

AGENDA

SPATIAL PLANNING STRATEGY ADVISORY GROUP MEETING



Date: Tuesday 23 October 2012

Time: 6.30 pm

Venue: Town Hall, High Street,
Maidstone

Membership:

Councillors Burton, Mrs Gooch, Harwood (Vice-Chairman), Lusty (Chairman), Moss and Mrs Wilson

Page No.

1. Apologies for Absence
2. Notification of Substitute Members
3. Notification of Visiting Members
4. Disclosures by Members and Officers
5. Disclosures of Lobbying
6. To consider whether any items should be taken in private because of the possible disclosure of exempt information

Continued Over/:

Issued on 15 October 2012

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact JANET BARNES on 01622 602242**. To find out more about the work of the Cabinet, please visit www.maidstone.gov.uk

**Alison Broom, Chief Executive, Maidstone Borough Council,
Maidstone House, King Street, Maidstone Kent ME15 6JQ**

7. Minutes of the Meeting held on 24 July 2012 1 - 5
8. Report of the Director of Change, Planning and the Environment
- Statement of Community Involvement Consultation Draft
2012 6 - 35

MAIDSTONE BOROUGH COUNCIL

SPATIAL PLANNING STRATEGY ADVISORY GROUP

MINUTES OF THE MEETING HELD ON TUESDAY 24 JULY 2012

Present: Councillor Lusty (Chairman), and
Councillors Burton, Mrs Gooch, Harwood, Moss and
Mrs Wilson

Also Present: Councillors English, Paine, Paterson and Yates

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no substitute members.

3. NOTIFICATION OF VISITING MEMBERS

Councillors English, Paine, Paterson, and Yates indicated that they wished to speak in respect of all the items on the agenda.

4. ELECTION OF CHAIRMAN

RESOLVED: That Councillor Lusty be elected Chairman of the Group for the municipal year 2012/13.

5. ELECTION OF VICE CHAIRMAN

RESOLVED: That Councillor Harwood be elected Vice Chairman of the Group for the municipal year 2012/13.

6. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members and Officers.

7. DISCLOSURES OF LOBBYING

All members of the group stated that they had been lobbied on the Core Strategy.

8. EXEMPT ITEMS

RESOLVED: That the items be taken in public as proposed.

9. CORE STRATEGY PUBLIC PARTICIPATION: KEY ISSUES AND RESPONSES

The Group considered the report of the Director of Change, Planning and the Environment relating to the key issues arising from the representations made during the public participation consultation on the draft Core Strategy (2011) and to note the officers' response.

The Group discussed in great detail the issues raised in the report and the various measures that could be taken in respect of the concerns raised.

RESOLVED to Recommend to the Cabinet: That the recommendations set out in the report be approved subject to the following amendments:-

- a) Recommendation (ii) re Junction 8 was agreed but in addition the following resolution was also agreed.

That in respect of the proposals relating to Junction 8 on the M20 motorway and the Woodcut Farm site the 7ha site to the north west of the site would be given over to a landscaped area should come into public ownership either through the Council or a Charitable Trust and that the proposal is communicated to the community setting out the Council's intention through this proposal to protect the land to the north west of this area as open countryside.

- b) Recommendation (iii) be reworded as follows:
"Retain Junction 7 of the M20 motorway as a medical campus and that the Cabinet give further consideration to the allocation for land as development in the Core Strategy in conjunction with the adjacent redevelopment of Newnham Court Shopping Centre which would have been guided by an approved Development Brief".
- c) Recommendation (xii) be reworded as follows:
"Rename Green wedges as Green and Blue corridors, transfer references to corridors in policies CS3 to policy CS1 and amend the Green wedges notations on the Key diagram but that in so doing these changes are cross referenced to the NPPF".
- d) New recommendation (xv) be inserted in the following terms:
"That the Cabinet give consideration to the Maidstone Town Centre being allocated a strategic site or highlighted in policy in a way that has the same effect as that of a strategic site allocation.

10. CORE STRATEGY STRATEGIC DEVELOPMENT SITE ALLOCATIONS

The Group considered the report of the Director of Change, Planning and the Environment relating to the draft Core Strategy strategic site allocations for housing and employment, together with the policy for the presumption in favour of sustainable development and the distribution of housing targets for rural service centres, and to approve the document attached at Appendix A to the report for public consultation in accordance with regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Group discussed in great detail the issues raised in the report and the various measures that could be taken in respect of the concerns raised.

The Director of Change, Planning and the Environment reported to the Group a number of amendments he wished to make to the consultation document which are set out below:-

Core Strategy Strategic Site Allocations – Proposed Amendments

East of Hermitage Lane

1. After paragraph 3.16 add new paragraph: "East of Hermitage Lane lies, in part, within an identified biodiversity opportunity area (BOA). The Greensand Heaths and Commons BOA, in which the north eastern portion of the site is located, is characterised by a concentration of woodlands on the Greensand Ridge where areas of healthy vegetation and acid grassland are a feature. The larger field, which is proposed for development, has been ploughed on a number of occasions, although opportunities exist for targeted habitat restoration and creation as part of the development."
2. Delete paragraph 3.17 and replace with: "At the south western end of the site is a smaller field with an area of protected trees to the north east. The field and trees, which are to be retained as informal/natural open space, offer the chance to create an enhanced biodiversity corridor through and around the proposed development. Retention of the smaller field also allows a section of archaeological remains to be left in situ, as advised by the County Archaeologist. The retention and enhancement of this part of the site will also screen the proposed development from Hermitage Lane and maintain the setting of Maidstone Hospital."

