infrastructure Levy (CIL)



Sustainability Appraisal

2.10 As part of preparing the Local Plan, we assess the social, environmental and economic impacts of each planning document and relevant Supplementary Planning Documents. The key purpose of Sustainability Appraisal is to identify and enhance the positive effects of planning policies while minimising any potentially adverse impacts. This process also involves the assessment of any health and equality impacts. Where necessary, we will also carry out a Habitat Regulations Assessment on our emerging planning documents.

Publications of documents and fees

2.11 At all stages of preparing and reviewing the Local Plan we will make reference copies of relevant documents available at our principal office at Riverside House, Main Street, Rotherham S60 1AE. All of our planning documents will be available to download from our website www.rotherham.gov.uk/localplan. Charges will apply for printed copies and for some background papers but these will be limited to covering reproduction and postage costs.

2.12 Where consultation material is placed with libraries or in other locations we will ensure that those responsible for holding the information are fully briefed regarding the purpose of consultation and the material provided. However any queries regarding the content should always be directed to the Planning Policy Team.

How will we involve you?

2.13 As a modern Council, we strongly encourage electronic communication. This is embodied by the Council’s ‘Save Time, Do It Online’ approach. This has multiple benefits around convenience, cost and the environment (saving paper). It also allows

24 hour access to information. We help our communities get to information online by providing free internet access at all of our libraries.

Website

2.14 The internet is a popular way of communicating planning issues to individuals and groups. A key advantage of the website is that lots of information can be included compared to other formats. We have specific planning policy pages on the Council's website. We will ensure that these pages are regularly updated.

2.15 We must balance the need to provide easily understandable information with the need to ensure a transparent process by allowing all relevant documents to be accessible (which may be technical in nature). Wherever possible we will ensure that the information provided through our website is concise, easily accessible and easily navigable.

2.16 We have an online consultation system so during periods of public consultation people can make comments online <http://rotherham.limehouse.co.uk/portal>. We strongly encourage consultation comments using this system. Commenting online ensures that comments are focussed on the parts of the document you are interested in and requires less interpretation by Council officers. This enables us to make the most efficient use of our resources.

Emails and letters

2.17 For environmental, speed and cost reasons, where you have provided us with an email address we will use this method of communication rather than sending a letter.

Press notices and statutory notices

2.18 Local newspaper notices are less personal but they help to ensure that we communicate as widely as possible and in some cases we may need to use newspaper notices to meet our legal requirements.

Public drop-in sessions

2.19 Depending on the nature of the document, the local areas affected, and the stage of the Local Plan preparation process we may hold public exhibitions. These give people the chance to look at plans and proposals and speak to planning officers in an informal setting. They are effective in engaging people who want to give their views or just gather information.

Using the results of consultation

2.20 All comments we receive will be recorded, read carefully and relevant planning considerations taken into account in preparing and reviewing planning policy

documents. A summary of comments and our response will be published on our website.

Our timescale

2.21 We will make sure that our Local Plan is kept up to date to support planned development of housing and other priorities within the borough. To keep our Local Plan on target we will aim to carry out all our planning consultations in line with our community involvement policies and the latest timetable set out in our Local Development Scheme (LDS).

Section 3: Getting involved in planning decisions

3.1 The Council deals with approximately 2,000 planning applications each year. These range from simple house extensions to large retail or office developments. We also determine applications requiring conservation area consent, Listed Building consent and for work to protected trees. All these types of applications require similar levels of public consultation.

Pre-application process

3.2 In line with national planning policy we place a strong emphasis on early engagement and aim to work with applicants in a positive and pro-active manner.

3.3 Depending upon the scale, nature and potential impact of the development proposal on the local community, it is advised that developers carry out their own pre-application public consultation. For instance, it is advocated that major planning applications be accompanied by their own Statement of Community Involvement. A major planning application is 10 or more dwellings (or a site larger than 0.5 hectares) or 1,000 or more square metres floorspace (or a site larger than 1 hectare).

3.4 These consultations should be carried out at an early stage in the design process, to enable community views to be incorporated into the submitted proposal. The form of consultation will need to be tailored to suit the particular circumstances of the site, the proposal and location. The Council can provide advice on what level of pre-application consultation would be appropriate, for example through a public meeting, an exhibition, or other forms of community involvement. Further information and advice is available at www.rotherham.gov.uk/planning. To ensure that decisions are taken in a fair and open manner, the Council's planning officers would not normally take part in these public meetings or exhibitions other than to provide background information.

