

# **London Borough of Harrow Regeneration and Planning: Statement of Community Involvement (SCI)**

**Draft for consultation - March 2018**

## Table of Contents

1. Introduction.....	1
2. The Planning Process.....	2
3. How we Consult – Local Plans.....	5
4. How we Consult – Planning Applications.....	13
5. Localism and Neighbourhood Plans.....	19
6. Further information.....	22
Appendix 1: Potential Methods for Community Involvement .....	23
Appendix 2: Categories of Planning Application.....	26
Appendix 3: Neighbourhood Planning: Advice and assistance policy.....	28

# **1. Introduction**

- 1.1 This document sets out how Harrow Council's Regeneration and Planning Division will involve people in the plan-making process and in the determination of planning applications.
- 1.2 A Statement of Community Involvement (SCI) is a requirement of section 18(1) of the Planning and Compulsory Purchase Act 2004.
- 1.3 This document was first produced in 2006 and last updated in 2013.

## **Planning and You**

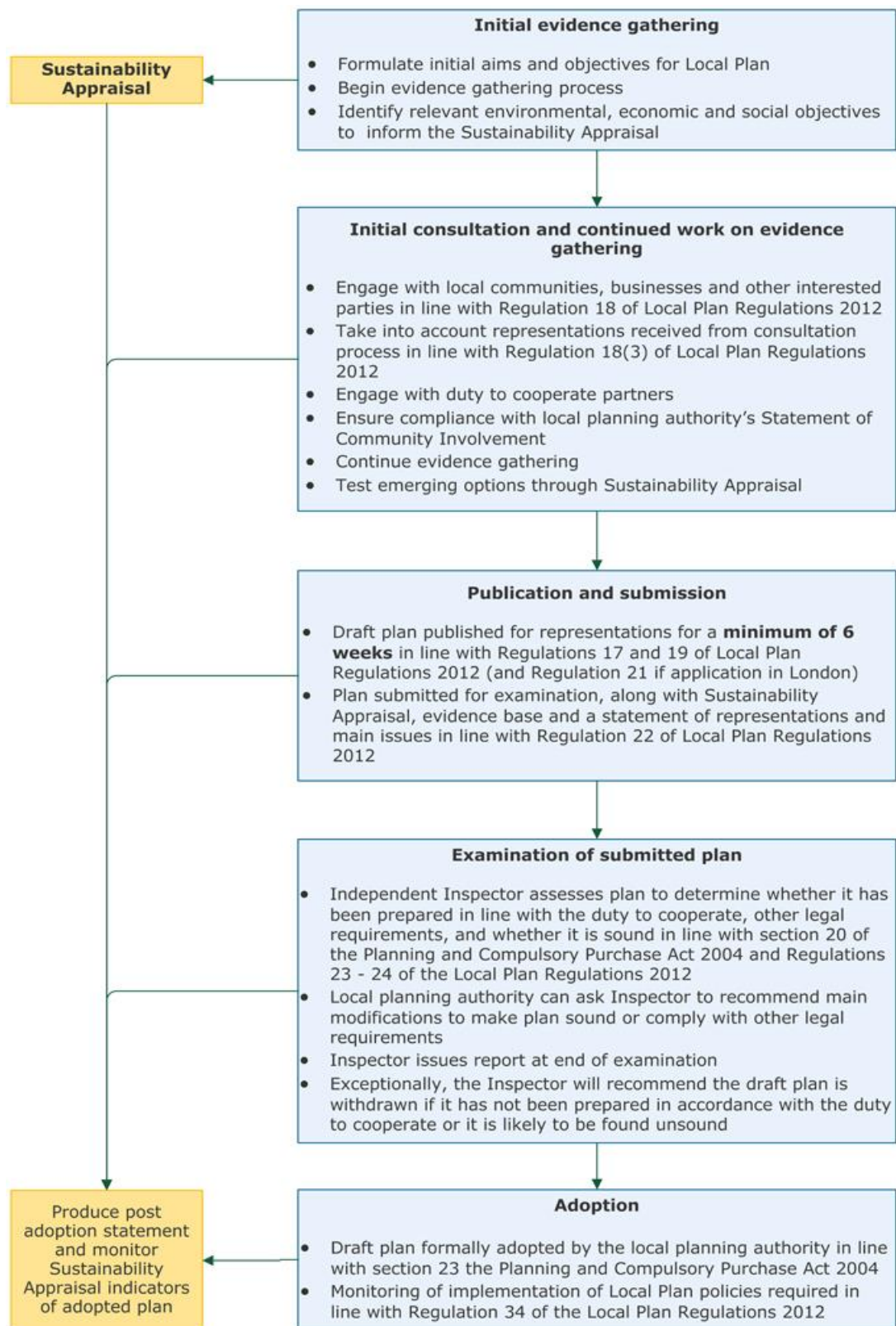
- 1.4 Planning is integral to the places around us and affects communities and the future of our towns and countryside. The shops, services and the transport infrastructure we use, to the homes we live in, are all a result of planning strategy and decisions. Therefore it is important that communities and businesses become involved at an early stage and throughout the planning process to help inform how the places around us evolve and develop.
- 1.5 This statement therefore demonstrates the various ways that Regeneration and Planning will engage with the community and businesses in both plan-making and in decisions on planning applications, and provides an explanation of the planning process and what happens if you decide to become involved. This statement also provides a benchmark against which planning consultations will be measured.