North of Sutton Road

3. Paragraph 4.10 following "and enclosure to development" add: "The County Ecologist has identified the eastern part of the site as having ecological potential so more detailed consideration should be given to this area through the submission of an ecology survey, incorporating mitigation measures, to be approved by the Borough Council. Existing landscape features within the site should be retained where possible. Bicknor Wood to the north of the site and the trees running along the eastern boundary are subject to tree preservation orders (TPO No.37 of 1981 and TPO No.36 of 1981)."
4. Policy SS2c add new criterion: "Submission of a full landscape assessment and ecology survey, to be approved by the Borough Council".

Woodcut Farm

5. Paragraph 5.3 amend first sentence to read "The site which is some ~~25.8ha~~ **25.3ha**, is situated..."
6. Paragraph 5.9 add "The site does lie within the Mid Kent Greensand and Gault Biodiversity Opportunity Area and opportunities to develop targeted habitat mitigation and enhancements in conjunction with the site's development will be identified."
7. Policy SS3(5) amend to read "Larger footprint buildings will be accommodated in the field to the east of the stream up to a maximum unit size of ~~15,000sqm~~ **10,000sqm ground area** with building ridge heights not to exceed 14m".

Newnham Park

8. Paragraph 6.10 after "views from the AONB" add: "Of particular prominence is the hill to the north east of the field located to the east of the stream, so development will not be permitted on this part of the site."
9. Paragraph 6.15 amend to read "The medical campus will provide for up to ~~200,000m²~~ **150,000m²** of specialist medical facilities".
10. Policy SS4(1) amend to read "Provision of a maximum 200,000m² of specialist medical facilities set within an enhanced landscape structure" and replace with "Provision of a maximum ~~200,000m²~~ **150,000m²** of specialist medical facilities set within an enhanced landscape structure".
11. Policy SS4(5) after "...use of the topography in site layout plans ..." add: "to exclude development on more prominent parts of the site."
12. Policy SS4(7) amend to read "The cumulative quantum of retail floorspace will be restricted to the provision of up to 500sqm above that which already exists and any additional retail floorspace above this limit must be complementary to town centre uses and ~~the need for~~, **by means of a sequential sites assessment, demonstrably require** an out of town location justified.

The Group were also asked to recommend a change to the original recommendation 1.2.4 so as to read as follows:-

"The Cabinet notes that the Maidstone Strategic Site Allocations Sustainability Appraisal July 2012 (Appendix C) forms part of the evidence base; and requests that the consultants (URS) be asked to provide a summary of the significant environmental effects of the options chosen and the reasonable alternatives rejected, as set out in the Plans and Programmes Regulations 2004, Schedule 2.

RESOLVED to Recommend to the Cabinet: That the recommendations in the report be approved subject to taking into account any decisions made in Minute 9 above and the amendment recommended by the Director of Change, Planning and the Environment as set out above and the change to recommendation 1.2.4 as set below:-

“That it be noted that the Maidstone Strategic Site Allocations Sustainability Appraisal July 2012 (Appendix C) forms part of the evidence base; and requests that the consultants (URS) be asked to provide a summary of the significant environmental effects of the options chosen and the reasonable alternatives rejected, as set out in the Plans and Programmes Regulations 2004, Schedule 2.”

11. DRAFT JOINT INTEGRATED TRANSPORT STRATEGY

The Group considered the report of the Director of Change, Planning and the Environment seeking agreement to a Draft Integrated transport Strategy, prepared jointly by the Kent County Council and the Maidstone Borough Council, for public consultation.

The Group discussed in great detail the issues raised in the report and the various measures that could be taken in respect of the concerns raised.

RESOLVED to Recommend to the Cabinet: That, subject to the following amendments, the Draft Integrated Transport Strategy and its preferred option, using a “do minimum plus” basis for further improvements be approved for public consultation:-

- a) That a greater emphasis is given to pedestrian movement in and around the Maidstone town centre within the Strategy.
- b) That the Cabinet investigate and seek clarity from the Kent County Council on what level of funding it would underwrite the schemes set out in the ITS Action Plan.

12. INFRASTRUCTURE DELIVERY PLAN UPDATE

The Group considered the report of the Director of Change, Planning and the Environment on progress on the Infrastructure Delivery Plan in order to inform the Core Strategy strategic site allocations and the Integrated Transport Strategy (ITS).

RESOLVED: That the progress of the Infrastructure Delivery Plan and the indicative cost estimates be noted.

13. DURATION OF MEETING

6.30pm to 9.54pm.

Agenda Item 8

MAIDSTONE BOROUGH COUNCIL

SPATIAL PLANNING STRATEGY ADVISORY GROUP

23 OCTOBER 2012

REPORT OF THE DIRECTOR OF CHANGE, PLANNING AND THE ENVIRONMENT

Report prepared by Emma Boshell

1. STATEMENT OF COMMUNITY INVOLVEMENT CONSULTATION DRAFT 2012

1.1 Issue for Decision

1.1.1 To consider the public consultation draft of the Statement of Community Involvement 2012 attached at Appendix A.

1.2 Recommendation of the Director of Change, Planning and the Environment

That the Spatial Planning Strategy Advisory Group recommends that the Cabinet Member for Planning, Transport and Development approves the draft Statement of Community Involvement 2012 (attached at Appendix A) for public consultation.

1.3 Reasons for Recommendation

1.3.1 The reasons for the recommendation are set out in the attached report of the Director of Change, Planning and the Environment (Appendix B).

