Statement of Community Involvement

Consultation Draft
June 2019
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1. Introduction

1.1 What is a Statement of Community Involvement

1.1.1 A Statement of Community Involvement (SCI) is a document Councils are required to produce that sets out what consultation will take place with the community on the preparation of planning policy documents and on the determination of planning applications.

1.1.2 An SCI provides clarity on the extent of community involvement that will take place. It sets out clear consultation procedures and minimum standards the Council will follow. Essentially, an SCI states whom the Council will consult with, how they will be consulted, and when.

1.1.3 Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended) requires local planning authorities to produce a Statement of Community Involvement (SCI), which should explain how they will engage local communities and other interested parties in producing their Local Plan and determining planning applications.

1.1.4 There is a legal requirement on the Council to carry out public consultation on planning policy documents, which include the Local Plan, Supplementary Planning Documents and Neighbourhood Plans, and on planning applications. It is important this is undertaken in a cost-effective, efficient and proportionate manner.

1.2 Why Nottingham City Council is producing a new SCI

1.2.1 The City Council adopted its existing SCI in 2007. Since this date, there have been a number of legislative and policy changes to the planning system. These changes include the publication of the National Planning Policy Framework (NPPF) in 2012, the new NPPF published in February 2019, the transition from Local Development Frameworks to Local Plans, the abolition of regional planning, and the introduction of Neighbourhood Planning. Due to these significant changes, the SCI is in need of updating.

1.2.2 Nottingham City Council will monitor the effectiveness of its selected methods for involving the community in planning and will review its SCI as and when required in order to ensure that it takes account of any amendments to planning legislation and planning policy, and it remains up-to-date and effective.

1.3 What consultation will take place on the SCI

1.3.1 The draft Statement of Community Involvement will be subject to the same consultation procedures as draft Supplementary Planning Documents, including a 6-week public consultation stage, the results of which will help shape the final document. The 6-week consultation period will run from Friday 28 June to Friday 9 August 2019 (5pm).
1.3.2 You may comment on the SCI in a number of ways:

On line at: www.nottinghamcity.gov.uk/localplanconsultations

By email: localplan@nottinghamcity.gov.uk

Although the Council would prefer comments to be made electronically, if this is not possible, they will consider written representations by post to the following address:

Planning Policy Team
Loxley House
Station Street
Nottingham
NG2 3NG

If you would like any further information on this draft SCI please contact the Planning Policy Team at the above address or by phone on (0115) 876 4594.
2. Involving the Community in the Local Plan

2.1 What is a Local Plan?

2.1.1 The Local Plan is the main planning policy document produced by the Council. It contains policies to guide the development of an area and includes site allocations that indicate where development will take place and areas that will be protected from development over a period of usually 15-20 years from the adoption of the Plan. As required by national planning policy, the local planning authority should produce the Local Plan in consultation and collaboration with the community.

2.1.2 The Local Plan forms part of the Development Plan (along with ‘made’ Neighbourhood Plans) and planning applications must be determined in accordance with the Development Plan, unless other material considerations indicate otherwise.

1 S38(6) of the Planning and Compulsory Purchase Act 2004
2.2 Involving the Community in Planning Policy

2.2.1 Nottingham City Council seeks to put citizens at the heart of everything it does, and attaches great importance to undertaking effective community consultation and aims to give everyone the opportunity to have their say on planning policy. As part of this process the City Council will maintain an up-to-date consultation database with the aim of giving anyone or any organisation that wishes to be formally notified of the progress of planning policy documents the opportunity to be consulted directly. Anyone wishing to be added to the database can do so by providing their details to the Council as detailed in section 2.8.

2.3 The Local Development Scheme

2.3.1 The Local Development Scheme (LDS) is a public statement that provides a timetable for the production of planning policy documents and provides details of when they will be produced and in what order. As such, the LDS is the starting point for the community and stakeholders to find out about emerging planning policy documents.

2.3.2 An Authority Monitoring Report (AMR) is prepared each year to assess progress in implementing the LDS, and to determine whether aims and objectives are being achieved through the policies and proposals of the planning policy documents. In the event that there have been unavoidable slippages in the LDS timetable, and 'milestones' have not been achieved, the AMR explains the reasons for any delay. It also sets out any amendments to the LDS and the timetable for implementation.

2.3.3 Details of Nottingham City Council’s LDS and AMR are available on its website at: www.nottinghamcity.gov.uk/planning-and-building-control/planning-policy/the-local-plan-and-planning-policy/other-local-plan-related-documents/
2.4 Who the Council will involve and the Duty to Cooperate

2.4.1 Section 110 of the Localism Act 2011 and paragraphs 24-27 of the National Planning Policy Framework (NPPF) state that all local planning authorities, neighbouring councils and other relevant organisations are under a ‘duty to cooperate’ with each other and should work collaboratively in order to address strategic planning issues that cross administration boundaries. In accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, the City Council will work together on strategic planning issues with those organisations and bodies listed in Appendix A.

2.4.2 In addition to the statutory bodies covered under the duty to cooperate, the Council is required to consult ‘specific’ and ‘general’ consultation bodies and other consultees when consulting on planning policy documents, including:

- ‘Specific Consultation Bodies’ which include statutory authorities such as neighbouring districts, government agencies and utility providers.
- ‘General Consultation Bodies’ which include interest and amenity groups, residents’ associations, property, trade and business associations, voluntary organisations and bodies that represent issues of race, ethnicity, gender, age, sexual orientation, disabilities and those with caring responsibilities.\(^2\)
- Residents, businesses and landowners located in the local authority area.

Appendix A provides a list of those organisations that will be informed, where appropriate, of any consultation being undertaken.

2.4.3 It should be noted that not everyone will be contacted directly in respect of every planning document, as details of the consultation will be made available by a range of communication methods outlined in this document. The Council will aim to develop a flexible, sensitive, proportionate and targeted approach to consultation across the entire local authority area by involving interested and affected parties. Councillors will be notified directly of consultation on every planning document.