## **2.0 THE PLANNING PROCESS**

### **Planning Policy - The Local Plan**

- 2.1 The Council prepares planning documents to guide development in Harrow and these are used to determine planning applications. Their content must be in conformity with the National Planning Policy Framework (2012) and also the London Plan 2011 as amended. These documents cover everything to do with development, including allocating strategic sites for development, and policies to manage the historic environment, green spaces, and to guide housing development amongst many other matters. The documents also include mechanisms for delivery and monitoring, to ensure that the plans are being implemented and are effective in managing growth and development.
- 2.2 The Local Plan is the name given to the documents that have special legal status under the Planning Acts. They are known as 'development plan documents' and this means that planning decisions must be made in accordance with any relevant provisions contained within them, unless material considerations indicate otherwise. The Local Plan has a 15 year timeframe and comprises a strategic vision and objectives which set out Harrow's aspirations for the Borough's future and also includes:
- a) strategic policies setting out where growth will go, and how the environment, open spaces and historic buildings will be managed;
  - b) targets for new housing provision in the borough;
  - c) detailed development management policies, which give specific guidance on all development issues such as design standards; and
  - d) site allocations, which allocate strategic sites to help deliver the growth set out in strategic policies.
- 2.3 Although not sharing the same 'development plan' status as the Local Plan, there are also supplementary planning documents on certain topics which add detail or contain further guidance on policies in the Local Plan. These documents do not contain policy themselves, but provide useful amplification and additional information for all involved in the planning process. They are intended to assist applicants in making successful planning applications.
- 2.4 The process for creating Local Plan documents is shown below, highlighting the stages at which the Council will consult on the documents.
- 2.5 After a development plan document is adopted, following an independent examination in public, it will be monitored to ensure the plan is delivering on its objectives and to identify any unintended consequences of the plan. This may lead to it being reviewed and modified if the plan's objectives are not being achieved, or to address unexpected changes such as changes to national planning policy or revisions to the London Plan. However, the earlier you get involved in the plan making process, i.e. at the plan making stage, the more influence you can have. This is when any ideas or comments you have can be considered and incorporated into policy, which may ultimately be used to determine a planning application of interest to you.

**Figure 1: Key Stages of Local Plan Preparation**



Source: National Planning Practice Guidance (Paragraph: 005 Reference ID: 12-005-20140306, Revision date: 06/03/2014, retrieved 21/01/2018)

- 2.6 For more detail on what we do and how to get involved and comment on developing planning policy, please see section 3: *How We Consult - Local Plans*.

#### **Viewing the Local Plan**

All Local Plan documents can be downloaded free of charge at [www.harrow.gov.uk/ldf](http://www.harrow.gov.uk/ldf).

They are also available to view at all libraries and at Harrow Civic Centre.

Printed copies of the documents may be purchased from the Council on request. For details of charges please see the Council's website: [http://www.harrow.gov.uk/info/856/local\\_plans](http://www.harrow.gov.uk/info/856/local_plans).

#### **Planning Applications**

- 2.7 Planning applications are required to obtain permission to undertake certain types of development. Planning applications are assessed using the policies and any other relevant provisions of the Local Plan, the London Plan and, as an additional material consideration, the National Planning Policy Framework. Other information such as general evidence studies relating to housing need or employment land, and proposal specific studies such as Flood Risk Assessments and Transport Assessments, may also inform the decision making process. All applications are subject to consultation with local residents and businesses and these are taken into account when determining an application.

### **3. How we Consult – Local Plans**

#### **Statutory Requirements**

- 3.1 Planning Regulations<sup>1</sup> prescribe a minimum two-stage process for the preparation of a Local Plan. The first stage involves consultation on the subject of a Local Plan which the Council proposes to prepare; the Council is required to invite representations from such bodies, residents or other persons as it considers appropriate. It is open to the Council to carry out one or more first stage consultations. The second stage involves consultation on the Local Plan that the Council intends to submit to the Planning Inspectorate for an independent examination in public. This is usually referred to as 'pre-submission' stage. At this stage copies of the 'pre-submission' documents, and a statement of the representations procedure, must be made available for inspection at the Council's principal office (Harrow Civic Centre) and other appropriate locations (usually the Borough's libraries), as well as being published on the Council's website. The Council must also ensure that consultation bodies invited to make representations at stage one are notified of the stage two consultation, detailing the availability of the 'pre-submission' documents together with a copy of the statement of representations procedure.
- 3.2 The statement of representations procedure must set out the title of the Local Plan, the subject matter and area covered by the Local Plan, the period for making representations (not less than 6 weeks), the address at which representations must be made, that representations may be in writing or by way of electronic communications, and that representations may be accompanied by a request to be notified of the submission of the Local Plan, the publication of the Planning Inspector's recommendations following the examination in public, and of the adoption of the Local Plan.
- 3.3 Under the Regulations a person may request a copy of a document made available for consultation by the Council. However the Council may make a reasonable charge for supplying a copy of the document.
- 3.4 The Localism Act 2011 places an additional duty on local planning authorities to engage positively with adjoining borough's under a Duty to Co-operate arrangement on strategic cross boundary issues including infrastructure delivery.

#### **Availability of Documents and Making Representations**

- 3.5 The Council will seek to ensure that copies of Local Plan documents made available for public consultation are in place at the advertised locations no later than the date from which the consultation commences. It will also seek to dispatch correspondence publicising Local Plan consultations sufficiently in advance in order that they have a reasonable prospect of delivery on the date from which the consultation commences.

---

<sup>1</sup> The Town and Country Planning (Local Planning) (England) Regulations 2012

- 3.6 The Council cannot accept responsibility for postal delays. Such delays can, however, be avoided by providing the Council with an email address so that notification of consultation can be provided electronically.
- 3.7 At present most Local Plan documents will be made available on the Council's website and at the Civic Centre and local libraries. Representations can be made via email or in writing / by post. The Council will consider implementing a dedicated online consultation portal to assist in representations being made. If such a portal is implemented, details of this will be provided in any consultation notifications. Whilst recognising that some people still prefer to receive postal notification and to inspect paper copies of documents, the Council encourages consultees to use the Council's website and submit representations by email / electronically. This helps the Council to reduce printing and postal costs associated with high volume mail outs and, in so doing, make more effective use of limited consultation resources.

### **Who We Consult**

- 3.8 The Planning Division consult a range of organisations during the process of preparing the Local Plan. A database of contacts is held, currently numbering over 1,000 consultees, and is continually updated. Organisations, groups and individuals that wish to be added or deleted from the database can do so at any time by contacting the Planning Policy team (details below). This database includes specific consultation bodies, as prescribed in the Regulations, as well as individuals and groups who have been added following an expression of interest in planning in Harrow.

#### **Consultation Database - Be Included**

If you wish to receive notifications about future consultations on new town planning documents, please email [ldf@harrow.gov.uk](mailto:ldf@harrow.gov.uk) to be added to our database or to have your details amended.