IS THIS A KEY DECISION REPORT?

Yes

No

If yes, when did it first appear in the Forward Plan?

26 September 2012.

This is a Key Decision because: the SCI affects more than one ward.

Wards/Parishes affected: all wards and parishes.

This document is produced by

MAIDSTONE BOROUGH COUNCIL

**Public consultation
commences on xxx
and
closes at 5.00pm on xxx**

All enquiries should be addressed to:

Spatial Policy
Maidstone Borough Council
Maidstone House
King Street
Maidstone
Kent ME15 6JQ

Telephone: 01622 602000

Email: LDF@maidstone.gov.uk

- .1 To be agreed with Cllr Stephen Paine.

1 Introduction	1
What is a Statement of Community Involvement?	1
Why is it being reviewed?	1
How does the SCI fit in with the plan making process?	1
2 Key principles of community involvement	4
The Council's objectives	4
Who is the community?	4
Why engage with the community?	5
Duty to cooperate	5
3 Maidstone Local Planning Policy Framework	7
Community involvement in the Local Planning Policy Framework	7
Stages of community involvement and consultation	7
Methods of community involvement and consultation	12
4 Planning applications	14
Community involvement in planning applications	14
Community involvement and consultation at the pre-application stage	14
Methods of community involvement and consultation	15
5 Glossary	18
6 Appendix 1	20

What is a Statement of Community Involvement?

1.1 The Statement of Community Involvement (SCI) sets out how and when stakeholders and the local community can participate in the preparation of local planning policy documents and planning applications. All local planning authorities are required to prepare an SCI under the Planning and Compulsory Purchase Act (2004). Whilst it is a statutory document, the Council recognises that engagement with the local community, particularly early on, is an essential part of the planning process and can enable communities to shape the area where they live. The Council has a duty to follow these procedures.

Why is it being reviewed?

1.2 The existing SCI was adopted by the Council in 2006 but recent changes to planning legislation affecting how the Council produces local plans and how it consults about planning applications, along with improvements in consultation methods, have meant that the document is now out of date and in need of reviewing.

1.3 In addition, communities are being encouraged to have more involvement in deciding the future of the places where they live and work through the rise of localism and neighbourhood planning. This further demonstrates the importance of community involvement and it is therefore crucial that the SCI is updated to reflect these changes.

1.4 Whilst current methods of consultation are sufficient, the Council recognises a need for continual improvement on existing opportunities for stakeholders and the local community to get involved in the planning process in order to improve the effectiveness of plan making and development management. This will be achieved by:

- Providing early opportunities for people to participate in time to shape the development of policy;
- Further development of a flexible and accessible consultation process;
- Drawing on valuable local knowledge and experience;
- Improving everyone's understanding of the planning process; and
- Joined up thinking.

How does the SCI fit in with the plan making process?

1.5 The following flow chart sets out how the SCI fits in with the plan making process.



1.6 The local planning policy framework makes up part of the development plan which is central to the planning system and which guides the decision making process for development proposals. The development plan includes adopted local plans, neighbourhood plans and regional strategies. Whilst the government has indicated that the regional strategy, the South East Plan is to be revoked, until such a time occurs it will remain part of the development plan.

1.7 The local planning policy framework is made up of local plans and supplementary planning documents. The local plan (formerly development plan document) is the plan for the future development of Maidstone. Called the Core Strategy, this document sets out the spatial vision, objectives and key policies for the delivery of the framework. Local plans and supplementary planning documents must be prepared in accordance with plan making regulations⁽¹⁾, which set out the form and content of documents and the various stages of public consultation. Local planning policy framework documents create a policy framework against which planning applications can be assessed and land allocated for development.

1.8 In addition, the local planning policy framework delivers the spatial objectives of the Sustainable Community Strategy and the Strategic Plan, which are other documents the Council is responsible for producing.

Sustainable Community Strategy 2009-2020

1.9 The Sustainable Community Strategy (SCS) is the overarching strategy for promoting and improving the well being of Maidstone. The strategy sets out the needs and wishes of the community in the form of a vision and objectives. Significant weight is given to the importance of community engagement and public consultation resulting in a cross-cutting objective:

1 Town & Country Planning (Local Planning) (England) Regulations 2012

"Public agencies and their partners to undertake a programme of continuous community engagement and work with communities to resolve their issues at the community level."

1.10 The SCS and the local planning policy framework are closely linked. The production of local planning policy documents build upon the key themes of the strategy and these documents are the principal mechanism for delivering the land use and spatial elements of the strategy.

Strategic Plan 2011-2015

1.11 The Strategic Plan identifies three priorities for Maidstone:

- For Maidstone to have a growing economy;
- For Maidstone to be a decent place to live; and
- Corporate and customer excellence.

1.12 In order to achieve these aims the Council recognises that there is a need for meaningful involvement in planning issues and clear standards for when and how engagement will take place.

1.13 The local planning policy framework is a key tool for delivering the spatial objectives of the Strategic Plan, which are objectives that influence development and change in the borough.

Communications and Engagement Strategy 2011

1.14 This strategy sets the overall context and approach to how the Council communicates with stakeholders and the local community. It follows the Council's adopted principles for consultation which state that consultation should be informative, inclusive and listened to. The SCI shares these principles.