\(^2\) Regulation 2, Town and Country Planning (Local Planning) (England) Regulations 2012
2.0 Involving the Community in the Local Plan

2.4.4 Nottingham City Council aims to seek the diverse views of the community and demonstrate due regard under the Equality Duty. The Council recognises its consultation measures and communication channels are important considerations to ensure accessibility; as such, we will:

- Ensure that public consultation events are held at accessible venues;
- Work proactively with individual members of the public, community groups and organisations; and
- Make reasonable adjustments to enable participation and involvement in consultations.

2.4.5 Once consultation has taken place on draft policy documents, the Council will produce a consultation summary covering the key points made and provide a response to the issues raised before the document is finalised. The Council will publish this summary on their website.

2.5 Statements of Common Ground

2.5.1 The NPPF (2019) includes the requirement on strategic policy making authorities to prepare and maintain Statements of Common Ground (SOCG). A SOCG is “a written record of the progress made by strategic plan-making authorities during the process of planning for strategic matters across local authority boundaries. It documents where effective co-operation is and is not happening, and is a way of demonstrating at examination that plans are deliverable over the plan period, and based on effective joint working across local authority boundaries. In the case of local planning authorities (including County Councils), it is also evidence that they have complied with the duty to cooperate.”

2.5.2 As detailed in the NPPF, for plan-making this will mean that strategic plans should, as a minimum, set out how objectively assessed needs for housing and other development will be met, as well as any needs that cannot be met within neighbouring areas. In addition, the SOCG will provide evidence that strategic and local plans are ‘Effective’ – meaning deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred – when they are examined for their soundness.
2.0 Involving the Community in the Local Plan

2.5.3 In accordance with the NPPF, strategic plan-making authorities should prepare and maintain one or more SOCG, documenting the cross boundary matters arising within the area, and the progress made in cooperating to address these in order to demonstrate effective and on-going joint working.

2.5.4 The Council has prepared a draft SOCG with the other Greater Nottingham Councils, which is anticipated to be formally approved in 2019. It is also anticipated that a number of other SOCG will be required, to cover strategic planning matters such as planning for minerals extraction.

2.6 Development Plan Preparation Stages

2.6.1 The stages of community Involvement during the preparation of the Local Plan are set out below:

Stage 1 Pre-production informal Consultation
- The Council will publicise on its website when commencing with the preliminary survey stages and timetabling of plan making.
- Scoping stage
- Collecting evidence through various sources
- Notify and work with groups, organisations and residents
- Consider issues and alternatives
- Prepare content of draft document and provide feedback where possible
- A draft local plan may be produced if appropriate, plus an interim sustainability appraisal report. If so, the Council will consult for a minimum period of six weeks.

Stage 2 Preferred option (optional stage)
- 6 weeks (minimum) to comment on plan, sustainability appraisal and supporting evidence
- Documents made available for inspection on the Council’s website
- Representations received at Stage 2 summarised and made publicly available
- Consideration of representations made
2.0 Involving the Community in the Local Plan

Stage 3 Pre-submission document
- Publication of Pre-submission document and request for submission of representations
- Statutory stage – 6 weeks (minimum) to comment on document, sustainability appraisal and supporting evidence
- Documents made available for inspection on the Council’s website

Stage 4 Stage 4 – Submission for Independent Examination
- Local Plan Documents and representations received submitted to Secretary of State for independent examination
- ‘Statement of Consultation’ produced to demonstrate the Statement of Community Involvement has been followed.
- Independent examination

Stage 5 Inspector’s report and adoption
- Planning Inspector issues report
- Document is adopted by Council if found ‘sound’ by Inspector and agreed by Council

Stage 6 Monitor
- Final plan is regularly monitored, where possible, to make sure plan is achieving its aims
- Plan may be reviewed, where necessary
## 2.7 Consultation Methods

2.7.1 During the preparation of the Local Plan, the Council will undertake a number of public consultations. The following table summarises the consultation stages, and the methods that Nottingham City Council will use when consulting on a Local Plan.

<table>
<thead>
<tr>
<th>Methods of Consultation</th>
<th>Development Plan Preparation Process</th>
</tr>
</thead>
<tbody>
<tr>
<td>Written / email notification to statutory and general consultees on our database, other relevant stakeholders, individuals and organisations who have expressed a wish to be consulted or have made comments on previous stages</td>
<td>Required: ☑️ ☑️ ☑️ ☑️ ☑️ ☑️ ☑️</td>
</tr>
<tr>
<td>Make consultation documents, supporting documentation and information available as appropriate on the Council’s website and in hard copy format at Council offices and the central library. Key documents will also be available at all Public libraries</td>
<td>Required: ☑️ ☑️ ☑️ ☑️ ☑️ ☑️ ☑️</td>
</tr>
<tr>
<td>Publicise on the Council’s website</td>
<td>Required: ☑️ ☑️ ☑️ ☑️ ☑️ ☑️ ☑️</td>
</tr>
<tr>
<td>Where an local plan identifies a development proposal relating to a specific area of land, post notices in prominent locations in the area</td>
<td>Optional: ☑️ ☑️ ☑️ ☑️ ☑️ ☑️ ☑️</td>
</tr>
<tr>
<td>Public consultation event(s) with such events held in accessible locations</td>
<td>Optional: ☑️ ☑️ ☑️ ☑️ ☑️ ☑️ ☑️</td>
</tr>
<tr>
<td>Publicise using Council publications, where timescales permit</td>
<td>☑️ ☑️ ☑️ ☑️ ☑️ ☑️ ☑️</td>
</tr>
<tr>
<td>Publicise on social media outlets such as the Council’s Twitter and Facebook pages</td>
<td>☑️ ☑️ ☑️ ☑️ ☑️ ☑️ ☑️</td>
</tr>
</tbody>
</table>
2.7.2 In addition to the methods used during particular plan preparation consultation stages (as detailed above), Nottingham City Council will provide details of any emerging Local Plan, including any review, and the latest news regarding the Local Plan on its website at: www.nottinghamcity.gov.uk/planning-and-building-control/planning-policy/the-local-plan-and-planning-policy/.

2.7.3 Nottingham City Council also has a dedicated engagement and consultation webpage that gives the opportunity for citizens and the community to comment on various local matters. The Council will provide details of any emerging Local Plan (including any review) on this website at: www.nottinghamcity.gov.uk/engage-nottingham-hub/.

