

Statement of Community Involvement

Supplementary Planning Document Review - Draft for Consultation - February 2017

www.portsmouth.gov.uk



This draft was approved for consultation by

The Leader of the Council with responsibilities for
Planning, Regeneration and Economic Development

1 February 2017

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INTRODUCTION

This Statement of Community Involvement (SCI) has been written to tell residents and businesses how they can take part in;

- The Portsmouth Local Plan
- Small scale planning applications for homeowners and businesses
- 'Major' planning applications such as the redevelopment of a large area of land

We have done our best to make this document easy to use and avoid the use of jargon. Where we use a planning or a technical term we explain it in the text.

All the most up to date information is available on the Portsmouth City Council website. If you cannot see the Internet we can be contacted by email or by telephone (details are in the document).

PART 1 - Community Involvement in the Local Plan

The Local Plan is used to guide future development in the city and protects various areas such as open space and conservation areas. It will contain a vision and maps and details of what type of development can happen and where, it also contains the 'policies' we use to guide any planning applications. Policies affect everyone from a large scale building scheme to small changes to a house.

The Government wants every Council to have a Local Plan which shows how the local area will change.

Residents can find out what we are doing on the Local Plan by;

- Checking the website on a regular basis;
<https://www.portsmouth.gov.uk/ext/development-and-planning/planning/the-portsmouth-plan.aspx>
- Calling the Planning Policy Team at 023 9284 1267
- Sending us an Email on:
planningpolicy@portsmouthcc.gov.uk
- You can also be on our list on 'consultees,' which are the people we regularly contact by Email or by letters. These contain official organisations as well as local people.

Work has started on a new Local Plan

We already know what many of the key issues are in the City, such as transport, housing and employment; but local people's input also helps us plan for the future of the City. There will be opportunities to let us know your views and opinions through a variety of ways at the key stages of Local Plan preparation. We will;

- Provide adverts in newspapers about the process
- Place information in the Reception at the Civic Offices, in the public libraries and community centres
- Provide details on our website

A variety of technical reports and other studies will give us up to date information and evidence, including the work of the Partnership for Urban South Hampshire (PUSH), a grouping of local authorities on the south coast of Hampshire. Their website with their Planning documents is at; <http://www.push.gov.uk/>

The draft Local Plan reaches the 'publication' stage

The draft Local Plan will contain;

- Policies - for the development and protection of land
- Site Allocations - land we are choosing for new development or for the re-development of existing buildings

The Local Plan will be accompanied by technical documents which justify what has been written in the plan (such as the amount of housing and jobs we need).

One of these documents will be a 'Consultation Statement' (which sets out comments made so far in the process). These are taken into account in preparing the Draft Local Plan by local people, businesses and 'interest groups.' This will also have the views of 'Statutory Consultees' (such as The Environment Agency).

Residents, businesses and others are invited to make comments on the Local Plan using an online form or a paper copy. These views are known as 'representations' and can be sent to us by post, email or handed in at the Civic Offices (the full address is on Page 14).

What has been said by residents, businesses and other groups at this stage will be published later in the process in a document known as The Local Plan Consultation Report.

Please be aware that a name and address will be needed if your representation is to be accepted. Your contact details will not be published unless you are a business. Your name however will be published in the Consultation Report.

The Local Plan is 'submitted'

A copy of the Local Plan is 'submitted' to the 'Planning Inspectorate,' who are responsible for making decisions on Town Planning and also Appeals (the latter is explained on Page 12 - 13). For the Local Plan the Planning Inspectorate are in charge of the 'Examination.'

The Examination and Hearing Sessions into the Local Plan

A Planning Inspector will be appointed to chair the Examination, and it will be either Hearings (a series of discussions relating to issues raised by the representations on the Draft Local Plan) or it will be dealt with by written representations. The Inspector will decide what issues to discuss, not the council.

The Examination into the Local Plan

The Planning Inspector will be testing the 'evidence base' - all the research papers and other documents supporting the plan - to ensure the Local Plan is 'sound' at the

Examination. The National Planning Policy Framework currently sets out four elements of 'soundness' and states that Local Plans must be;

- Positively prepared - the plan should provide the development and infrastructure needed
- Justified - the plan should be the best strategy based on the evidence
- Effective - the plan should be deliverable; and
- Consistent with national policy - the plan should enable the delivery of sustainable development

These tests may vary over time, and the full details of the procedures are online:

http://www.planningportal.gov.uk/uploads/pins/dpd_procedure_guide.pdf

The Inspector will set out an indicative timetable which will be provided on the Council website. This gives details of when the topics that interest you are being discussed, or you can contact the Council by Email or telephone.