3.5 As a minimum, the consultation statement submitted with the planning application should include:

- the houses, businesses and local community groups consulted,
- the methods and timing of consultation, and
- feedback and information on how the views were addressed in the development proposal.

3.6 To aid potential applicants in this process, the Council offers a pre-application service to help resolve issues at any early stage. Depending on the scale of the proposal there may be a fee for this service.

Planning applications

3.7 The Development Management Team is responsible for assessing all planning applications for development, advising the Council's Planning Board on major and other types of applications, determining certain types of planning applications, providing advice on development proposals and dealing with any unauthorised development in the borough.

3.8 All decisions taken on planning applications must be made in accordance with the adopted development plan unless any other material considerations indicate otherwise, including national planning guidance or site specific matters relevant to a particular case. Please refer to Appendix B to find out what a 'material consideration' is.

Getting involved in planning applications

3.9 The publicity procedures we follow on planning applications are laid down by Government legislation and regulations including Planning Practice Guidance. The council meets all of these minimum statutory requirements and we also publicise on a wider basis than the statutory minimum wherever possible to ensure that we maximise opportunities for community involvement.

3.10 All submitted planning applications must receive some form of publicity by law. We do this in one of the following ways, or by a combination of these methods depending on the type of application or other circumstances (e.g. if an application is later revised):

- an individual letter to adjacent occupiers/residents (neighbour notification)
- posting of a site notice at or near the site
- a local newspaper notice

3.11 Planning applications, including supporting documents and corresponding plans and elevation drawings, can be viewed online at www.rotherham.gov.uk/planning and are also available to view at Riverside House. Planning officers are available at Riverside House to give advice on current or proposed applications (it is a good idea to make an appointment if you wish to speak to a particular officer).

3.12 Comments on planning applications must be made in writing within 21 days from the date of our notification letter or within 21 days from the date of a press notice or site notice appearing. Please note that comments submitted after the 21 day publicity period has expired may not be considered because a decision may have already been made on the planning application.

You can make comments online at: www.rotherham.gov.uk/planning

By e-mail to: development.management@rotherham.gov.uk

By post to: Development Management, RMBC, Riverside House, Main Street,
Rotherham S60 1AE

Decision making and planning board

3.13 Most minor planning applications are determined under delegated powers by the Planning Manager as set out in the Council's Scheme of Delegation. The Council's Planning Board makes decisions on major applications, and in certain other circumstances as detailed in the Council's Constitution. These circumstances include where a large number of written representations (more than five) against a development proposal have been made which conflict with the planning officer's recommendation.

3.14 For those applications determined by Planning Board, the Council allows public speaking at the committee meeting to give the public an opportunity to speak during the decision making process. Guidance on how members of the public can speak at Planning Board is distributed to those who formally request to speak.

3.15 Planning Board agendas are published on our website, five clear working days before the meeting, followed by the publication of the minutes of the meeting.

3.16 As part of the Council's commitment to an open and transparent planning process, the Council's Constitution includes codes of conduct for members and officers. Probity rules accord with the Planning Advisory Service guidance 'Probity in Planning' published in April 2013. Further information is available on the Planning Advisory Service website at <http://www.pas.gov.uk/probity>

Notification after Planning Board

3.17 Anyone making comments will be individually notified of the Council's decision on the application within ten working days of the decision being made, unless a proposal has generated a lot of representations (more than 30). In this case the decision will be publicised in the local press rather than by individual letter.

3.18 The Council also compiles a weekly list of planning decisions and these are also available to view on our website.

Written representations, informal hearings and public inquiries

3.19 Letters are sent direct to those people who were notified on the original application (as well as any other people who submitted comments on the application) giving notice of an appeal being lodged against the Council's decision, and providing them with the opportunity to make representations to the Planning Inspectorate (with the exception of appeals submitted under the householder appeal service). Under the householder appeal service there is no opportunity to make representations to the Planning Inspectorate, however representations submitted in relation to the planning application are forwarded to the Planning Inspectorate by the Council. A site notice will only be posted in the case of a public inquiry.