2.7.4 The council is working towards a digital planning process. Anyone wishing to comment is reminded that comments should be sent via email to the Council. Only exceptionally, where this is not possible, they may also be accepted by post.

2.8 Contact information for the Planning Policy and Research Team

Email:
localplan@nottinghamcity.gov.uk

Post:
Planning Policy and Research Team,
Nottingham City Council,
Loxley House,
Station Street,
Nottingham, NG2 3NG

Telephone:
0115 876 4594
3 Supplementary Planning Documents

3.1 What are Supplementary Planning Documents?

3.1.1 Supplementary Planning Documents (SPDs) are documents that expand upon the level of detail provided in the Local Plan. They give more detailed guidance on particular issues, for instance in relation to the development of specific sites, or on areas such as design or planning obligations. SPDs can be a material consideration in planning decisions.

3.2 Supplementary Planning Document Preparation Stages

3.2.1 The preparation of a SPD follows the requirements of Part 5 of The Town and Country Planning (Local Planning) (England) Regulations 2012. The following three stages set out the minimum process the Council will undertake during the preparation of a SPD. Additional methods or periods of consultation may be considered where appropriate. SPDs are subject to a minimum of a 4 week consultation period that may be extended at the Council’s discretion.

Stage 1 Preparation of a Draft SPD
Consultation at this stage will focus on groups and individuals with an interest in the topic covered by the SPD. In particular, the Council will seek to engage groups with particular knowledge and expertise of the topic, those likely to use the Development Plan policy and the SPD, and be most affected by it. Stakeholders involved with the development of the relevant Development Plan policy will be included at this consultation stage. Once a draft document has been prepared the Council will seek to reach a wider cross-section of the community, whilst focussing on those groups likely to be most affected by the contents of the document.

Stage 2 Prepare the Final SPD
Any representation made during the previous stage will be considered and, if necessary, appropriate amendments will be made to the draft SPD.

Stage 3 Adoption of the SPD
The final SPD will be adopted in-line with the requirements of regulation 14 of The Town and Country Planning (Local Planning) (England) Regulations 2012.
3.3 Consultation Methods

3.3.1 When preparing SPDs Nottingham City Council will use the following methods to engage with the local community. These methods will also be used when preparing SCIs.

<table>
<thead>
<tr>
<th>Methods of Consultation</th>
<th>SPD Preparation Process</th>
</tr>
</thead>
<tbody>
<tr>
<td>Written / email notification to statutory and general consultees on our database, other relevant stakeholders, individuals and organisations who have expressed a wish to be consulted or have made comments</td>
<td>✓ ✓ ✓ Required</td>
</tr>
<tr>
<td>Make consultation documents, supporting documentation and information available on the Council’s website and in hard copy format at Council offices and public libraries (as appropriate)</td>
<td>✓ ✓ ✓</td>
</tr>
<tr>
<td>Publicise with press adverts and a notice on the Council’s website</td>
<td>✓ ✓ ✓ Optional</td>
</tr>
<tr>
<td>Where an SPD identifies a development proposal relating to a specific area of land, post notices in prominent locations in the area</td>
<td>✓ x x</td>
</tr>
<tr>
<td>Public consultation event(s) with such events held in accessible locations</td>
<td>✓ x x</td>
</tr>
<tr>
<td>Publicise using Council publications</td>
<td>✓ ✓ ✓</td>
</tr>
<tr>
<td>Publicise on social media outlets such as the Council’s Twitter and Facebook pages</td>
<td>✓ ✓ ✓</td>
</tr>
</tbody>
</table>
3.3.2 Further to the above methods of consultation, the Council will provide details of the progress of emerging SPDs (and SCIs) on its website at: www.nottinghamcity.gov.uk/planning-and-building-control/planning-policy/the-local-plan-and-planning-policy/

3.3.3 Nottingham City Council also has a dedicated engagement and consultation webpage that gives citizens and the community the opportunity to comment on local matters. The Council will provide details of any emerging SPDs (including any review) on this website at: www.nottinghamcity.gov.uk/engage-nottingham-hub/

3.3.4 In addition, evidence supporting the SPD will be subject to the public consultation.

3.3.5 As with the Local Plan, anyone wishing to comment is reminded that comments should be sent via email to the Council, as per the contact details provided in section 2.8.
4 Neighbourhood Development Plans

4.1 What is a Neighbourhood Development Plan?

4.1.1 The Localism Act 2011 introduced further devolved powers to local communities by giving them more control over housing and planning decisions. These powers include rights to prepare Neighbourhood Development Plans, Neighbourhood Development Orders and Community Right to Buy Orders.

4.1.2 A Neighbourhood Development Plan (NDP) is a planning policy document that sets out policies for the area in question and can be used to influence the shape and form of development that will take place in the Neighbourhood Plan area and protect land from development. A NDP can also allocate sites for development including land for housing and employment.

4.2 Consultation Methods

4.2.1 The City Council will be involved in consulting with the public at the following stages:

- The designation of a Neighbourhood Area for the purposes of producing a Neighbourhood Plan
- The approval of a specific group who will prepare a Neighbourhood Plan for a specific area
- Consultation on a draft Neighbourhood Plan prior to submitting the document for independent examination
- Publication of the examiner’s report
- Decision on whether to “Make” (accept) or refuse a plan
- Publicising the decision to “Make” the Neighbourhood Plan

4.2.2 The Council is required to ensure that everyone who lives, works or has a business in the neighbourhood area has the opportunity to make comments. Given that a Neighbourhood Area can cover a ward, part of a ward, a specific district in the City and even extend into a neighbouring local authority, any consultation will be specifically tailored to that particular area.

4.2.3 At the pre-submission stage, a consultation period of a minimum of 6 weeks (excluding bank holidays) will be carried out on draft Neighbourhood Plan or Order.
4.2.4 The Council may use the following methods of consultation when it becomes involved in the preparation of a NDP.