- 3.9 Below is a list of key stakeholders that the Council will engage with continuously as part of the plan-making and plan-review process:

- The Environment Agency
- Historic England
- Natural England
- Sport England
- Mayor of London
- Civil Aviation Authority
- Ministry of Defense
- Homes and Communities Agency
- Harrow Clinical Commissioning Group
- Office of Rail Regulation



- Transport for London
- Adjoining Local Planning Authorities
- Adjoining Council's
- Network Rail
- Highways England
- Relevant Utility Providers (gas/electric providers, water suppliers and Thames Water)
- Relevant electronic communications companies
- Local Policing Body
- Coal Authority

3.10 The Council also consults with a number of other organisations and individuals who are listed on the Planning Services Database. These include:

- Local Residents
- Designated Neighbourhood Forums
- Voluntary organisations
- Civic and amenity groups Religious organisations
- Disability groups
- Local Businesses
- Land owners in the Borough and local agents
- Essential Service Providers (Fire, Ambulance other Council departments)
- Conservation Area Advisory Committee

### **Consultation Principles**

3.11 The Council will use a range of publicity methods (outlined below) to make a wide range of stakeholders (not already included on the Council's database) aware of any consultations and inviting them to particulate in the process and make representations.



*Public Consultation Event*

- 3.12 We want our consultations to be as open and accessible as possible. Therefore this document outlines some key principles for effective engagement that we will apply to all our consultations.

#### **Effective Consultation - Our Aims**

Harrow Regeneration and Planning will:

- Seek views throughout the planning process
- Ensure that the aims of our consultation are clearly expressed
- Clearly inform people about the purpose of the consultation and the issues involved
- Utilise a wide range of consultation methods, ensuring that the consultation as a whole is accessible to all
- Promote the use of electronic methods of communication to make participation easier and quicker Publicise the responses and provide feedback to participants
- Use the responses to inform policy and the determination of planning applications

#### **Engaging Hard to Reach and Under-Represented Groups**

- 3.13 Obtaining a wide range of views is important to ensure the whole community has a say in its future development. We know that the planning system can be hard to navigate and is therefore a disincentive for some people to become involved. Therefore we will try and engage with individuals and groups by:

- Establishing contacts with key groups and raise awareness of planning in the community
- Holding events at accessible times and locations
- Targeting groups that are under-represented, making use of existing Council forums such as the Youth Parliament
- Providing information in a concise, easy to understand and accessible format
- Improving the ease of access to documents electronically and improve the online consultation experience through new online media

- 3.14 It is important all members of Harrow's diverse community are able to influence its future. The Equality Act 2010 identifies nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Although socio-economic status (people on low incomes, young and adult carers, people living in deprived areas, groups suffering multiple disadvantage, etc) is not a characteristic protected by the Equality Act 2010, we are committed to considering the impact on socio-economic groups and wherever possible improving their prospects and quality of life.

- 3.15 To ensure all groups have an equal opportunity to participate in consultation we will:
- Seek to use new and creative forms of community engagement so that all of those who live, work and carry out business in the borough - including under-represented groups - can participate.
  - Ensure consultation materials use visuals, are legible, clear and concise, avoiding technical language as far as possible.
  - Undertake consultation events in accessible venues, at a range of times.
  - Where appropriate provide assistance in translating materials, including British Sign Language.
  - Seek to ensure local groups representing the protected characteristics under the Equality Act 2010 are included on the Consultation Database.
  - Engage with partners including the voluntary sector.

### **How We Consult - Local Plans**

- 3.16 In addition to contacting the above organisations and contacts on the consultation database about new consultations, the Council will also engage in the ways detailed below.

### **Harrow Council Committees**

- 3.17 Local Plan documents are submitted to Planning Policy Working Group (PPWG) for comment before being submitted to Cabinet and / or full Council for approval to undertake public consultation. The PPWG is chaired by the Portfolio Holder for Planning and includes Councillors from the controlling and opposition political parties. Cabinet consists of all the Portfolio Holders for the Council alongside the Leader. The Working Group can recommend changes to the document and is used to help guide the development of the plan before being sent to Cabinet for approval for consultation. Full Council (all elected Councillors) approves the final versions of Local Plan documents for consultation, submission for examination and for adoption.

### **Consultation Internally**

- 3.18 Regeneration and Planning consult widely with other Council departments when relevant to ensure the Local Plan reflects other Council initiatives and strategies, and that specialist feedback is incorporated where necessary.

### **External Consultation**

- 3.19 All Local Plan documents will be published for you to comment on for at least a six week period. A number of different methods will be used to ensure that as wide a range of people and organisations are informed of the development of new plans for the Borough. Potential consultation methods that will be utilised include:

### **Consultation Methods**

- Council Publications such as Magazines and newsletters
- Council Social Media Accounts
- Community Events to raise awareness of consultation activity
- Drop in Events/Exhibitions to display specific proposals
- Documents. Making consultation documents available at the Civic Centre and local libraries
- Public Notice/Press Releases in the local press
- All content and information will be published on the Council's website and, where possible, new online social media such as Blogs or social networks
- Notification emails / letters to consultees on the Local Plan consultation database
- Public roadshows in areas affected by the plan at stage one of the statutory preparation process
- Presentations at meetings of stakeholders and interested parties' forums
- Summary information / web based guides on the key issues Consultation with key stakeholders as identified above

- 3.20 Other methods that may be utilised to ensure effective engagement include Focus Groups and User Forums, Media Briefings, Community Surveys, Workshops, Public Exhibitions, Meetings and Site Notices alongside any other relevant method of engagement (see box below). Efforts will be made to utilise online social networks such as Facebook and Twitter and other e-tools to help publicise and improve engagement with us. We would welcome any suggestions as to how we can engage with you in a meaningful way. Any suggestions can be emailed to [ldf@harrow.gov.uk](mailto:ldf@harrow.gov.uk) and will be considered for future events.
- 3.21 To further aid consultations, officer contact details will be provided in all documents with the primary aim of providing an easily accessible means of getting answers to questions and access to information. All information will be published on the Local Plan pages of the Council's website. Special efforts will be made to ensure hard to reach groups are included in the consultation, especially where identified through the plans' Equalities Impact Assessment as being affected.
- 3.22 Appendix 1 outlines a range of consultation methods, their strengths and weakness and relative costs (high, medium, low). The Council will consider utilising a range of these methods having regard to the nature of the consultation; key methods are described in detail below.