2 . Key principles of community involvement

4

The Council's objectives

2.1 The Council's main objectives for successful public participation in planning are:

- To involve stakeholders at the earliest opportunity, in time to shape preparation work;
- That consultation takes place before decisions are made and in the open;
- To develop and improve a flexible and accessible consultation process;
- Everyone should have an opportunity to be involved if they choose;
- Draw on local knowledge to improve decision making and help the realistic implementation of decisions;
- Provide a greater deal of certainty for all involved through a plan led system; and
- That the planning system should help implement the communities' vision for the area.

2.2 The Council also recognises that there can be barriers to effective public participation and will work hard to address and over come these where possible. The main constraints are:

- **Cost** - complex community involvement exercises can be costly and labour intensive in the preparation, attendance and follow up. These costs need to be balanced with the complexity of the subject matter of the consultation document and the extent of the area covered by proposals;
- **Managing expectation** - it is important that the Council can deliver its objectives for community involvement but there is also a need to ensure that the local community does not become overloaded with consultation exercises;
- **Jargon** - although the current planning system seeks to open up the process, there are still many technical terms and expressions. Plain English will be used wherever possible, and non-technical summaries produced;
- **External constraints** - it is sometimes not possible to give a 'free reign' to an issue due to national policy or other 'rules' which are beyond the control of the Council. Where these are known, the Council will make these clear from the outset; and
- **Technology** - the use of e-technology makes communication and involvement in a complex process much easier. However, the Council recognises that not all of the community has access to computers, the internet or email, and therefore traditional methods of consultation will continue to be utilised.

Who is the community?

2.3 There are many individuals and groups in the local community who will be given the opportunity to be involved in the preparation of local planning policy documents and comment on relevant planning applications. The 2012 Town and Country Planning Regulations require a number of statutory bodies (including parish councils) to be consulted and these are listed in Appendix 1. Other consultees specific to Maidstone include the general public, wider community, hard to reach groups and local stakeholders, specifically:

- Amenity and local resident groups;
- Chamber of commerce;
- Local employers;
- Housing associations;
- Schools and colleges;
- Landowners, developers and planning agents;
- Gypsies and Travellers;
- Travelling Showpeople;
- The rural community; and
- Local cultural, sport and recreational groups.

Why engage with the community?

2.4 The Council recognises that community engagement on planning matters is beneficial to all parties involved. Some of these benefits include:

- Transparency of proposals;
- Gathering local knowledge;
- The ability to resolve areas of conflict at an early stage;
- A greater understanding of the Council's aims and objectives, and greater focus on the priorities identified by local communities;
- Increased confidence and communication between the Council and the local community and stakeholders;
- An increased understanding of how planning policies are developed and how they are linked to each other and to other documents produced by the Council; and
- Achieving value for money.

2.5 The Council also recognises that there is a balance to be struck when engaging with the local community. Consultation fatigue is to be avoided whilst ensuring that hard to reach groups are included. In the production of local planning policy documents the Council will develop a consultation programme to ensure that expectations are managed.

Duty to cooperate

2.6 The 'duty to cooperate' as set out in the Localism Act (2011) requires local planning authorities, county councils and other public organisations to engage with one another and consider joint approaches to plan making.

2.7 Maidstone is centrally located within Kent and shares its boundaries with five other local authorities: Ashford, Medway, Swale, Tonbridge and Malling and Tunbridge Wells. Kent County Council is also a major service provider. It is important for the Council to communicate with its partner organisations, particularly regarding cross-boundary and county-wide issues. The Council also takes part in regular discussions through the following forums:

- Kent Planning Officer Group (KPOG)
- Kent Planning Policy Forum (PPF)
- Kent House Building Industry Joint Liaison Committee
- Maidstone Borough Council Developers Forum

2 . Key principles of community involvement

6

2.8 The Council will continue to work closely with its partners to deliver planning in Maidstone and fulfil the requirements under the duty to cooperate.

Community involvement in the Local Planning Policy Framework

3.1 The 2012 Town and Country Planning Regulations require all local authorities to meet a minimum level of community involvement and to specify a number of organisations which must be consulted if the Council considers that they will be affected. These are known as statutory consultees and general consultation bodies and are listed in Appendix 1.

3.2 In addition, the Council maintains a consultation database of approximately 1,500 contacts who have either commented on, or expressed an interest in being involved with, the production of Maidstone's local planning policy documents.

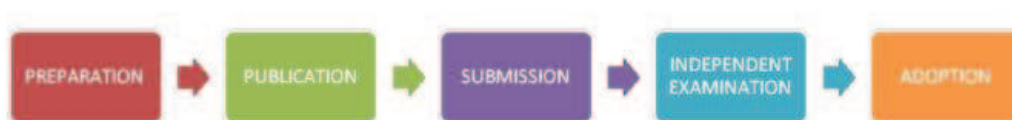
3.3 This database will be used to keep registered individuals, organisations and groups informed on the development and production of any local planning policy documents. New contacts will be added to the database as requested. The Data Protection Act will be followed to ensure that personal data is kept secure and personal details are not disclosed.

3.4 The Council also publishes a bi-annual newsletter, Planning Viewpoint, which notifies contacts of important stages of the local planning policy framework and the Council's progress on specific documents. It also informs contacts of any upcoming consultations. The newsletter is sent electronically or in hard copy to every contact on the consultation database. The distribution of Planning Viewpoint is also a useful tool for the Council to keep contact details on the database up to date.

Stages of community involvement and consultation

3.5 There are several stages to the plan making process and the level of engagement with the community differs depending on the type of document being produced. Local plans are subject to a minimum of two rounds of public consultation (preparation and publication) and independent examination, whereas supplementary planning documents can be adopted after a single round of public participation. The plan making process for each type of document is set out below.