<table>
<thead>
<tr>
<th>Methods of Consultation</th>
<th>Neighbourhood Plan Preparation Process</th>
</tr>
</thead>
<tbody>
<tr>
<td>Make available consultation documents and supporting documentation on the Council’s website</td>
<td>✔ ✔ ✔ ✔ ✔ ✔</td>
</tr>
<tr>
<td>Make available consultation documents and supporting documentation in hard copy format at Council offices and public libraries</td>
<td>✔ ✔ ✔ ✔ ✔ ✔</td>
</tr>
<tr>
<td>Publicise with press adverts and Council publications</td>
<td>✔ ✔ ✔ ✔ ✔ ✔</td>
</tr>
<tr>
<td>Public consultation event(s) with such events held in accessible locations</td>
<td>✔ ✔ ✔ ✔ ✔ ✔</td>
</tr>
<tr>
<td>Publicise on social media outlets such as the Council’s Twitter and Facebook pages</td>
<td>✔ ✔ ✔ ✔ ✔ ✔</td>
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<tr>
<td>Written / email notification to statutory and relevant general consultees on our database</td>
<td>✔ ✔ ✔ ✔ ✔ ✔</td>
</tr>
<tr>
<td>Written / email notification to individuals and organisations who have expressed a wish to be consulted or have made comments</td>
<td>✔ ✔ ✔ ✔ ✔ ✔</td>
</tr>
</tbody>
</table>
4.0 Neighbourhood Development Plans

4.2.5 Nottingham City Council will publish any decision notices relating to the designation of a Neighbourhood Plan area, or the creation of a Neighbourhood Plan Forum, as well as all Examiner’s reports on its website at: www.nottinghamcity.gov.uk/planning-and-building-control/planning-policy/neighbourhood-planning/. It will also publish this information in such other manner as it considers will bring it to the attention of those who live and work or carry on business in the area once a decision has been made.

4.2.6 Where known, the Council will update details of the progress of each Neighbourhood Development Plan (including details of examination or referendum arrangements) on the above website. However, the main point of contact will be via the relevant Neighbourhood Forum.

4.3 Support for Neighbourhood Planning

4.3.1 In addition to its statutory duties, the Council will undertake its duty to support the production of Neighbourhood Plans by offering the following:

Initial support

4.3.2 The Council can offer initial advice to groups interested in producing Neighbourhood Plans. Primarily this will relate to the processes and legislation involved in establishing a Neighbourhood Forum and in preparing a Neighbourhood Plan.

Ongoing support to approved Forums

4.3.3 Following approval of a Neighbourhood Forum and Neighbourhood Area, the Council can provide background demographic and evidence-base information that is readily available to the Council. It will also be available to undertake a meeting with the forum at the following key stages in the process:

- Meeting 1: Issues/Options/Project planning
- Meeting 2: Developing Vision/Objectives
- Meeting 3: Evidence Review
- Meeting 4: Policy development
- Meeting 5: Pre-submission / Pre-examination
- Meeting 6: Post Examination / Referendum
Further planning assistance on emerging Neighbourhood Plans

- The Council will offer to provide a Strategic Environmental Assessment (SEA) Screening Opinion. It will not, however, be able to undertake any further work on an Environmental Impact Assessment should the SEA screening opinion determine the need to carry out such an assessment.
- The Council will also offer comments on draft plans prior the statutory consultation phase

4.3.4 Throughout the Neighbourhood Plan preparation stage and following its adoption, the Council will advise Neighbourhood Forums of planning applications that have been validated with the Plan area.
5 Planning Applications

5.1 Community Involvement in the Development Management Process

5.1.1 It is important that interested parties are able to have their say on development management decisions; decisions that will help shape the character of the City.

5.2 Pre-applications

5.2.1 The Council advocates pre-application discussions with applicants at an early stage of the development process. We strongly encourage both applicants and developers to undertake their own consultation at an early pre-application stage to inform the application process and allow for areas of conflict or objection to be addressed before submitting a planning application to the Council.

5.2.2 The consultation method carried out by applicants and developers will vary depending on the scale and nature of the proposal. For smaller developments such as household extensions, this may involve applicants talking to their immediate neighbours and people who may be affected by proposals and showing them draft plans to ascertain their views. On larger schemes, such as major applications we strongly recommend developers consider additional measures and undertake wider public consultation to engage with the local community. Such measures could include:

- Consultation events with the local community and relevant Neighbourhood Forums (if established), including public meetings or exhibitions.
- Consultation with elected members.
- Making detailed plans available for public view, including online on a relevant website.
- Press notices, development briefs, leaflets and / or letters to nearby residents.

5.2.3 Where applicants and developers undertake public meetings and exhibitions, it is expected that these events are made accessible to everyone in terms of their location and timing, and should be held as near to the application site as possible.

5.2.4 Applicants and developers for major proposals are strongly encouraged to notify the Council of any publicity or consultation events planned prior to them occurring.

3 ‘Major’ applications are those consisting of (a) 10 or more dwellings or, where the site is 0.5 ha or more; and (b) for all other uses, floor space of 1000 sq. metres or more or site area of 1 ha or more.
5.2.5 Developers are also encouraged to engage at an early stage with statutory consultees such as Highways England and the Environment Agency.

5.2.6 It is recommended that, where an application is submitted, the applicant or developer should include a statement setting out what consultation has been undertaken with stakeholders and the local community.

5.2.7 Unless the applicant wishes otherwise, early dialogue with the Council will be confidential to reflect the sensitive nature of pre-application discussions. Pre-application discussions can help identify key issues that will need addressing in any formal submission and allow the informal views of Council Officers and other interested parties to be made known at an early stage. It is a useful way of resolving early design and development issues, reducing the likelihood of future objections, and helping to ensure that higher quality applications (that can be fully validated) are lodged overall.

5.3 Planning Applications

5.3.1 Most people become involved in the planning system when they put in planning applications for their own projects or when they make comments on proposals.

5.3.2 As part of notifying the community when planning applications are received, the Council will ensure there is appropriate publicity to enable members of the public to comment on proposals.

5.4 Planning Application consultations

5.4.1 Local planning authorities are required to undertake a formal period of public consultation, prior to deciding a planning application. Local Planning Authorities will notify the community and consult statutory consultees and other stakeholders before determining applications, and consider any comments made.