### **Methods Explained**

#### *Public Roadshows*

These have been the traditional method of informing and receiving comments and feedback from the public and have been very effective over a long period. They are an open invitation to members of the public to attend meetings at specific venues at a given time to engage directly with Council Officers. The time and the venue must be carefully selected to

ensure that people are able to attend and that the venues are suitable. The Council will ensure that this method of engaging the public continues.

#### *Focus Groups*

These are typically made up of local people or people with specialist knowledge or interest in a particular planning issue. Focus groups need not be representative of the general population and are primarily used to focus discussions / decisions around a specific topic or place. The Council also uses focus groups in pre-consultation to help identify issues that the wider public may wish to address through the formal consultation process.

#### *Community Surveys/Questionnaires*

This is an effective way of providing and collecting information when a large number of people need to be engaged. Questionnaires can be used to ask residents and other stakeholders to give their preferences and comments on, for example, what they see as key issues and priorities. This technique should be combined with other forms of engagement such as public roadshows and care must be taken to ensure that issues are clearly stated to avoid confusion or misinterpretation.

#### *Public Exhibitions*

These are usually in the form of information put on public display for examination and observation so that people can provide comments and input to Council proposals. Such exhibitions could be sited at appropriate locations and manned by professionals and officers capable of explaining detailed proposals and answering questions. The location and time of exhibitions must be appropriately advertised and a clear explanation given of any detailed plans and supporting documents that will be available.

#### *Media Coverage/Briefings*

Press releases, TV and Radio etc can be effective ways of disseminating information. Other methods such as newspaper articles, advertisements and press briefings are effective for making local people aware of local issues and consultations. The Council will take advantage of these at different stages in the preparation of each Local Plan document. This medium will be particularly important at stage one of the statutory consultation process and when any of the Council's plans are being agreed for submission to the Secretary of State. Radio and TV are recognised as having the potential to reach a significant number of people and their use will be considered where appropriate.

#### *Summary Information*

To ensure that the whole community is informed at key stages of the plan's preparation, the Council will publish and distribute, in both electronic and paper form, newsletters that will explain the Local Plan process and set out progress in the preparation of Local Plan documents. Articles will be placed in the local press, the Council's own magazine (Harrow People) and any other local papers and community groups' notice boards.

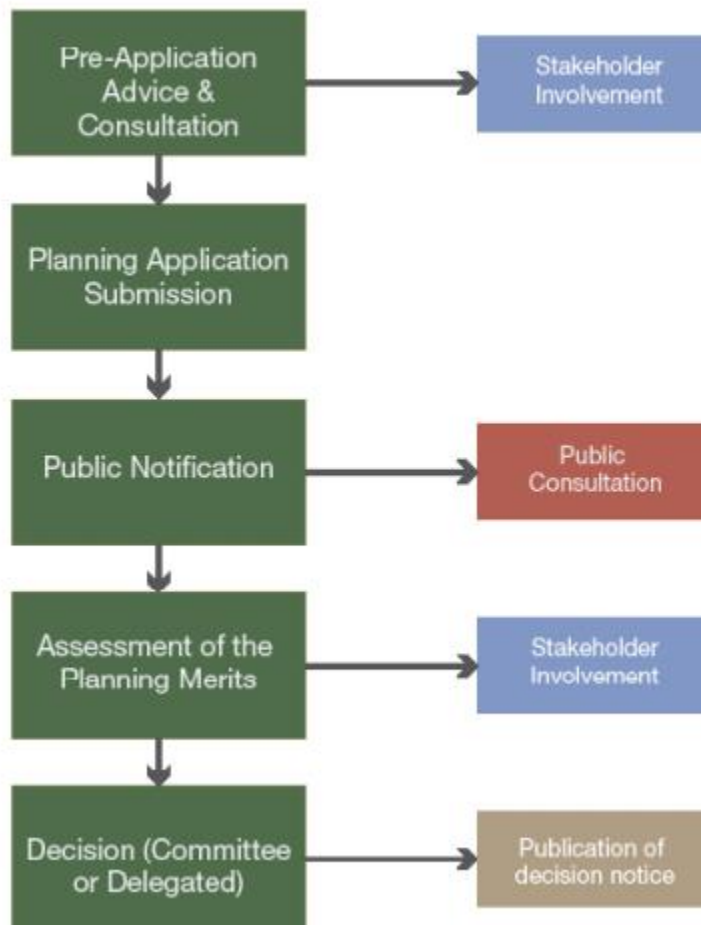
## **Consultation Results**

- 3.23 After the close of a consultation the Planning Policy team will consider the comments received and prepare a revised Local Plan document. All responses will be made available online, alongside a consultation statement which will detail:
- Who was consulted and how they were consulted
  - A summary of the main issues raised from the comments
  - How the comments have been taken into account in the revised document
- 3.24 Where possible (resource dependent), a full schedule of comments with detailed officer responses will also be prepared.

## 4. How We Consult - Planning Applications

- 4.1 The Town and Country Planning (Development Management Procedure) Order 2015 sets out guidance for consultation on planning applications. The process for determining planning applications is set out in Figure 2 below:

**Figure 2: The Planning Application Process**



- 4.2 The Council makes decisions on all planning applications received. These range from simple house extensions to new office developments and retail stores. The Council also determines applications requiring conservation area consent, and those affecting listed buildings. Whilst these follow their own procedures, they still require the same level of consultation as any other application. Applications for works to protected trees / trees within Conservation Areas are not subject to consultation, consistent with the relevant legislation.
- 4.3 Local authorities are required to publish details of all planning applications. Every week, the Council publishes a list summarising all planning applications validated (i.e. accepted for assessment and determination). Lists of applications determined and appeals received are also produced

weekly. This list sets out for each application: site name and address; nature of proposal; the name of the Planning Officer that will be dealing with the application and an indication of whether it is likely to be dealt with through the Council's Planning Committee, or by the Divisional Director of Regeneration and Planning under delegated powers. This list is posted on the Council's web-site: [http://www.harrow.gov.uk/info/200074/planning/443/viewing\\_commenting\\_on\\_line](http://www.harrow.gov.uk/info/200074/planning/443/viewing_commenting_on_line). Certain types of planning application are also publicised in the Harrow Times.