Please be aware that not everything in the Plan will be discussed at these Hearings. The Inspector will set out the key matters, issues and questions to be discussed for the Examination. Only those invited to speak at the Hearings can take part in the hearing sessions, but you can come and listen to what is said.

The Inspectors Report

Once the Hearings are completed the Planning Inspector considers what has been said and what is in the Local Plan as well as the evidence base of the various technical studies.

The Inspector then produces the 'Inspectors Report' and the Council publishes it.

The Report sets out the different issues raised and gives the Inspector's views and recommendations. It sets out any changes that may need to be made to the Local Plan. The Council will carry out those changes before the Plan is 'adopted.'

The Local Plan reaches the 'Adoption' stage

Adoption is when the Plan becomes a 'legally binding document' (which means it can be published and used to guide planning decisions in Portsmouth). Copies will be available on the Internet or it can be purchased from the Council. Copies can also be seen in the local libraries.

Where are we with the Local Plan?

The Portsmouth Local Plan 2001 - 2011 is on our website at:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-city-local-plan-with-2012-policies-deleted.pdf>

The Portsmouth City Local Plan was adopted on 21 July 2006. A number of its policies were deleted in July 2009 when the Portsmouth Plan was adopted in January 2012. The Index of deleted Policies can be found at:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-city-local-plan-policies-remaining.pdf>

The Portsmouth Plan was Adopted on 24 January 2012 and is the principal planning policy document and replaces a large number of policies in the Portsmouth City Local Plan. It sets out how much housing, employment and retail development the city needs up to 2027 and where this should be. The plan also sets out what infrastructure will be needed to enable this development to take place together with how we will continue to protect the city's sensitive historic and natural environments. The document can be found at:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

The Portsmouth Plan was created under the old Local Development Framework system, with other documents planned to follow it. However the intention is to now produce one document, a Local Plan, containing all the Policies for the future.

A Local Development Scheme document will also be published setting out the timetable for the new Portsmouth Local Plan.

PART 2 - COMMUNITY INVOLVEMENT IN PLANNING APPLICATIONS

Portsmouth City Council is responsible for handling all planning applications ranging from a householder planning application (for alterations to your home), applications for works to trees (trees in Conservation Areas or those with a Tree Preservation Order protecting them), listed buildings (historic buildings or objects such as Victorian lampposts that are protected), advertisements and larger planning applications (from businesses) for employment and new homes across the City.

Introduction

The extent of community involvement in any planning application varies depending on the nature of the application. To encourage involvement in the decision making the following processes are in place:

- If you are unsure whether you need planning permission, or if you wish to establish whether an application might be eligible for Officer support, the Council offers a pre-application service
<https://www.portsmouth.gov.uk/ext/development-and-planning/planning/pre-application-planning-advice.aspx>
- Details of the fees are on the same page at:
<https://www.portsmouth.gov.uk/ext/documents-external/pln-planning-preapplication-fees.pdf>
- Please note that pre- application enquiries are confidential

Planning applications, including any representations (comments from neighbours or members of the public), are public documents and can be viewed online by using the Public Access system, where it is also possible to search for the weekly list of planning applications at:

<https://www.portsmouth.gov.uk/ext/development-and-planning/planning/planning-applications-view-and-comment-online.aspx>

How will we consult?

Portsmouth City Council seeks to capture public engagement through a number of methods. Representations on planning applications are accepted online, and in writing or by email to:

planningreps@portsmouthcc.gov.uk

Our online Public Access System includes a facility to view weekly lists of valid applications.

Portsmouth City Council seeks to ensure people are made aware of planning applications that are likely to directly affect them and have taken the following approach in the table below for giving notification of one. The requirement for the newspaper adverts comes from central government and therefore is not at the discretion of the Council to discontinue or reduce costs.