5.4.2 Article 15 of the Town & Country Planning (Development Management Procedure) (England) Order 2015 sets out the statutory framework for publicity for applications for planning permission. This legislation provides the minimum requirements for public consultation, requiring certain types of application to be publicised by way of a site notice and newspaper advertisement, and in some cases by way of notification to adjoining owners or occupiers. This is in addition to a general requirement for all application-related information to be available on the Council’s website. To ensure a consistent approach to
planning application publicity and consultation arrangements the Council will follow the requirements of the aforementioned legislation. Appendix B provides the publicity and notification arrangements.

5.5 Who we will consult directly

5.5.1 Following the registration and validation of most small-scale applications, individual notification letters will be sent to the occupiers of property or land that immediately abut the application site (as identified on the submitted plans and drawings). The notification letter will state a timescale for comments to be submitted – normally 21 days unless the notice specifies otherwise – and details of where the application can be inspected, which is normally on the Council’s website. In some situations the notification letters will also be accompanied by a site notice displayed near to the application site. In other situations a site notice may be the sole means of publicity.

5.5.2 For larger developments, individual notification letters will be sent to the occupiers of property or land that immediately about the application site (as identified on the submitted plans and drawings). The notification letter will state a timescale for comments to be submitted – at least 21 days unless the notice specifies otherwise – and details of where the application can be inspected which is normally on the Council’s website. These applications will also be publicised by a site notice displayed near to the application site and an advertisement in the local press will be published.

5.5.3 The Council will also consult with statutory and non-statutory bodies such as, Highways England, Natural England, the Environment Agency, and various departments within the Council, including Environmental Health and Safer Places, Heritage and Urban Design, and Traffic and Transport where appropriate.

5.5.4 Details of minimum publicity requirements for planning applications and a list of when statutory consultees are required to be consulted are provided in Tables 1 to 3 of the ‘Consultation and pre-decision matters’ Planning Practice Guidance. These are available at the following webpage: www.gov.uk/guidance/consultation-and-pre-decision-matters.

5.5.5 In addition to the consultation methods set out in this SCI, there may be instances where a particular application of 'wider interest' and warrants wider consultation than the standard methods described. In this situation the Council may, in addition to the standard consultation methods, post a site notice, publish a press advertisement, and notify local groups, amenity societies and specialist organisations.
5.6 Other Types of Planning Applications

5.6.1 The Council will carry out consultations on other applications in accordance with statutory requirements. Consultations are undertaken according to the following general principles:

Listed Building Consent

5.6.2 For development involving the demolition, in whole or part, or the material alteration of Grade I or II listed buildings, Listed Building Consent is required and for works that affect its character as a building of special architectural or historic interest.

5.6.3 These applications are advertised in the local newspaper and by site notice, except where the works are only internal and where the building is listed Grade II. Where demolition of a listed building is involved, or for works for the alteration of a listed building which comprise or include the demolition of any part of that building we consult the National Amenity Societies.

5.6.4 We consult Historic England in accordance with government guidance. Other consultation is carried out as appropriate for the individual application.

Certificates of Lawfulness

5.6.5 This is a process for determining if the existing use of a building is lawful for planning purposes or to confirm when a proposal does not require planning permission. Decisions on these applications are a matter of law, not of planning policy so the Council does not normally consult on them.

Advertisement Consent

5.6.6 The Council consults in accordance with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
Prior Approval

5.6.7 For prior approval applications, we consult as required by the relevant legislation (Town and Country Planning (General Permitted Development Order) 2015) by serving a notice on adjoining owners or occupiers immediately adjoining the site for example and by displaying a site notice for the change of use from offices or retail to residential.

Permission in Principle (PiP)

5.6.8 The council has a duty to publish a Brownfield Land Register of previously developed land suitable for housing. PiP separates the consideration of matters of principle for proposed development from the technical detail of the development. Consultation requirements to be undertaken before sites entered on the Brownfield Land Register can be granted PiP are set out in the Town and Country Planning (Brownfield Land Register) Regulations 2017. Statutory bodies are consulted and site notices and an online notice will be made available during this period.

5.7 Amended Plans

5.7.1 During the life of a planning application, there may be instances where amended plans, layouts, or further supplementary information is submitted. In these circumstances, the Council will consider whether the new information materially alters a proposal.

5.7.2 If a proposal has materially changed the Council may undertake a further consultation and notification exercise, appropriate with the type and size of amendments or the level of information submitted. Any additional publicity on changes to an application will be at the case officer’s discretion and will depend on the degree of change from the original submission. If an application is reduced in scale or form from the original submission it is unlikely additional publicity will be undertaken. The Council will place any additional information received on its website.

Further (although not exhaustive) detail of what are (and are not) material considerations can be viewed here: www.rtpi.org.uk/media/686895/Material-Planning-Considerations.pdf
5.8 How to view planning applications and comment

5.8.1 All planning applications, including plans, elevation drawings and any supporting information provided by the applicant, are available to view on the Council’s website at: http://publicaccess.nottinghamcity.gov.uk/online-applications/. Assistance can also be provided (via the details below) to those unable to access such information online.

5.8.2 Anyone can comment on planning applications. However, only those representations that relate to planning matters can be taken into account. All representations received are “public documents”, will be open to public view, and cannot remain confidential, although personal details will be redacted.

5.8.3 Comments or representations on planning applications must be made in writing and can be made through the Council’s website at the link in section 5.8.1. Comments can also be sent via post or email to the Council, as per the contact details provided in section 5.9. The following information should be included in a person’s representation:

- Their name and address
- The planning application reference number
- Their concerns about the proposal based on relevant planning matters or “material considerations”

5.8.4 Generally, there is a deadline of 21 calendar days (excluding Bank Holidays) in which to make comments. External bodies such as Highways England will be allowed a longer period to comment on applications where this is prescribed by legislation.

5.9 Contact information for the Development Management Team

Post:
Development Management,
Nottingham City Council,
Loxley House,
Station Street,
Nottingham, NG2 3NG

Email:
localplan@nottinghamcity.gov.uk

Telephone:
0115 876 4447
6 Determining Applications\textsuperscript{5}

6.1 Who decides planning applications?

6.1.1 Decisions on planning applications submitted to the Council are made by either planning officers or by planning committee, unless in the rare instances when an application is ‘called in’ by the Secretary of State.