- 4.4 Copies of the weekly list of applications validated are also distributed by e-mail. To subscribe to the distribution list please e-mail: [BSS.Environment@harrow.gov.uk](mailto:BSS.Environment@harrow.gov.uk).

#### **Notification**

We will use a combination of the following methods to notify the community about planning applications:

- Site Notices and / or letters to adjoining properties (or surrounding area for major proposals)
- Council's website will contain all the application details and plans
- Publication of weekly list of applications
- Press Notice (for major applications, listed buildings and conservation area applications)

#### **Pre-Application Advice**

- 4.5 The Council, in accordance with the National Planning Policy Framework, places a strong emphasis on early engagement and aims to work with applicants in a positive and pro-active manner. Therefore the Council welcomes and encourages pre-application discussions between applicants, their agents, developers or interested parties. The Council will also seek early engagement with relevant external bodies. This may be in the form of formalised meetings possibly involving officers from other departments of the Council or by written advice (this service is chargeable in most cases). Pre-application meetings and formal responses are not open to, or published within the public forum.
- 4.6 The overall objectives of the Council's pre-application discussions are:
- to resolve problems, thereby avoiding possible objections at a later stage
  - to overcome perceived closed door approach to determining planning applications
  - to speed up decisions on applications that are straightforward and can be quickly processed
  - to provide useful information upfront.
- 4.7 For further details, please visit [http://www.harrow.gov.uk/info/200074/planning/654/pre-application\\_advice](http://www.harrow.gov.uk/info/200074/planning/654/pre-application_advice)



- 4.8 Government guidance on pre-application processes can be found here: <https://www.gov.uk/guidance/before-submitting-an-application>

### **Pre-Application Consultation**

- 4.9 This consultation is run by developers and is a requirement as set out in the Localism Act 2011 and associated regulations before submitting a planning application (excluding householder applications). For minor schemes this will involve consulting with neighbouring properties. For major schemes or those with significant effects it should also involve public meetings / roadshows in the area affected by the development, and should be advertised locally, and with the outcomes of this consultation submitted with the planning application (required by the Planning Application Requirements). This is a key opportunity for local communities and stakeholders to raise any issues directly with the applicant to influence the proposals before they are submitted.
- 4.10 The Council will expect developers to meet the following consultation criteria:

#### **Developer Consultation Requirements**

- Inform people about the scheme and identify what can be influenced by making representations
- Utilise a wide range of consultation methods as listed in this document in the 'Consultation Methods' box in Section 3
- Submit a Statement of Community Involvement outlining the community consultation carried out and responses received
- Identify any changes made as a result of responses received

- 4.11 The requirement for the submission of a 'Statement of Community Involvement' with the application, depends on the extent of the potential problems and possible public objections identified. The degree to which the initial pre-application stage consultation addresses these will be taken into account in deciding an application. Although the Council cannot refuse to accept valid applications because they disagree with the way in which an applicant has consulted the community, failure by the applicant to consult properly could lead to objections being made which could be material to the determination of the application.

### **Submitted Applications - Having Your Say**

- 4.12 All planning applications once submitted will be subject to public consultation. After the Council has received a planning application it will undertake a period of consultation where views on the proposed development can be expressed and the Council will follow the process and expectations of consultation of planning applications set out in the Planning Practice Guidance (PPG) and as set out in the Development Management Procedure Order 2015. Anyone can make comments on planning

applications regardless of whether they are directly affected or not. Comments must be made within 21 days from the date of the notification. However, comments can be received up until the determination of the application. Bodies such as Natural England will be allowed a longer period of time to comment on applications where this is required by legislation. All comments and written representations are taken into account when the planning application is considered.

4.13 The nature of the planning application will decide who will be consulted. Appendix 2 sets out the types of applications.

4.14 As listed in the 'notification' box above, applications will be widely advertised, notably through notices in the local paper, and adjoining residents will be notified through letters, and for certain schemes, by site notices and letters wider than those properties adjoining. Site notices provide information for people in the vicinity of a site which is subject to a planning application and includes information on the nature of the application and details of how to contact the Council, how to view plans and the deadline for making comments. Such notices are required to be displayed for a variety of applications, for example, major planning applications or those affecting the character of a Conservation Area or those involving alterations to Listed Buildings.

#### **Consultation Methods**

- All applications and supporting documents will be published online
- A site notice, letters to residents and newspaper advertisement will be published as appropriate
- For large applications, the Council may facilitate consultation roadshows

4.15 The process for submitting comments on applications is necessarily formal, given the need to determine applications in a timely manner. Therefore the following requirements apply to anyone wishing to comment on an application:

- All comments must be received in writing within the consultation period (normally 3 weeks)
- Comments can be submitted by email, letter or online at <http://www.harrow.gov.uk/planning>
- Late comments will be considered where circumstances allow. Comments received outside the formal consultation period may not be able to be taken into account, depending on the stage of which the assessment, reporting and determination of the application has reached.
- Personal information as part of an objection will be redacted and not made publically available. The content of the objection will be publically available. The Council will follow any relevant requirements of privacy legislation.

- 4.16 To submit comments online you must first search for the application at the web address above, and then click the 'View Details' tab. From there is a 'comments' tab that can be used to submit your representations. Please note that only Planning Considerations will be taken into account, such as Local Plan policies compliance, and other site specific issues such as overlooking, transport problems, layout and design, amongst many others.
- 4.17 The determination of planning applications is a transparent, public process. Therefore representations made on planning applications will be made available to members of the public to view alongside all other application material and a summary of matters raised is included in the Council's report on the application.

### **Changes to proposals after the application has been submitted**

- 4.18 The National Planning Policy Framework encourages local planning authorities to work with applicants in a positive way. Where the Local Planning Authority accepts material amendments to a live application, the Council will re-consult on the application for a 14 day period.