The Plan Making Process for Local Plans



3.6 Local plans go through five stages of plan making. The following tables set out what the Council will do at each stage of the process, and how stakeholders and the public can get involved.

3 . Maidstone Local Planning Policy Framework



PREPARATION

The Council will:	Engage with key stakeholders (including parish councils) in the preparation of the document.
	Place information in the local press and on our website about the document we are preparing.
	Make the document available on our website, in The Gateway and in local libraries.
	Make printed copies of the document available at a reasonable charge.
	Notify all statutory consultees including specific and general consultation bodies.
	Contact you directly either by email or letter if you are on our consultation database to advise you of the document we are preparing.
	Hold general and targeted café conversations, public exhibitions and/or meetings for the community to discuss the issues with you to gain an understanding of your views and/or to explain the proposals.
	Manage expectations, explaining the scope of the document, what you can influence and how you can get involved.
	Acknowledge, publish, consider and respond to all comments received.
	Where appropriate, make changes to the document in response to public consultation.
You can:	Ask to be added to our consultation database so you can be advised of future stages of the plan making process. You will need to provide your full name and postal address as a minimum, and an email address if you have one. Contact the Spatial Policy team at ldf@maidstone.gov.uk or phone 01622 602000.
	Influence decision making.
	Submit comments on the proposals contained in the document and make suggestions on further issues you would like addressed.

PUBLICATION

The Council will:	Prepare and publish a final draft of the document and consult on it for a minimum six week period.
	Prepare and publish accompanying documents as required (e.g. Sustainability Appraisal).
	Place information in the local press and on our website about the document we are consulting on.
	Make the document available on our website, in The Gateway and in local libraries.
	Make printed copies of the document available at a reasonable charge.
	Notify all statutory consultees including specific and general consultation bodies.
	Contact you directly either by email or letter if you are on our consultation database to advise you of the document we are consulting on.
	Acknowledge, publish and consider all comments received.
	Where appropriate, make changes to the document in response to public consultation.
You can:	Comment on the final draft of the document.

SUBMISSION

The Council will:	Publish full details of the submission of the document on our website and in the local press.
	Prepare and publish a submission statement that sets out who has commented on the document, how people were invited to submit comments, the main issues raised and how these issues have been addressed.
	Make the document available on our website, in The Gateway and in local libraries.
	Notify all statutory consultees including specific and general consultation bodies.
	Contact you directly either by email or letter if you are on our consultation database to advise you of the document we are submitting.
	Publish all comments received at the publication stage.

You can:	View the submitted document.
-----------------	------------------------------

Table 3.1

INDEPENDENT EXAMINATION

The Council will:	Publish full details of the Examination of the document on our website and in the local press.
	Notify all statutory consultees including specific and general consultation bodies.
	Contact you directly either by email or letter if you are on our consultation database to advise you of the examination.
You can:	If you submitted comments about the document at an earlier stage, you may be able appear at the public examination to speak in support of, or against, the document, at the discretion of the Inspector.

ADOPTION

The Council will:	Publish the Inspector's recommendations and amend the document where necessary.
	Publish full details of the adoption of the document on our website and in the local press.
	Adopt and publish the final document.
	Prepare and publish an adoption statement.
	Notify all statutory consultees including specific and general consultation bodies.
	Contact you directly either by email or letter if you are on our consultation database to advise you of the adoption of the document.
	Review our documents regularly to ensure that they are up to date and accurately reflect the needs of the community.
You can:	View annual monitoring reports to see how policies and land allocations in adopted documents are performing.

The Plan Making Process for Supplementary Planning Documents



3.7 Supplementary planning documents go through two stages of plan making. The following tables set out what the Council will do at each stage of the process, and how stakeholders and the public can get involved.

PUBLIC PARTICIPATION

The Council will:	Engage with key stakeholders who have specific knowledge and expertise of the subject matter.
	Place information in the local press and on our website about the document we are consulting on.
	Make the document available on our website, in The Gateway and in local libraries.
	Make printed copies of the document available at a reasonable charge.
	Notify all statutory consultees including specific and general consultation bodies.
	Contact you directly either by email or letter if you are on our consultation database to advise you of the document we are consulting on.
	Carry out focused engagement with the local community depending on the type of document we are preparing.
	Acknowledge, publish, consider and respond to all comments received.
	Where appropriate, make changes to the document in response to public consultation.
You can:	Ask to be added to our consultation database. You will need to provide your full name and postal address as a minimum, and an email address if you have one. Contact the Spatial Policy team at ldf@maidstone.gov.uk or phone 01622 602000.

	Comment on the document.
--	--------------------------

ADOPTION

The Council will:	Adopt and publish the final document.
	Prepare and publish an adoption statement.
	Notify all statutory consultees including specific and general consultation bodies.
	Contact you directly either by email or letter if you are on our consultation database to advise you of the adoption of the document.
	Review our documents regularly to ensure that they are up to date and accurately reflect the needs of the community.
You can:	View the adopted document.

Methods of community involvement and consultation

3.8 The Council recognises that since the publication of the last SCI in 2006 there has been a great deal of development and improvement in the ways the Council engages with the community, particularly involving the use of technology. It is recognised that whilst traditional methods of consultation are still utilised, when used in isolation they are not effective in attracting a broad range of responses from the local community. As such, the Council has recently looked into using social networking sites, such as Facebook and Twitter, to communicate with residents. Over 3,000 people now receive regular updates from the Council through these sites.