6.2 Applications determined by Planning Officers

6.2.1 For applications dealt with by planning officers, the Council will produce a report that will be published online. This will contain a summary of the comments received together with our assessment of each application.

6.3 Applications determined by Planning Committee

6.3.1 For applications considered by Planning Committee, planning officers will summarise comments received in a report that will be available to view on our website. Residents can also ask Councillors to refer applications so they can be considered at Planning Committee. To assist Councillors in making decisions, a planning officer’s report is produced with a recommendation. Details and decisions of meetings are available online at the following address:

http://committee.nottinghamcity.gov.uk/ieListMeetings.aspx?CommitteeId=249

\textsuperscript{5} This Section does not apply to the determination of Certificates of Lawfulness which are matters of law and not planning policy. Such applications are subject to an 8 week statutory time limit for determination and will be determined in accordance with the Council’s Constitution. Determinations will be sent to the applicant/agent and published on the Council’s website.
6.4 Decisions on Planning Applications

6.4.1 Consultation and notification responses will be taken into account when determining planning applications. However, decisions on planning applications must be made in accordance with the development plan unless material considerations dictate otherwise.\(^6\)

6.4.2 Public opposition or support (following notification) by itself is not a valid reason to refuse or approve a planning application.

6.5 Planning decision time limits

6.5.1 The statutory time limits to determine planning applications are 13 weeks for applications for major development (unless an application is subject to an Environmental Impact Assessment, in which case a 16 week limit applies), and eight weeks for most other types of development.

6.6 Notification of decisions

6.6.1 Following a decision on an application, the decision is sent to the applicant/agent advising them of the decision that has been made, including details of conditions imposed. All decisions are available to view on Nottingham City Council’s website, and notices of decisions may be sent out on request, at a small cost to cover administration. If the decision is made by the Planning Committee then the decision is also published in the minutes of the meeting on the Council’s website.

\(^6\)S38(6) of the Planning and Compulsory Purchase Act 2004
7 Planning Appeals

7.1 Planning Appeals

7.1.1 If a planning application is refused, or the decision is not made within the statutory time limits, the applicant may decide to appeal against the Local Authority’s decision if they feel the decision made is unreasonable or if a decision has not been made within the set time period. Applicants can also appeal against a planning condition.

7.1.2 Appeals are determined by the Planning Inspectorate or, in cases of significant national importance, by the Secretary of State. There are time limits to appeal decisions; more details on the appeal process are available at the following links:

- [www.planningportal.gov.uk/planning/appeals/guidance/guidanceontheappealprocess](http://www.planningportal.gov.uk/planning/appeals/guidance/guidanceontheappealprocess)

7.1.3 If an appeal is submitted the Council will notify any interested parties of the appeal, including those who made representations before the application was determined. These representations will be sent to the Planning Inspectorate and the appellant and will be considered by the Inspector when determining the appeal.

7.1.4 Interested parties will be informed that any further written representations should be sent to the Planning Inspectorate within 5 weeks of the start date of the appeal. However, interested persons cannot make representations on a householder appeal due to the ‘fast track’ appeal process. In this instance, only representations received during the planning application consultation process will be considered by the Inspector.

7.1.5 Planning Appeals are determined by one of three methods:

**A. Written Representations** – These are determined by an exchange of written statements and where necessary, a site visit by an Inspector from the Planning Inspectorate;

**B. Informal Hearings** – These are a discussion between the appellant and the Council about the merits of the case and are chaired by an Inspector from the Planning Inspectorate; and

**C. Public Inquiries** – These are often used for major cases and are much more formal.
7.1.6 The Inspector will make a decision to dismiss or allow the appeal, or send a report to the Secretary of State. A copy of the decision notice will be sent to the appellant, the Council, and any interested person who has requested a copy. It will also be available to view on the Planning Inspectorate website at:

https://acp.planninginspectorate.gov.uk/CaseSearch.aspx
8 How we use your data

8.1.1 Planning is an open and public activity. As such, any representations or comments made by the community or stakeholders in the course of the development of the Local Plan or in relation to a planning application may and can be made public. However, we will redact personal information from any comments published.

8.1.2 To view how the Council uses and manages the personal data of those who have requested to be kept informed of the development of planning policy documents, and those who have made representations relating to policy documents, please view the privacy notice for the Planning Policy and Research team at:

http://documents.nottinghamcity.gov.uk/download/6619

8.1.3 The privacy notice for Nottingham City Council can be viewed at

www.nottinghamcity.gov.uk/privacy-statement
9 Equality and diversity

9.1.1 The Councils Equality & Diversity Policy covers discrimination on the basis of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and/or belief, sex and sexual orientation as set out in the Equality Act (2010).

9.1.2 By adopting and implementing this policy we aim to tackle the imbalances caused by disadvantage and discrimination, to ensure all communities have opportunities to be involved in what we do. The Council will consult with people from all the diverse communities in Nottingham to help shape the services we deliver, and our policies and practices.

9.1.3 The City Council recognises that the diversity of Nottingham’s communities is a huge asset, which should be valued and seen as one of the City’s great strengths. It is committed to providing equality of opportunity and tackling discrimination, harassment, intimidation and disadvantage. We are also committed to achieving the highest standards in service delivery, decision-making and employment practice. Our aim is that everyone should be able to make their views known on planning issues in ways that suit their needs.

9.1.4 In accordance with the Councils Equality and Diversity Policy we will make our information simple and easy to understand, accessible to all citizens of Nottingham, providing alternative formats where necessary. If you require planning information in an alternative format please contact Planning and Building Control Services at: planning@nottinghamcity.gov.uk.

9.1.5 An equalities impact assessment has been undertaken in the process of developing this document, which can be viewed online at: www.nottinghamcity.gov.uk/planning-and-building-control/planning-policy/the-local-plan-and-planning-policy/other-local-plan-related-documents/
10 We are interested in your views

10.1.1 All planning applications, including plans, elevation drawings and any supporting information provided by the applicant, are available to view on the Council’s website at: http://publicaccess.nottinghamcity.gov.uk/online-applications/

Additionally, if you wish to register your details, using the ‘register’ option on the ‘View and Comment on Planning Applications’ page (www.nottinghamcity.gov.uk/planningapplications) you can be notified of planning applications that interest you.