Nature of development	Advertisement in Local Newspaper (21 days)	Site Notice (21 days)	Neighbour notification letter (21 days)
Major development & applications of wider concern (more than 10 dwellings or 1000 m ² of other development)	✓	✓	✓
Minor development (less than 10 dwellings or 1000 m ² of other development)	N/A	✓	✓
Householder applications / domestic extensions	N/A	N/A	✓
Change of Use to a House in Multiple Occupation	N/A	✓	✓
Listed Building Consent application	✓	✓	✓ depending on the application type or site situation
Development in a Conservation Area	✓	✓	✓ depending on the application type or site situation
Development affecting the setting of a listed building	✓	✓	✓ depending on the application type or site situation
Development affecting a Scheduled Ancient Monument (SAM), or the setting of a SAM or a Historic Garden or Park	✓	✓	✓ depending on the application type or site situation
Works to trees that are protected by a Tree Preservation Order	N/A	✓	✓
Works to trees in a Conservation Area	N/A	N/A	N/A
Applications accompanied by an Environmental Impact Statement	✓	✓	✓
Applications which are a departure from the Development Plan (the Portsmouth Plan)	✓	✓	N/A
All other planning applications	N/A	N/A	✓

Who else does the Council consult with on applications?

Portsmouth City Council recognises the importance of involving other organisations both local and national as part of the planning process. Statutory consultations are carried out on many applications with bodies such as the Environment Agency (on flood risk); Historic England (important listed buildings/conservation areas/scheduled ancient monuments); and Natural England (important protected areas and biodiversity).

Who we consult with will vary depending on the nature of the proposal and the location. Consultees have 21 days in which to respond.

How do I find out about planning applications?

The best way to find out about planning applications is by viewing the weekly list of applications accessible on the Public Access system online at:

<https://www.portsmouth.gov.uk/ext/development-and-planning/planning/planning-applications-view-and-comment-online.aspx>

Site Notices are posted near to development sites and include;

- Details of the proposal
- How to view and comment on the planning application
- The name of the Case Officer (the Planner dealing with the application), and;
- The date by which comments need to be received.

You will receive a Neighbour Notification letter when a proposal adjoins your property, the letter will include details of the proposal, how to view and comment on the application, the name of the Case Officer (the Planner dealing with the application) and details of your Local Councillors who may be able to offer advice.

We advertise in the Portsmouth News our weekly local press list of all applications that fall within the following criteria:

- Major Applications
- Listed Building Consent Applications
- Development in a Conservation Area
- Development affecting the setting of a listed building
- Development of a Scheduled Ancient Monument
- Development in the setting of a Scheduled Ancient Monument
- Development on a Historic Garden or Park
- Development accompanied by an Environmental Impact Assessment; and
- Applications which are a departure from the Portsmouth Plan

How can I make comments on a planning application?

The best way to express your views on a planning application is through the Council's website at:

<https://www.portsmouth.gov.uk/ext/development-and-planning/planning/planning-applications-view-and-comment-online.aspx>

You can also express your views by:

- Email to: planningreps@portsmouthcc.gov.uk
- In writing to: **Culture and City Development
Civic Offices
Guildhall Square
Portsmouth
PO1 2AU**

Should you wish to speak at the relevant Planning Committee (also known as making a verbal deputation) as part of the determination (the making of a decision on whether to grant or refuse a planning application) you are able to request this in writing as part of your comments. The deputation protocol is set out on Council's website at:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-plan-application-guide-on-committee-speaking.pdf>

All comments and correspondence received on planning applications are open to public inspection and will be published on our Public Access System as part of the online application file, they may also be repeated in public documents, such as within the committee pages on our website. Therefore, you should only include information you are happy to be made available to others over the internet at:

<http://democracy.portsmouth.gov.uk/mgCommitteeDetails.aspx?ID=157>

Comments will be summarised within the Planning Case Officers report. We will endeavour to remove all personal and sensitive information from your comments prior to it being published in the online application file, names and addresses however remain publicly accessible. For business letters we will only remove signatures.

What happens after the consultation?

The Planning Case Officer will use the development plan documents, including the Portsmouth Plan, and relevant Supplementary Planning Documents (SPDs), responses from the consultation and any other relevant guidance both at national and local level to determine the Planning Application. Officers do not generally reply to individual comments, but will address the key issues and comments in their report.

Most minor and householder applications are 'determined' (that is a decision is made to either refuse or grant Planning Permission) by Planning Case Officers under delegated powers and under the authority of a more senior Officer. Where proposals are recommended for refusal, two more senior officers need to endorse the decision.