3.9 A variety of methods will be used at various stages of the planning process to enable community involvement in the local planning policy framework. These methods include, but are not limited to:

- **The website and consultation portal** - all consultation activities will be publicised through the Council's website, both on the LDF pages and on its dedicated 'Have Your Say' consultation page. All local planning policy documents and background studies will be available for viewing and downloading, and the consultation portal will be available for people to read and comment on the consultation documents;
- **Inspection points** - documents will be made available for viewing at The Gateway and at local libraries during consultation periods;
- **Emails** - notifications will be sent to statutory bodies, stakeholders, relevant groups and other individuals and organisations on our consultation database;
- **Letters** - notifications will be sent to statutory bodies, stakeholders, relevant groups and other individuals and organisations on our consultation database, who have not specified an email address;

- **Local newspapers** - all consultations will be publicised in the local press. Public notices will include details on when and where planning documents can be viewed, when and where consultation events are happening, the closing date for comments and where to send them;
- **Public exhibitions and roadshows** - larger consultation events may be promoted through public exhibitions or roadshows. These events have the ability to target members of the community who may not get involved through more formal methods;
- **Leaflets** - when appropriate, leaflets or flyers may be distributed separately, or with other Council correspondence, to summarise detailed information about consultation events;
- **Questionnaires** - these will be available for all consultations and will be obtainable on the Council's website, at consultation events, and at request. Completed questionnaires can be submitted as valid representations as they are useful to determine attitudes towards particular issues and options;
- **Community and resident meetings/groups** - use of pre-existing community and resident groups to target people with particular local interests;
- **Council meetings** - where appropriate, plans will be taken to relevant council meetings for feedback from local Councillors; and
- **Facebook and Twitter** - all consultations will be advertised on our corporate Facebook and Twitter pages and will explain how you can get involved.

3.10 Ward members (local councillors) have an important role to play in engaging the public in the consultation process, both in representing the views of their local communities, and the local or expert knowledge they may have about a particular area.

Community involvement in planning applications

4.1 The National Planning Policy Framework (NPPF) came into force in March 2012 and places an emphasis on the importance of community involvement in planning applications. Paragraph 69 states:-

"Local planning authorities should aim to involve all sections of the community in the development of local plans and in planning decisions, and should facilitate neighbourhood planning."

4.2 The Council recognises that discussion and consultation between a potential applicant and the local community is an important principle, whatever the size or type of development proposed. The Council therefore encourages all applicants to follow the guidelines set out below, as well as observing what is considered an appropriate level of consultation for the type of application.

Community involvement and consultation at the pre-application stage

4.3 Paragraph 66 of the NPPF states:-

"Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably."

4.4 For major proposals, the Council encourages and can assist applicants or their agents to approach the local ward members, parish council and the local community in advance of making a formal application. This early consultation should be as open as possible, giving a genuine opportunity for the local community to influence the design and form of the development proposed. The scale of consultation should be comparable to the scale, location and type of application.

4.5 For all other proposals, the Council believes that discussions between potential applicants and their neighbours are valuable, whatever the size or type of development proposed. Sharing information on a proposal can often help overcome potential objections and may provide the opportunity for improvements to the design and layout.

4.6 The Council therefore considers that all applications should demonstrate what consultation has taken place in the preparation of the planning applications.

4.7 Where development briefs are being prepared, the Council requires the developer to consult with the local parish council and the local community. On large sites the brief may set out very general development principles and on smaller sites it may specify uses, massing of buildings and any particular uses essential to securing planning permission. It is therefore essential that the local community is involved in the process of developing the brief.

Pre-Application Advice

4.8 In addition to discussions between potential applicants and the local community/neighbours, the Council offers a pre-application advice service to anyone considering a development proposal and welcomes discussions before submitting a planning application. Pre-application advice gives you an opportunity to identify and resolve any problems to help prevent costly and time-consuming amendments to schemes later, and can indicate whether the proposal is likely to gain consent or not. The Council offers both written advice and advice involving meetings with officers, depending on the type of proposal. You can request pre-application advice in writing or by email, ensuring that you submit the correct information and fee as set out on our website. Your enquiry will be allocated an appropriate planner and we will write to you confirming the advice given. This will usually be within 15 working days unless the proposal is particularly complex, when an alternative timescale will be agreed.

4.9 For major proposals, in many cases more than one meeting will be required. Once the development proposal has been established, local ward members and local parish council members will be invited to take part in the pre-application discussions.

Validation Checking Service

4.10 For householder applications, the Council offers a validation checking service where you can have your application form and associated plans and documents checked before formally submitting a planning application. This gives you an opportunity to identify and resolve any parts of the application that may be invalid, in order to prevent costly and time-consuming amendments later.

Methods of community involvement and consultation

4.11 The tables below list the standard procedures the Council will follow in involving the community in planning applications.

MAJOR APPLICATIONS

How will the Council tell you about it?	Each application will be advertised in the local newspaper.
	A site notice will be displayed on or near the site.
	Notification letters will be sent to adjoining neighbours, where appropriate.
	Statutory consultees will be informed in writing.
	The relevant parish council(s) will be informed in writing.
	A weekly list of applications and decisions is available to view on the Council's website.
How can you get involved?	Submit comments online, by email or in writing to the Development Management team. You must provide your name and address for your comments to be acknowledged or if you

4 . Planning applications

16

	wish to be re-consulted. Please remember that any comments the Council receives are treated as a public document and are available for the public to see. This may include publishing them on our website.
	You have 21 days to respond to the application.
	Where possible, speak at Planning Committee in line with the Council's procedures.
	Access planning application decisions by checking the website or by calling the contact centre on 01622 602736.