Other information

3.20 The Development Management Team also investigates alleged breaches of planning control. For further information please see our website at www.rotherham.gov.uk/planning or telephone Planning Enforcement for advice on 01709 823865.

Appendix A: Consultees

The list below outlines the organisations and other bodies that we are legally required to consult and involve in preparing our planning documents. This is set out in the Town and Country Planning (Local Planning) (England) Regulations 2012. These regulations may change from time to time and this list may be amended.

Barnsley Borough Council
Bassetlaw District Council
Bolsover District Council
Chesterfield Borough Council
Doncaster Borough Council
North East Derbyshire District Council
Sheffield City Council

Barnsley & Rotherham Chamber Of Commerce
Civil Aviation Authority
Coal Authority
Environment Agency
Highways Agency
Historic England
Homes and Communities Agency
National Grid
Natural England
Network Rail Infrastructure Ltd
Rotherham Clinical Commissioning Group
Severn Trent (water and sewerage undertaker)
Sheffield City Region Local Enterprise Partnership
Sheffield & Rotherham Wildlife Trust
South Yorkshire Integrated Transport Authority
Sport England
Town & Parish Councils within Rotherham
Western Power Distribution
Yorkshire Water (water and sewerage undertaker)

Plus other relevant gas, electricity and electronic communications network infrastructure providers.

Other consultation bodies can include the following:

- (a) voluntary bodies some or all of whose activities benefit any part of the local planning authority's area,
- (b) bodies which represent the interests of different racial, ethnic or national groups in the local planning authority's area,
- (c) bodies which represent the interests of different religious groups in the local planning authority's area,

- (d) bodies which represent the interests of disabled persons in the local planning authority's area, and
- (e) bodies which represent the interests of persons carrying on business in the local planning authority's area.

In addition to these groups listed above, we will also seek to involve and consult a wide range of other interest groups and organisations, developers and consultants, as well as local residents and businesses. If you would like to be added to our consultation database, or need to amend your existing contacts, please email us at planning.policy@rotherham.gov.uk or call on 01709 823869.

Appendix B: Material Planning Considerations

What is a material consideration?

When a decision is made on a planning application, only certain issues are taken into account; these are often referred to as 'material planning considerations'.

Material considerations can include (but are not limited to):

- Local, strategic, national planning policies and policies in the development plan
- Emerging new plans which have already been through at least one stage of public consultation
- Pre-application planning consultation carried out by, or on behalf of, the applicant
- Government and Planning Inspectorate requirements – circulars, orders, statutory instruments, guidance, and advice
- Previous appeal decisions and planning inquiry reports
- Principles of case law held through the courts
- Loss of sunlight (based on Building Research Establishment guidance)
- Overshadowing/loss of outlook to the detriment of residential amenity (though not loss of view as such)
- Overlooking and loss of privacy
- Highway issues: traffic generation, vehicular access, highway safety
- Noise or disturbance resulting from a use, including proposed hours of operation
- Smells and fumes
- Capacity of physical infrastructure, e.g. in the public drainage or water systems
- Deficiencies in social facilities, e.g. school capacity
- Storage and handling of hazardous materials and development of contaminated land
- Loss or effect on trees
- Adverse impact on nature conservation interests and biodiversity opportunities
- Effect on listed buildings and conservation areas

- Incompatible or unacceptable uses
- Layout and density of building design, visual appearance and finishing materials
- Inadequate or inappropriate landscaping or means of enclosure

The weight attached to material considerations in reaching a decision is a matter of judgement for the decision-taker. However the decision-taker is required to demonstrate that in reaching that decision that they have considered all relevant matters.

Generally, greater weight is attached to issues raised which are supported by evidence rather than solely by assertion. If an identified problem can be dealt with by means of a suitable condition the local planning authority is required to consider this as an alternative to refusing an application.

What is not a material planning consideration?

The following issues are not relevant to the decision (there are further non-material planning considerations not included in this list):

- Matters controlled under building regulations
- Private issues between neighbours
- Opposition to the principle of development when this has been determined by an outline planning permission or appeal
- Applicant's personal circumstances (unless exceptionally and clearly relevant e.g. provision of a facility for someone with a physical disability)
- Previously made objections/representations regarding another site or application
- Factual misrepresentation of the proposal
- Opposition to business competition
- Loss of property value
- Loss of a view