### **The Decision**

- 4.19 After the statutory consultation period (3 weeks) has ended, the officer in charge of the case is able to make a recommendation to either grant or refuse the application. The final decision will be made in accordance with Harrow Council's Scheme of Delegation. For certain types of development the decision may be made by the Head of Development Management or the Divisional Director – Regeneration and Planning. The vast majority of planning applications (90%) are dealt with under delegated powers. In other cases the application will be reported (with an officer recommendation) to the Planning Committee for it to make the decision. The Planning Committee is made up of elected Councillors.

### **Councillor Involvement**

- 4.20 Most major planning applications are considered by Planning Committee. Meetings are open to the public so that anybody can hear the discussion on planning applications. Members of the Committee make decisions on planning applications taking into consideration the advice of the officers. The officer's report includes a recommendation to the Committee, whether to grant or refuse permission, but the Committee's decision is not bound by that recommendation. The Planning Committee must make its decision based on all of the information available to it and, therefore, Members of the Committee are duty bound not to pre-judge applications in advance of the Planning Committee meeting. Any relevant Member interests in a proposal must be declared in accordance with Council procedures.
- 4.21 Where a Committee application is recommended for grant there is a scheme in place to allow objectors to make verbal representation regarding the proposal at the Committee meeting.

## **Where We Won't Consult**

4.22 Planning Services will not consult on the following types of applications:

- Certificate of lawfulness of proposed use or development
- Details pursuant to conditions
- Non-material minor amendment applications

4.23 This is because they are assessed against legal tests set out in planning legislation. There is no scope to take into account representations when making the decision on these types of applications.

## 5.0 LOCALISM AND NEIGHBOURHOOD PLANS

- 5.1 The Localism Act, which received Royal Assent on 15th November 2011, introduced new rights and powers to allow local communities to shape new development by preparing a neighbourhood plan. The preparation of Neighbourhood Plans is governed by specific legislation in The Neighbourhood Planning (General) Regulations 2012.
- 5.2 In areas such as Harrow, where there are no town or parish councils, the Act allows neighbourhood planning to be taken forward by 'neighbourhood forums' composed of local community groups. These forums have the power to prepare neighbourhood development plans, that must be in general conformity with the strategic policies of the Local Plan, to be put to the wider community for approval by means of local referendum. It is the Council's role to agree the extent of neighbourhood area and the forum that will represent the area and prepare the neighbourhood plan, and to help publicise and organise a referendum and examination of the neighbourhood plan.
- 5.3 For more information on neighbourhood planning, including information on how to set up a neighbourhood forum and start preparing a neighbourhood plan, please visit the following websites:

[http://www.harrow.gov.uk/info/200074/planning/2065/neighbourhood\\_planning](http://www.harrow.gov.uk/info/200074/planning/2065/neighbourhood_planning)

<https://www.gov.uk/guidance/neighbourhood-planning--2>

<http://www.gov.uk/government/publications/localism-act-2011-overview>

### What the Council Will Do

- 5.4 Neighbourhood plans are prepared by the community but there are a number of things the Council has a duty to do. These include:
- consult on and make a decision on the boundary of the area to be covered by a neighbourhood plan;
  - consult on and make a decision on applications to set up neighbourhood forums;
  - checking the plan prior to formal submission;
  - publicise a plan proposal;
  - organise the examination by an independent examiner into a neighbourhood plan (see below for further detail);
  - organise the referendum into the plan (see below for further detail); and
  - taking the final neighbourhood plan into account in planning decisions in the area.
- 5.5 The Council also have a duty to provide technical advice and support to those producing a neighbourhood plan. Alongside our legal duties, the Council is happy to provide informal advice to assist communities throughout the process. The Council's policy for providing this advice and support is outlined in Appendix 3.

- 5.6 The Council will establish internal procedures and structures to co-ordinate the fulfilment of its functions in relation to the establishment of any neighbourhood forum and the preparation of any neighbourhood plan. This will involve relevant internal stakeholders who will liaise with the forum, and advise on the extent of the neighbourhood plan area and matters of conformity with the Borough's Local Plan.
- 5.7 Once the plan has been developed and consulted on by the community, it will be submitted to the Council, and the Council will check it to ensure due process has been followed in accordance with the Localism Act 2011. If this is found to be so, the Council will organise an independent examination of the document in collaboration with the forum.

#### **Examination Support**

The Council will facilitate community involvement in the examination process by:

- Publicising the Examination dates in the local press
- Providing a web page with all relevant information on it
- Organise the Examination venue
- Make available key documents at accessible locations in the area affected e.g. libraries

- 5.8 If the document is approved by the independent examiner and the Council agrees, it will be subject to a referendum by the community / businesses affected. This will be co-ordinated by the Council and will normally be open to anyone eligible to vote in the area, but this may be extended by recommendation of the examiner if certain policies are seen to have implications on certain groups / communities.

#### **Referendum Support**

To facilitate full participation in the referendum process the Council will:

- Advertise the referendum in the local press
- Place all content and information on the Council's website and, where possible and appropriate, use new online social media such as Blogs or social networks
- Dispatch notification emails / letters to affected residents / businesses
- Facilitate meetings with interested parties to ensure that the referendum is understood
- Provide summary information / web based guides on the key issues

- 5.9 The Council will publicise the referendum in accordance with the referendum regulations as run by the Council's electoral department, and will also help

the forums contact interest groups, statutory bodies and other societies to aid in successful consultations.

- 5.10 It should be noted however that in developing a Neighbourhood Plan, most of the responsibility for consulting the community affected falls to the Neighbourhood Forum. It will be expected that the forum will undertake consultations broadly similar to that outlined in section 3: How We Consult - Local Plans. Further guidance on how to undertake consultations may be given by the Council, but the onus and costs (excluding the examination and referendum) must be borne by the forum.
- 5.11 The above outlines the key responsibilities / duties for the Council with respect to neighbourhood planning. Appendix 3 outlines the Council's policies with respect to giving advice or assistance with respect to neighbourhood development plans and neighbourhood development orders (as required under section 6 of the Neighbourhood Planning Act 2017).
- 5.12 For further details and support, it is recommended that you contact Planning Aid (or any subsequent replacement service), who may be able to offer financial assistance and guidance in developing a neighbourhood plan. <http://www.rtpi.org.uk/planning-aid/>. The Council's Planning Service may also offer further guidance, and can be contacted in the first instance.