Table 4.1

OTHER APPLICATIONS (including householder)

How will the Council tell you about it?	Applications will be advertised in the local newspaper if they affect a listed building, conservation area, public footpath, or are not in accordance with the adopted development plan.
	A site notice will be displayed on or near the site.
	Notification letters will be sent to adjoining neighbours, where appropriate.
	Statutory consultees will be informed in writing.
	A weekly list of applications and decisions is available to view on the Council's website.
How can you get involved?	Submit comments online, by email or in writing to the Development Management team. You must provide your name and address for your comments to be acknowledged or if you wish to be re-consulted. Please remember that any comments the Council receives are treated as a public document and are available for the public to see. This may include publishing them on our website.
	You have 21 days to respond to the application.
	Where possible, speak at Planning Committee in line with the Council's procedures.
	Access planning application decisions by checking the website or by calling the contact centre on 01622 602736.

Table 4.2

APPEALS

How will the Council tell you about it?	All consultees of the original application and those who commented on the application will be re-notified.
	If the appeal is to be heard by hearing or public inquiry, all those who responded to the original application, the relevant parish council, ward members, witnesses, objectors and neighbours will be re-notified, with information about the date, time and venue of the hearing. If it is a significant hearing/inquiry a site notice detailing the date, time and location of the hearing/inquiry will be displayed on or near the site.
	If the appeal is for a householder application, all consultees of the original application and those who commented on the application will be re-notified. However, you cannot send any further comments on the appeal to the Planning Inspectorate - your original comments will be forwarded to the Planning Inspectorate.
How can you get involved?	If you commented on the application, your comments will be forwarded to the Planning Inspectorate.
	You can attend and listen to a hearing or public inquiry.
	You can speak at the hearing/public inquiry at the discretion of the Inspector.
	Access appeal decisions by checking the website or by calling the contact centre on 01622 602736. If you were a consultee of the original application or you submitted comments the Council will notify you of the decision in writing.

Table 4.3

Appeal - process by which a planning applicant can challenge an adverse decision. The appeal may be conducted in writing, by an informal discussion led by the Inspector, or by a formal public inquiry with cross-examination of witnesses.

Café conversations - informal engagement with the community at an early stage in the plan making process to gain an understanding of local issues.

Consultation programme - a schedule which clearly sets out when and where the Council will involve stakeholders and the community during a consultation.

Development Management - the new name for Development Control. The act of determining planning applications (and similar) in conformity with the development plan and material considerations.

Development Plan Document (DPD) - now referred to as a local plan under The Town and Country Planning (Local Planning) (England) Regulations 2012, these are statutory documents produced by local planning authorities that must be taken into account in determining planning applications. Currently, planning permission must be granted in accordance with these documents unless material considerations indicate otherwise. The Core Strategy is the principal local plan.

Hard to reach groups - groups of people who are traditionally more difficult to target during consultation exercises, for example the elderly, disabled and gypsies and travellers.

Hearing - a planning appeal hearing undertaken in a structured way but without the formality of a local inquiry.

Localism - introduces many changes to the planning system including the revocation of regional strategies, the return of local plans and the introduction of neighbourhood plans.

Local Plan - the plan for the future development of the local area, drawn up by the local planning authority in consultation with the community.

Neighbourhood Planning - introduced under the provisions of the Localism Act 2011. Parish councils (or authorised groups of local individuals in unparished areas) are able to prepare statutory development plans against which planning applications will have to be assessed.

Planning Inspectorate (PINS) - the Planning Inspectorate is responsible for processing planning and enforcement appeals and conducts examinations into local plans.

Public examination - an interrogatory process led by one or more members of the Planning Inspectorate, held to examine the soundness of a local plan.

Public inquiry - an independent inquiry carried out by the Planning Inspectorate assessing planning decisions made by the local planning authority allowing applicants the right to appeal against the refusal of permission/consent/enforcement proceedings. The inspector produces a decision after hearing evidence in person.

Stakeholder - an individual or organisation who has specific knowledge and/or expertise of the subject matter.

Statement of Community Involvement (SCI) - a document that sets out how and when communities will be involved in preparing development plans and processing planning applications.

Supplementary Planning Document (SPD) - there is no legal requirement to take these documents into account in determining planning applications, so their nature is to provide guidance to applicants wishing to develop land. The community will be involved in their preparation, but there is no independent examination of the document.

Listed below are the types of bodies, groups and organisations that the Council will involve and consult with, where appropriate, during the preparation and development of its local planning policy documents. Please note that this is not an exhaustive list and will continue to be updated as the local planning policy framework takes shape.

Statutory Consultees

The specific consultation bodies which the 2012 Town and Country Planning Regulations require the Council to consult are:

- Adjoining authorities - Ashford, Medway, Swale, Tonbridge and Malling and Tunbridge Wells;
- English Heritage;
- Kent and Medway NHS;
- Kent County Council;
- Kent Police;
- Natural England;
- Network Rail;
- The Environment Agency;
- The Highways Agency;
- The Homes and Communities Agency;
- Parish councils;
- Relevant communications providers;
- Relevant gas and electricity providers; and
- Relevant sewerage and water undertakers.

General Consultation Bodies

The 2012 Town and Country Planning Regulations also specify that the Council must consult the following, where appropriate:

- Voluntary organisations including sport and leisure and environmental groups;
- Local racial, ethnic and national groups;
- Local religious groups;
- Local disability groups; and
- Local business groups.

