

11 December 2018

Planning and Licensing Committee

Statement of Community Involvement Update

Report of: *Phil Drane, Director of Strategic Planning*

Wards Affected: *All*

This report is: *Public*

1. Executive Summary

- 1.1 Local planning authorities are legally required to prepare a Statement of Community Involvement (SCI). The SCI is an important part of the Council's Local Development Plan and sets out how the Council will engage with the local communities through the planning process.
- 1.2 The Council's current SCI was adopted in 2012. Since then there have been several changes to the planning system and it is now necessary to update the SCI accordingly. The revised Brentwood Borough SCI is enclosed in Appendix A.
- 1.3 As part of joint working within the Association of South Essex Local Authorities (ASELA) and early work to prepare a Joint Strategic Plan (JSP) for South Essex, a brief SCI addendum has been prepared. It is recommended that this SCI be approved as Part Two addendum to the Brentwood Borough SCI, as is being proposed for other ASELA partners. The Part 2 SCI is enclosed in Appendix B.
- 1.4 National Planning Practice Guidance does not require public consultation to take place when publishing an SCI. However, in order to test the effectiveness of joint consultation across local authority boundaries in preparation for the South Essex JSP, the Part 2 SCI (Appendix B) may be subject to a period of public consultation.

2. Recommendations

2.1 Approve the revised Brentwood Borough Statement of Community Involvement enclosed in Appendix A; and

2.2 Approve the Part Two SCI South Essex Joint Strategic Plan set out in Appendix B.

3. Introduction and Background

3.1 Each local planning authority must prepare a Statement of Community Involvement (SCI) in accordance with the Planning and Compulsory Purchase Act 2004 (as amended), Part 2, Section 18. The SCI is an important part of the Council's Local Development Plan and sets out how the Council will engage with local communities through the planning process in terms of both plan-making and decision-taking.

3.2 The current Brentwood Borough SCI was adopted in 2012. Since then there have been changes to the planning regulations and national policies as listed below:

- a) Revised National Planning Policy Framework (2018);
- b) Town & Country Planning (Local Planning) (England) Amendment Regulations 2017; and
- c) Neighbourhood Planning Act 2017.

3.3 Therefore, in order to ensure that the Brentwood Borough SCI continues to ensure active, meaningful, and continued involvement with local communities and stakeholders through the planning process, it is considered necessary to now update the document.

3.4 The SCI outlines the Council's standards for community involvement in the planning process and identifies how the Council will achieve these standards. The SCI clearly sets out how, when, and who will be consulted on:

- a) Plan-Making (Planning Policy) documents, such as:
 - i. Brentwood Local Plan (LDP);
 - ii. South Essex Joint Strategic Plan (JSP);
 - iii. Community Infrastructure Levy (CIL); and
 - iv. Supplementary Planning Documents (SPDs)

- b) Decision-Taking (Planning Development Management), such as:
 - i. Planning applications; and
 - ii. Planning appeals

4. Issue, Options and Analysis of Options

Revised National Planning Policy Framework and Planning Regulations

- 4.1 A revised National Planning Policy Framework (NPPF) was formally implemented in July 2018. One of the changes made requires local planning authorities to prepare a Statement of Common Ground(s) with neighbouring authorities and other bodies to document and evidence compliance with the Duty to Cooperate.
- 4.2 The Neighbourhood Planning Act 2017 amended Section 18 of the Planning and Compulsory Purchase Act 2004 requiring local planning authorities to set out within their SCI policies for discharging the duty to give advice or assistance to qualified bodies to facilitate proposals for making and modifying Neighbourhood Development Plans and Neighbourhood Development Orders. Local planning authorities are also required to notify neighbourhood planning bodies of planning applications in their area.
- 4.3 To reflect changes, and to consider the need for an up-to-date position on consultation to be published in time for the Council Pre-Submission Local Plan (Regulation 19) public consultation, revisions to the Brentwood Borough SCI have been made. The revised Brentwood Borough SCI is enclosed in Appendix A.
- 4.4 Government published Planning Practice Guidance states that public consultation is not required when preparing or publishing an SCI.
- 4.5 The document is provided in basic text format and will be reformatted in a more presentable form following approval. Local planning authorities are required to publish the SCI on their website.