*Consultation on Local Plan document*

- 5.13 Once a neighbourhood area and neighbourhood forum are designated (i.e. the first stage of preparing a neighbourhood plan or order), the Council will add the Forum to its Local Plans consultation database and consult the Forum on relevant Local Plan documents.

*Consultation on planning applications*

- 5.14 Once a neighbourhood area and neighbourhood forum are designated (i.e. the first stage of preparing a neighbourhood plan or order), the Council will consult the Forum on all applications (planning permission, permission in principle or reserved matters / outline planning permission) received within the designated area and notify them of the decisions made in relation to these applications.

## 6.0 FURTHER INFORMATION

### Resourcing

- 6.1 Undertaking consultation is an integral part of the work of the planning service but is also resource intensive. There are direct costs in terms of resources and staff time. The service may also bring in consultation specialists to supplement the skills of planners in undertaking consultation where appropriate. The consultation requirements set out in the Statement of Community Involvement can be funded from existing budgets based on current resources. We will always aim to use the most cost effective methods of consultation, and will look to new technologies where feasible to achieve this. Where possible, notifications will be sent electronically to reduce costs and a limited number of hard copies of consultation documents will be produced.

### Contact

- 6.2 If you have any comments about either Local Plans or Planning Applications, you can do this by contacting us directly. Our details are:
- For Local Plans queries please email [ldf@harrow.gov.uk](mailto:ldf@harrow.gov.uk)
  - For Planning Applications and Pre-Application advice please email [planning.applications@harrow.gov.uk](mailto:planning.applications@harrow.gov.uk)
  - Contact us by letter: Planning Services 4th Floor North Wing Civic 1 Station Road Harrow Council HA1 2UY

### Further Help

- 6.3 Excellent sources of information about planning are the Government website, Planning Portal and the Royal Town Planning Institute.
- 6.4 The Government websites contains National Planning Practice Guidance on a number of planning topics as well as a cross reference to the national planning policy in the form of the National Planning Policy Framework. <https://www.gov.uk/government/collections/planning-practice-guidance>
- 6.5 The Planning Portal is the Government's online planning and Building Regulations resource for England and Wales. It provides information on plans, appeals, applications, contact details and research areas <http://www.planningportal.gov.uk>
- 6.6 The Royal Town Planning Institute (RTPI) aims to advance the science and art of planning for the benefit of the public, and contains many useful guidance notes <http://www.rtpi.org.uk>



## Appendix 1: Potential Methods for Community Involvement (Local Plans)

Method	Advantages	Disadvantages	Costs involved
Letters to statutory bodies and individuals	Reaches a wide audience of people inexpensive. Can be used to invite views and explain the Council's view and rationale for a certain position.	May not reach those with reading difficulties.	Low
Public Exhibitions/ Open Days/Road Shows	Opportunity to inform people about proposals and projects. Options can be clearly set out and presented all at once. Exhibitions can be moved between locations for maximum targeting. Can be used to generate feedback on a topic	May only reach audience with interest in that topic. Information flow is largely one-way, though feedback can be requested (e.g. book to record comments, self-administered questionnaires).	Low - cost of hiring the venue, and staff time setting up the exhibition.
Council websites (internal) and the public website)	Easy means of referring people to information in a short period of time	Extent of internet access in the borough will be an issue.	Low
Council Magazines and Publications e.g. 'Harrow People'	Reaches a wide range of residents. Useful when needing to broadcast information and gives people an opportunity to respond.	Extent of readership may be limited. May not reach non- residents of the borough.	Low
Leaflets, Newsletters	Coverage is potentially wide, reaching residents and non-residents. Can be used to invite views. Can be high profile publicity.	Can generally give limited information. May result in a poor response. Information flow is largely one-way, although can inspire debate amongst residents. May not reach those with reading difficulties	Medium
Local press briefing and public notices	Information can be provided in some detail.	Not definite that a story will get in the press. May not reach those with reading difficulties.	Medium
Consultative documents requesting public comments	Clear statement of purpose and reasoning should be apparent. Anyone can respond. Amenable to process on the web.	Relies on initiative of responders. Responses not likely to be representative of all opinion/interests. Can be hijacked by dominant and more resourceful individuals and organisations. May not reach those with reading difficulties.	Medium / high - costs of publishing the documentation and administering the distribution and feedback process. Costs reduced if the process is done on the web.

<b>Method</b>	<b>Advantages</b>	<b>Disadvantages</b>	<b>Costs involved</b>
Public meetings with displays	Combines the advantages of exhibitions with more informed discussion and opportunity to comment. Involves, informs and empowers the local community. Can involve different language groups using interpreters.	Relies on those who attend to comment, and hence can sometimes be unrepresentative. May only attract those with negative views. Many do not feel able to participate, as can be hijacked by more dominant and resourceful individuals. Size is limited by venue	Medium
Workshops and seminars	Opportunity for stakeholders to make their opinion heard in a public debate. Encourages active citizenship. Encourages participants to develop a stronger and more relaxed working relationship. Can involve different language groups using interpreters.	Depends on stakeholders to take part.	Medium - cost of hiring appropriate facilities for period of the workshop.
Surveys/ Questionnaires	Good sampling technique should ensure that all shades of opinion are canvassed and captured. Can be geographically focused in terms of neighbourhoods, town centres, and open space. Can be used to reach particular target groups.	Can appear to be remote; while it captures public opinion, it does not necessarily capture opinion or the interests of institutions, corporate bodies and developers etc. May not reach those with reading difficulties	Medium - skilled exercise which should be undertaken by trained staff or professionals. Can be low or medium expensive.
Focus groups and discussions	A participatory approach, which can explore views on specific issues. A two- way process which gives clear encouragement to contribute ideas and views. Can be used to reach a target audience and those that do not respond to traditional forms of consultation. An opportunity to explore the factors which support an individual's opinion. Good for sensitive subjects where individuals may not respond to a structured questionnaire/ group discussion. Can involve different language groups using interpreters.	Can be very time consuming, and relies on good-will of respondents. Ultimately the group's views are only as representative as the group itself, i.e. selection of the group is very important. Cannot be used to extrapolate results for the whole population. Requires skilful facilitation	Medium - more costly if data is examined by a Consultant
User panels and representative	Provides a platform that is stable, can be very	Where volunteers are being used, there is a	Low/ Medium