MAIDSTONE BOROUGH COUNCIL

**CABINET MEMBER FOR PLANNING, TRANSPORT AND
DEVELOPMENT**

**REPORT OF THE DIRECTOR OF CHANGE, PLANNING AND THE
ENVIRONMENT**

Report prepared by Emma Boshell

Date Issued: _____

**1. STATEMENT OF COMMUNITY INVOLVEMENT CONSULTATION
DRAFT 2012**

1.1 Key Issue for Decision

- 1.1.1 To consider the draft Statement of Community Involvement 2012, and to approve the document attached at Appendix A to this report for public consultation.

1.2 Recommendation of the Director of Change, Planning and the Environment

That, subject to the views of the Spatial Planning Strategy Advisory Group, the Cabinet Member for Planning, Transport and Development approves the draft Statement of Community Involvement 2012 (attached at Appendix A) for public consultation.

1.3 Reasons for Recommendation

- 1.3.1 Section 18 of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to prepare a statement of community involvement (SCI). The SCI sets out how and when stakeholders and the local community can participate in the preparation of local planning policy documents and planning applications. Maidstone's current SCI was adopted in 2006 but is now considerably out of date due to recent changes to planning legislation, in particular the procedures for producing local plans and changes in how we consult on planning applications. These changes are set out in The Town and Country Planning (Local Planning) (England) Regulations 2012 and in the National Planning Policy Framework 2012 (NPPF). In addition, the NPPF highlights the importance of community involvement and paragraph 69 states that 'local planning authorities should aim to involve all sections of the community in the development of local plans and in planning decisions'.

1.3.2 With these changes in mind, the SCI has been updated to reflect new plan making policy and development management procedures. Thus, the SCI comprises:

- An introduction, including an explanation of how the document fits into the wider plan making process;
- Key principles of community involvement, which summarise the benefits of engaging with the community as well as well as setting out the 'duty to cooperate' as required by the Localism Act 2011;
- Community involvement in the local planning policy framework;
- Community involvement in planning applications;
- A glossary of terms to assist the reader with the terms used throughout the document.

1.3.3 The 'community involvement in the local planning policy framework' chapter sets out how the Council intends to involve the community in the preparation of local planning policy documents, and the methods to be used. Since differing levels of engagement apply for different types of document, flow charts and tables have been used with clear 'The Council Will' and 'You Can' headings to guide the reader to the relevant section. The role that members play in engaging the public in the consultation process is also set out. The Spatial Policy consultation database is used to keep registered individuals, organisations and groups informed on the development and production of any local planning policy documents, and the SCI explains how a member of the public can request to be added to the database.

1.3.4 The 'community involvement in planning applications' chapter sets out how the Council intends to involve the community in planning applications. Emphasis is placed on pre-application discussions between a potential applicant and the local community, and the Council expects applicants to submit proposals that take account of the views of the community, in accordance with NPPF requirements. The Council encourages potential applicants to make full use of its pre-application advice and validation checking services to achieve an early resolution to any problems that may arise. The role that members and parish councils play as part of pre-application discussions is also set out. Tables presenting the procedures of different types of planning applications and how the community can get involved have been used with clear 'The Council Will' and 'You Can' headings to guide the reader to the relevant section.

1.3.5 The updated SCI will form the basis of the Council’s approach towards consulting the public when preparing local planning policy framework documents and when determining planning applications.

1.3.6 There is no longer a duty to consult the public on the SCI and some local planning authorities have updated their documents and adopted them without any consultation. However, it is considered good practice to consult the public on this document. It is proposed to place a public notice in the Kent Messenger and to publish the document on the Council’s website, and in addition to statutory consultees to advise residents, businesses and parish councils that they have the opportunity to comment on the document. The consultation will run for 4 weeks.

1.4 Alternative Action and why not Recommended

1.4.1 An alternative action is to retain the 2006 Statement of Community Involvement and not update it, but the document would then not reflect current legislation and practices.

1.5 Impact on Corporate Objectives

1.5.1 The SCI supports the objective of corporate and customer excellence.

1.6 Risk Management

1.6.1 There are no risks arising from the updated SCI. To retain the 2006 SCI could have legal implications.

1.7 Other Implications

1.7.1

1.	Financial	X
2.	Staffing	X
3.	Legal	X
4.	Equality Impact Needs Assessment	
5.	Environmental/Sustainable Development	
6.	Community Safety	
7.	Human Rights Act	
8.	Procurement	

9. Asset Management

1.7.2 The type of consultation undertaken may have financial and staffing implications. These are expected to be accommodated within existing budgets and the staffing structure. The Head of Legal Services supports the updating of the SCI, in particular to accord with current practices.

1.8 Relevant Documents

1.8.1 Appendices

1.8.2 Appendix A – Statement of Community Involvement Consultation Draft 2012.

1.8.3 Background Documents

1.8.4 None.

IS THIS A KEY DECISION REPORT?

Yes

No

If yes, when did it first appear in the Forward Plan?

26 September 2012.

This is a Key Decision because: the SCI affects more than one ward.

Wards/Parishes affected: all wards and parishes.

How to Comment

Should you have any comments on the issue that is being considered please contact either the relevant Officer or the Member of the Executive who will be taking the decision.

Cllr Stephen Paine

Cabinet Member for Planning, Transport & Development

Telephone: 07906 271325

E-mail: stephenpaine@maidstone.gov.uk

Emma Boshell

Planning Officer

Telephone: 01622 602229

E-mail: emmaboshell@maidstone.gov.uk