10.1.2 The Policy & Research team maintains a database of contact details of those people wishing to be informed regarding key stages in the development of the Local Plan and associated documents. If you wish to be added to this database, please provide your contact details to localplan@nottinghamcity.gov.uk

10.1.3 Information regarding major development projects is available at the following website: www.nottinghamcity.gov.uk/planning-and-building-control/building-a-better-nottingham/major-regeneration-projects/.

You may also sign up for the Regeneration newsletter from this site.

10.1.4 Nottingham City Council also has a dedicated engagement and consultation webpage that gives citizens and the community the opportunity to comment on local matters. The Council will provide details of any emerging any emerging Local Plans and SPDs (including any review) on this website at: www.nottinghamcity.gov.uk/engage-nottingham-hub/

10.1.5 You can also stay connected with the latest news updates from Nottingham City Council by submitting your e-mail details at the My Nottingham News web page; www.mynottinghamnews.co.uk/.
# Appendix A  Consultation Bodies for a Local Plan

<table>
<thead>
<tr>
<th>Duty to cooperate bodies</th>
<th>Specific Consultation Bodies</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Environment Agency</td>
<td>• Adjoining Authorities (this includes Ashfield District Council, Broxtowe Borough Council, Erewash Borough Council, Gedling Borough Council, Rushcliffe Borough Council, and Nottinghamshire County Council)</td>
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<tr>
<td>• English Heritage</td>
<td>• All parish councils within and adjoining the boundary of Nottingham City Council</td>
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<tr>
<td>• Natural England</td>
<td>• Nottinghamshire Constabulary</td>
</tr>
<tr>
<td>• Civil Aviation Authority</td>
<td>• The Coal Authority</td>
</tr>
<tr>
<td>• Homes England</td>
<td>• Electricity Operators</td>
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<tr>
<td>• NHS England</td>
<td>• Electricity and Gas Companies</td>
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<tr>
<td>• Clinical Commissioning Groups</td>
<td>• Electronic Communications Operators</td>
</tr>
<tr>
<td>• Office of Rail and Road</td>
<td>• The Environment Agency</td>
</tr>
<tr>
<td>• Integrated Transport Authorities</td>
<td>• Gas Undertakers</td>
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<td>• Highway Authorities</td>
<td>• Highways England</td>
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<tr>
<td>• Highways England</td>
<td>• Historic England</td>
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<tr>
<td>• Marine Management Organisation</td>
<td>• Homes England</td>
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<tr>
<td>• Local Enterprise Partnerships</td>
<td>• Marine Management Organisation</td>
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<tr>
<td>• Neighbouring Local Authorities</td>
<td>• Natural England</td>
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<td>• Network Rail</td>
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<td>• Public Health England</td>
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<td>• The Secretary of State for Transport</td>
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<td>• Telephone Operators</td>
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<td>• Sewage Undertakers</td>
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<td>• Water Undertakers</td>
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</tbody>
</table>
Appendix A  Consultation Bodies for a Local Plan

General Consultation Bodies
- Business Support Agencies
- Disabled Groups
- Ethnic/Racial/National Groups
- Local Businesses
- Religious Groups and Churches
- Voluntary Bodies

Other Design/Townscape/Urban design Consultees
- Conservation Bodies
- Design/Townscape/Urban Industry
- The Development Industry
- Environmental Groups
- Health Agencies
- Infrastructure and Service Providers
- Learning Agencies
- Nature Conservation/ Countryside Bodies
- Planning Consultants and Agents
- Recreation Bodies
- Schools
- Sports Clubs/Bodies
- Transport Bodies and Groups
- Other miscellaneous bodies
Appendix B   Publicity and Notification Arrangements

In broad accordance with statutory requirements, the Council will publicise the application types listed below as follows:

1) Applications for ‘major’ development (including all applications for waste development)
   • By site notice and, where deemed necessary, a neighbour notification letter
   • By press advertisement
   • On the Council’s website

2) Applications subject to Environmental Impact Assessment (EIA) which are accompanied by an Environmental Statement (ES)
   • By site notice and, where deemed necessary, a neighbour notification letter
   • By press advertisement
   • On the Council’s website

3) Applications that do not accord with the development plan (known as ‘departures’)
   • By site notice and, where deemed necessary, a neighbour notification letter
   • By press advertisement
   • On the Council’s website

4) Applications that would affect a right of way to which Part 3 of the Wildlife and Countryside Act 1981 applies
   • By site notice and, where deemed necessary, a neighbour notification letter
   • By press advertisement
   • On the Council’s website

5) Applications for planning permission not covered under 1 to 4 above, for example ‘non-major’ development
   • By site notice and, where deemed necessary, a neighbour notification letter
   • On the Council’s website
Under this category the following exceptions apply, which do not require publicity. However, the Council reserve the right to publicise individual applications in this ‘exceptions list’ subject to an individual assessment of the applications in question:

- Hedgerow removal notices
- High hedge complaints
- Prior notification applications
- Certificates of lawfulness for proposed use or development
- Section 211 Notices (works to trees in Conservation Areas)
- Discharge of condition applications (aside from those in category 8 below)
- Non-material amendment applications
- Applications for express advertisement consent
- Tree Preservation Orders

6) Applications for listed building consent where works to the exterior of the building are proposed

- By site notice
- By press advertisement
- On the Council’s website

7) Applications for listed building consent where only works to the interior of the building are proposed

- By site notice
- On the Council’s website

8) Applications to vary or discharge conditions attached to a listed building consent, or involving interior works to a listed building

- By site notice
- By press advertisement
- On the Council’s website
Appendix C  Glossary

**Aligned Core Strategy (ACS):**
The Nottingham City ACS sets out strategic planning policies and development principles for Nottingham City to guide development until 2028. The ACS was jointly prepared with Broxtowe and Gedling Borough Councils with close alignment to the Core Strategies of the other Councils that make up Greater Nottingham, namely Erewash and Rushcliffe Borough Councils.

**Authority Monitoring Report (AMR):**
Monitors progress in relation to the Local Development Scheme, and policies and proposals in Local Development Documents.