Councillors make decisions about applications that cannot be decided in this way, or may decide to 'call in' an application for the Planning Committee to make the decision. The Planning Committee meet once a month. The council's committee pages publish agendas and reports with five clear working days before the committee meetings. The meetings are open to the public and members of the public can make a deputation request to speak at committee. Guidance on how to comment on applications includes guidance for speaking to the Committee at:

<https://www.portsmouth.gov.uk/ext/development-and-planning/planning/planning-applications-view-and-comment-online.aspx>

When a decision has been made the Decision Notices are posted on the council's Public Access System at:

<https://www.portsmouth.gov.uk/ext/development-and-planning/planning/planning-applications-view-and-comment-online.aspx>

Planning Appeals

If you are an 'applicant' - the person who submitted the planning application - and unhappy with a decision made at Planning Committee or by the Case Officer you are entitled to make an Appeal to the Planning Inspectorate. However before making any appeal you should first consider meeting with the Planners to discuss whether any changes to the proposal would make it more acceptable and likely to gain Planning Permission.

No one else has a right to appeal the decision. However, when an application has been appealed the council does inform all those who objected during the application stage. The Council does this as soon as it receives notification from the Planning Inspectorate. All

copies of letters and comments received during the planning application stage will also be forwarded to the Planning Inspectorate. Their website is found at:

<https://www.gov.uk/government/organisations/planning-inspectorate>

The Planning Inspectorate may publish Appeal documents including copies of representations received on the Planning Portal Web site. All information provided in your representation including your name and address will be published.

How can your local Councillor help?

Councillors sit on the Planning Committee and are involved in dealing with planning applications having regard to recommendations from Planning Officers. Although the majority of Planning Applications are determined under 'delegated powers', Councillors (also called Members) can 'call in' a planning application for it to be determined by the Planning Committee. This can happen if a Planning Officer recommends a decision that goes against letters of objection (or support) and the Members Information Service (MIS) gives Councillors the chance to decide if the Planning Application needs to go to the Planning Committee.

To call-in a Planning Application, a Councillor must request in writing that the planning application be determined by the Planning Committee. In making the request the Councillor must set out the planning reasons for this.

Your local Councillor is able to act as an advocate on planning applications for constituents and can also give advice on the planning process and talk about local planning applications in your area. If you would like to contact your local Councillor the list of names and contact details can be found on the Council's website at:

<http://democracy.portsmouth.gov.uk/mgMemberIndex.aspx?bcr=1>

Planning Enforcement

Portsmouth City Council has a planning enforcement team who are responsible for ensuring that people comply with planning law and the requirements of a planning permission. Enquiries to the planning enforcement team do not involve consultation due to the confidential nature of on-going investigations. The Council's planning enforcement process is on the website and can be viewed at:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-planning-service-enforcement-policy.pdf>

The planning enforcement service will:

- Investigate alleged breaches of planning control that are reported in writing - we will only register and investigate anonymous complaints if the breach is extremely serious and/or is readily noticeable
- Register and acknowledge written complaints that have been received, as well as updating the person or organisation that has complained on the progress of the investigation
- Seek to manage breaches of planning control that cause noticeable harm to amenity

We will deliver this service by:

- Prioritising cases in accordance with our enforcement protocol
- Being helpful, polite and open in the way we work
- Allocating a named case officer as a contact person
- Responding to all contacts in plain English
- Pursuing a breach of planning control to a suitable conclusion
- Retaining confidentiality of those complaining when possible

Alleged breaches of planning control can be reported by completing and submitting a confidential complaint via the following means:

- By email: planningenforcement@portsmouthcc.gov.uk
- In writing: **Culture and City Development**
 - **Civic Offices**
 - **Guildhall Square**
 - **Portsmouth**
 - **PO1 2AU**

Complaints procedure

While we try to provide a good service, we know that sometimes things go wrong to improve the service we provide, and we need to learn from this. To do that we have developed a complaints procedure for you to use if you feel that this is the case. The Portsmouth City Council adopted corporate complaints procedure can be viewed at:

<https://www.portsmouth.gov.uk/ext/the-council/transparency/comment-compliment-or-complaint.aspx>

If you have a complaint about how a planning application has been handled you can:

- Use our online compliment, comment or complaint form
- Send an email to ccc@portsmouthcc.gov.uk
- Call on 023 9283 4702
- Visit us in person at the Civic Offices
- Or write to: **The Comments, Compliments and Complaints Team**
Portsmouth City Council
Civic Offices
Guildhall Square
Portsmouth
PO1 2ZX

This document will be updated if Government legislation changes any of the procedures affecting Planning Policy and Development Management.

Planning Policy Team
City Development and Culture
Civic Offices, Portsmouth
PO1 2AU

Telephone: 023 9284 1267
Email: planningpolicy@portsmouthcc.gov.uk

www.portsmouth.gov.uk

You can get this
Portsmouth City
Council information
in large print, Braille,
audio or in another
language by calling
023 9268 8633.