<b>Method</b>	<b>Advantages</b>	<b>Disadvantages</b>	<b>Costs involved</b>
groups e.g. Conservation Area Advisory Committee (CAAC),	knowledgeable (representative groups) and gives a sense of involvement. Can be used to address more technically complex issues.	need for frequent replacement.	
Participatory forums/Community forums	Provides the opportunity for participation in the process and procedures of planning. Strong two- way process.	Strong personalities may dominate proceedings	Medium
Planning for Real (PFR)/ Workshops	Involves, empowers and informs respondents – provides a degree of local ownership. Available as a tailored package, and easy to initiate. Takes respondents through the physical planning process and enables the visualisation of options. Can catch a wide range of participants. Can involve different language groups using interpreters.	Structured approaches of PFR may limit its usefulness for some situations. Needs planning, administration, time, and resources.	Medium / High
External Consultants	Can provide specialised and focused facilitation for engagement events. This can allow for new and innovative engagement techniques to which participants respond more constructively.	May play a limited role in the consultation process and a very specific approach may not fit with the consultation aims.	High
Councillor and MP surgeries	Local residents and groups have access to elected representatives.	There may be some disappointment as it is not always possible for Councillors and MPs to intervene in the planning system in the way that their constituents might want because they must operate within the confines of planning law/policy	Nil
Local amenity, tenant and other groups	They have a wealth of local knowledge and play a vital role in expressing the concerns or needs of the local community.	They do not necessarily speak for all of the community as there is often more than one view on a development or proposed plan.	Nil

## Appendix 2: Categories of Planning Applications

Application Category	Development Type	Thresholds
Major Applications	Residential	10 or more new homes
		0.5 ha site area
	Non residential	1,000m <sup>2</sup> or more floorspace
		1.0 ha site area
	Change of use	Any change of use or conversion within the above major categories
	Waste	Any development designed to be used wholly or mainly for the purposes of treating, storing, processing or disposing of refuse or waste materials
	Approval of details	Where the details fall within the above major categories
Variations of a permission	Involving building works within the above major categories	
Minor Applications	Residential	1 to 9 new homes
	Non residential	Less than 1,000m <sup>2</sup> floorspace
		Less than 1.0 ha site area
		Alterations within the curtilage of non-residential properties
	Change of use	Any change of use or conversion not within the above major categories and including alterations/extensions requiring planning permission
Variations of permission	Involving building works within the above minor categories	
Other	Change of use	Any change of use or conversion not within the above major categories and not including alterations/extensions requiring planning permission
	Special consents	Advertisement consent
		Certificate of lawfulness applications
		Listed building applications
		Conservation area consent applications
		Consultations from neighbouring authorities
		Prior approval notifications
Variations of permission	Involving change of use within the above major and minor categories	

Application Category	Development Type	Thresholds
Householder	Householder development	Any householder extensions/alterations
		Any householder outbuildings/garages
		Any householder hardstandings/vehicular accesses
		Any householder swimming pools
		Satellite dishes on domestic properties

### **Appendix 3: Local Planning Authority advice or assistance in relation to neighbourhood development plans and neighbourhood development orders**

#### **General support:**

- General guidance - the Council will prepare and maintain a Neighbourhood Planning Protocol, outlining what neighbourhood planning is, the various stages involved, and the roles and responsibilities.
- Harrow Council neighbourhood planning webpage
- Frequently Asked Questions on neighbourhood planning (on the neighbourhood planning webpage)
- Advise local communities interested in neighbourhood planning at an early stage to help them decide whether a neighbourhood plan is suitable for their ambitions
- Disseminating information on local case studies on the website (as these emerge)
- Signposting to relevant external resources

#### **Support to forums preparing neighbourhood plans and neighbourhood orders:**

Harrow Council will subject to resources provide the following in-kind assistance:

- Provide an initial meeting with neighbourhood forums to set out the general and specific level of support that can be provided
- Subject to officer availability, attendance at briefings and meetings to provide advice (e.g. on consultation and engagement) and mediate if required
- Electronic maps of your neighbourhood area and relevant planning designations (pdf, print outs or GIS maps)
- Information on planning designations and planning policies for the area
- Guidance on conformity with national and local strategic policies
- Assistance, where relevant, with carrying out the Strategic Environmental Assessment, and if required, a full Sustainability Appraisal and Habitats Assessment.
- Guidance in designing community consultation activities on planning issues
- Assistance with the identification of the statutory consultees
- Subject to officer availability, support for community planning events (e.g. facilitation, feedback, presentations)
- Provide advice on who to consult in relation to additional requirements for a neighbourhood development order

#### **PLEASE NOTE:**

The above assistance will be subject to demand and available resources. The Council will expect community groups/neighbourhood forums to give ample notice to allow the Council to respond to any requests in the most helpful way. There will not be any funding for neighbourhood forums from Harrow Council; however, we will do our best to advise you on any potential funding opportunities and where you can get further help and advice.

Advice and support provided by Harrow Council is done so without prejudice and cannot be considered to be binding on the Council when it subsequently carries out its formal duties under the Act, such as determining applications to designate a neighbourhood area or forum, or determining legal compliance prior to publishing a draft plan etc.

The requirement under the Act for Local Planning Authorities to provide advice and support should not be construed as an obligation for the Authority to agree with proposals made by the neighbourhood forum. Where the Local Planning Authority is required to make a formal decision (i.e. determining applications to designate a neighbourhood area or forum, or determining legal compliance prior to publishing a draft plan etc), the Council will have regard to the relevant legislative requirements and the National Planning Policy Framework / National Planning Practice Guidance.