**Consultation Statement:**
The document describes the consultations undertaken, outlines who was consulted, how they were consulted, and presents a summary of the main issues raised and explains how they have shaped the Local Plan.

**Development Plan Document (DPD):**
Development Plan Documents perform a similar function to the old style local plans. They can include a Core Strategy, Site Specific Allocations of land and other Development Plan Documents, such as generic development control policies. The Council sets out its programme for preparing Development Plan Documents in the Local Development Scheme (LDS).

**Development Management:**
The process of reviewing planning applications submitted by developers, homeowners or businesses. The decision will normally be made in accordance with the Development Plan, central government guidance and advice, and any other 'material considerations'. If the application is successful, planning permission will be granted, sometimes with conditions, and the development may go ahead.

**Examination:**
Formal examination of the Local Plan and supporting documents by an independent inspector appointed by the Secretary of State to consider if the plan is sound and legal.

**Issues and Options:**
The first stage of production, consultation and involvement in the production of a Development Plan Document. At this stage the Local Planning Authority will set out in a document / or documents issues that will should be tackled and potential options which could resolve those issues.

**Local Development Scheme (LDS):**
Sets out the Council’s timetabled programme for preparing Local Development Documents. The LDS must be reviewed annually.

**Local Plan:**
A Development Plan Document, which plans for the future development within an administrative area, drawn up by local planning authorities in consultation with communities and other stakeholders.
Major applications:
Residential development of 10 or more dwellings or site area of 0.5 hectares or more. For other proposals 1000sqm floor space or a site area of one hectare or more.

Material considerations:
Factors that will be taken into account when reaching a decision on a planning application or appeal. Any consideration that relates to the use or development of land is capable of being a material consideration. Examples are traffic, access, and impact on street scene.

National Amenity Societies:
Statutory bodies to be notified in certain for listed building consent:
(i) the Society for the Protection of Ancient Buildings,
(ii) the Ancient Monuments Society,
(iii) the Council for British Archaeology,
(iv) the Georgian Group,
(v) the Victorian Society, and
(vi) the Twentieth Century Society

National Planning Policy Framework (NPPF):
The NPPF replaces the majority of national planning policy documents (PPGs/PPSs) and many circulars, streamlining them all into one document. It sets out the Government’s planning policies for England and how these are expected to be applied. It provides a framework within which local and neighbourhood plans can be produced reflecting the needs and priorities of the local area.

National Planning Practice Guidance (NPPG):
The National Planning Practice Guidance adds further context to the National Planning Policy Framework (NPPF) and it is intended that the two documents should be read together. Key topics of the NPPG include what should be included in Local Plans, Design, Ensuring the viability of town centres, and guidance relating to the planning application process.

Neighbourhood Development Plan:
The Localism Act 2011 gave communities the power to establish general planning policies for the development and use of land in a neighbourhood such as where new homes and offices should be built and what they should look like (within Neighbourhood Development Plan).

Planning Inspector:
A Planning Inspector is a person appointed on behalf of the Planning Inspectorate (itself an executive agency of Government) to conduct the planning appeals for individual planning applications and examines Local Plans (and other Development Plan Documents) to ensure they are Sound.

Planning Permission:
A written consent to the carrying out of “Development” issued by a local planning authority or, on appeal, by a Planning Inspector or the Secretary of State. The permission is normally subject to conditions and will lapse if the development is not started within a stated period of time.
permission for buildings may be in outline where the principle is approved, subject to the later submission of further applications for the approval of reserved matters.

**Preferred Options:**
After Issues/Option stage (see Issues/Options above) the next stage of consultation and involvement in the production of Development Plan Documents. At this stage the Local Planning Authority will set out what it believes are its preferred options for a document and invite comment (see next stage Submission).

**Soundness:**
A Development Plan Document is considered sound if it is based upon good evidence and has been prepared in accordance with all the necessary procedures including the measures set out in the authority’s Statement of Community Involvement.

**Stakeholders:**
Groups, individuals or organisations who may be affected by, or have a key interest in, a development proposal or planning policy. They may often be experts in their field or represent the views of many people.

**Statement of Community Involvement (SCI):**
Sets out the standards that authorities will achieve with regard to involving local communities in the preparation of Local Development Documents and Development Management decisions.

**Submission:**
Once any Development Plan Document has been consulted upon it must be submitted to the Government so that it can be tested for soundness. The Submission Development Plan Document is effectively a draft of what the final document will look like.

**Supplementary Planning Document (SPD):**
Forms part of the Local Development Framework and provides detail on policies in the Development Plan Documents. They are not subject to independent examination and are not part of the statutory development plan.

**Supplementary Planning Guidance (SPG):**
A SPG may cover a range of issues, both thematic and site specific and provide further detail of policies and proposals in a Development Plan. SPGs can be treated as informal planning guidance when linked to policy under transitional arrangements.

**Sustainability Appraisal (SA):**
A tool for appraising policies to ensure they reflect sustainable development objectives (i.e. social, environmental and economic factors) and required in the Act to be undertaken for all Development Plan Documents. The SA incorporates the requirements of the Strategic Environmental Assessment Directive.
Appendix D  Further Information

**Legislation**
Planning and Compulsory Purchase Act 2004

Localism Act 2011
www.legislation.gov.uk/ukpga/2011/20/contents

The Town and Country Planning (Local Planning) (England) Regulations 2012
www.legislation.gov.uk/uksi/2012/767/contents/made

The Neighbourhood Planning (General) Regulations 2012
www.legislation.gov.uk/uksi/2012/637/contents/made

www.legislation.gov.uk/uksi/2015/595/contents/made

Neighbourhood Planning Act 2017
www.legislation.gov.uk/ukpga/2017/20/contents

The Neighbourhood Planning Act 2017 (Commencement No. 3) Regulations 2018

**National Policy/Guidance**
http://planningguidance.planningportal.gov.uk/

Plain English Guide to the Planning System

Planning Aid
www.rtpi.org.uk/planning-aid/

Planning Portal
www.planningportal.gov.uk

**Nottingham City Council**
Planning and Building Control Webpage
www.nottinghamcity.gov.uk/planning-and-building-control/