South Essex Joint Strategic Plan

- 4.6 In Summer 2017, the Leaders and Chief Executives of South Essex authorities (Basildon, Brentwood, Castle Point, Rochford, Southend, Thurrock and Essex County Council) embarked on a process to develop a long-term growth ambition that would underpin strategic spatial, infrastructure and economic priorities across the sub-region. The 'South

Essex 2050 Ambition' is now being taken forward through several workstreams, including a spatial strategy delivered through a Joint Strategic Plan (JSP). In order to achieve this the authorities formed the Association of South Essex Local Authorities (ASELA).

- 4.7 As part of early work to prepare the South Essex JSP, the partner local planning authorities have prepared a Joint SCI. This is intended to form an addendum to each of the authority SCIs. For this reason, it is brief in content, supplementing the detail of individual authority SCIs. This Part Two SCI is enclosed in Appendix B.
- 4.8 Whilst Government published Planning Practice Guidance does not require public consultation to take place when preparing or publishing an SCI, consideration has been given by ASELA about the need for future JSP consultation. In order to test the effectiveness of joint consultation across local authority boundaries, the Part 2 SCI may be subject to a period of public consultation.
- 4.9 If approved, the revised Brentwood Borough SCI and Part Two SCI will be published on the Councils website.

5. Reasons for Recommendation

- 5.1 Changes to the national planning system make it necessary to revise the Brentwood Borough SCI. The SCI is an important part of the Council's Local Development Plan, setting out how the Council will engage with local communities through the planning process. Local planning authorities must prepare an SCI in accordance with Regulations.
- 5.2 Given the Council's partnership in ASELA and early work to prepare a Joint Strategic Plan for South Essex, it is necessary to consider how consultation will take place across local authority boundaries.

6. Consultation

- 6.1 National Planning Practice Guidance does not require public consultation to take place when publishing an SCI. It is not proposed that the revised Brentwood Borough SCI (Appendix A) be subject public consultation, its content will inform how future Local Plan consultation takes place and will be kept under review based on continued learning about how best to consult.

- 6.2 However, in order to test the effectiveness of joint consultation across local authority boundaries in preparation for the South Essex JSP, the Part 2 SCI (Appendix B) may be subject to a period of public consultation.

7. References to Corporate Plan

- 7.1 The SCI is a statutory part of the Brentwood Local Development Plan process, production which is a key priority in the Council's Vision for Brentwood 2016-2019.

8. Implications

Financial Implications

Jacqueline Van Mellaerts, Interim Chief Finance Officer

01277 312829 jacqueline.vanmellaerts@brentwood.gov.uk

- 8.1 None directly arising from the report.

Legal Implications

Surinder Atkar, Planning Solicitor

01277 312766 surinder.atkar@brentwood.gov.uk

- 8.2 The Planning and Compulsory Purchase Act 2004 and the Town & Country Planning (Local Planning) (England) Amendment Regulations 2017 provide the legal basis for the current plan-making system. These are supported by the revised National Planning Policy Framework (2018) and Planning Practice Guidance.

Other Implications

- 8.3 The effective involvement of various community groups in the planning process, including hard to reach groups, will require joint working with Council teams and partners to maximise contacts and methods.

9. Background Papers (include their location and identify whether any are exempt or protected by copyright)

- 9.1 None

10. Appendices to this report

- Appendix A: Brentwood Borough Statement of Community Involvement, December 2018 (draft version for committee)
- Appendix B: Part II Statement of Community Involvement, South Essex Joint Strategic Plan (draft)

Report Author Contact Details:

Name: Andrea Pearson, Senior Policy Planner

Telephone: 01277 312572

E-mail: andrea.pearson@brentwood.gov.uk