

INSPECTOR'S REPORT

STRATFORD-ON-AVON DISTRICT COUNCIL

STATEMENT OF COMMUNITY INVOLVEMENT

Inspector: Mary Travers BA(Hons) DipTP MRTPI

Date of Hearing: 12 January 2006

File Reference: LDF000064

Stratford-on-Avon District Council - Statement of Community Involvement (June 2005)

INSPECTOR'S REPORT

Introduction

- 1.1 An independent examination of the Stratford-on-Avon District Council Statement of Community Involvement (SCI) has been carried out in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004. Following paragraph 3.10 of Planning Policy Statement 12 (PPS12): Local Development Frameworks, the examination has been based on the nine tests set out (see Annexe A to this report). The starting point for the assessment is that the SCI is sound. Accordingly changes are made in this binding report only where there is a clear need in the light of the tests in PPS12.
- 1.2 A total of 35 separate individuals or organisations made written representations on the SCI, all of which have been considered. A requested hearing was held on 12 January 2006: the attendance sheet listing those present is attached. Since this report is into the soundness of the SCI I have not referred to matters raised in the written representations or at the hearing unless they result in a recommendation for a change.

Test 1

- 2.1 This test is dealt with in the pre-submission consultation statement. It has been confirmed that the Regional Planning Body (RPB) was consulted before the Council prepared the consultation draft of the SCI even though the RPB was omitted in error from the list of those bodies that were consulted.
- 2.2 This test has been met.

Test 2

- 3.1 Section 2 of the SCI sets the new planning framework in the wider context and in particular it explains the role of the Local Development Framework (LDF) in helping to deliver the spatial elements of the Community Plan. For example, paragraph 2.11 refers to the Core Strategy and to the way in which its vision will be developed in partnership with the whole community through the Local Strategic Partnership. Section 4 provides an overview of the Council's approach to consultation and community involvement that demonstrates how the processes for the production of development plan documents (DPDs) will be linked into the Council's wider Consultation Strategy. By working through the Citizens' Panel, focus groups, Businesses Forum and liaison networks with Parish and Town Councils, for example, it is clear that the opportunities for

joint working and shared consultation activities will be maximised wherever possible.

3.2 This test has been met.

Test 3

- 4.1 An SCI should identify in general terms which local community groups and other bodies will be consulted. Paragraph 4.14 of the Stratford-on-Avon SCI explains who will be consulted by defining the target groups in general terms, while Appendix 4 lists the statutory and non-statutory consultees for DPDs and also identifies the types of groups and organisations which will generally be involved. However, Town and Parish Councils adjoining the District should be included in the list of statutory consultees and I recommend accordingly.
- 4.2 Paragraphs 2.11-2.20, which explain the different types of local development documents (LDDs), make clear that the Council will consult with bodies only if the subject matter is likely to affect them and that they may consult with other bodies as appropriate. Paragraph 4.6 confirms that a comprehensive review of the existing local plan consultation database has been undertaken in preparation for the introduction of the new planning system. However, it should be stated explicitly in the document that the Council will maintain a consultation register with up-to-date contact details for all groups and individuals in the District with an active interest in planning issues, and that such individuals and groups can request to be placed on the register at any time. I recommend accordingly.
- 4.3 As referred to during the hearing, the identification of the target groups in Section 4 should be given greater prominence in the document so that the reader is clear from the outset who will be involved. While this could be achieved by bringing forward Section 4, a more readily understood document would result if the existing content order is retained and a cross-reference to Section 4 is inserted in the third bullet point in paragraph 1.3, so that the reader can easily identify the relevant section dealing with this matter.
- 4.4 The methods of consultation described in the detailed schedule of consultation and participation techniques in Appendix 3 exceed the minimum requirements set out in the Regulations.
- 4.5 Recommendations
- (i) Amend Appendix 4 by inserting a new line after 'Warwickshire County Council' which states 'Town and Parish Councils in and adjoining the District' and delete the reference to town and parish councils from the line starting 'Local Agenda 21....'

- (ii) Add a new sentence to the end of paragraph 4.6 as follows: The consultation database will be maintained with up-to-date contact details for all groups and individuals with an active interest in planning issues in the District, and such individuals and groups can request to be included on the database at any time.
- (iii) Add additional text to the third bullet point in paragraph 1.3 as follows: `Section 4 of this document explains in more detail how the groups that make up the community will be identified and it summarises the key target groups`.

Test 4 and Test 5

- 5.1 These tests are considered together as they are interrelated.
- 5.2 Section 2 of the document describes the stages in the production of DPDs and this is supplemented by Appendix 3 which explains in detail the methods that are likely to be used to involve the community in this process. It acknowledges the role of the community and other stakeholders at the very earliest stage of plan preparation and throughout the process leading to statutory adoption.
- 5.3 The SCI should however explain that at the examination stage, DPDs will be assessed in accordance with the tests of soundness set out in PPS12. I recommend an addition to the text on this matter. Also, the section on the Independent Examination in paragraph 2.16 should be corrected to avoid any inference that objectors and not the Inspector will decide how to deal with oral presentation of cases.
- 5.4 It is clear from Sections 2 and 4 and Appendices 3 and 6 that a range of community involvement methods will be used that are appropriate and accessible for the needs of various groups and for the type of document, and that consultation will be carried out early enough to allow for engagement at each of the stages of DPD preparation. The SCI is particularly clear about the importance of targeting hard-to-reach groups and how this will be done; paragraph 4.6 describes a number of appropriate methods that may be used to involve such groups while Appendix 5 helpfully identifies the target groups that may be hard-to-reach.
- 5.5 Recommendations
 - (i) Insert additional text after the first sentence of paragraph 2.15 as follows: The purpose of the independent examination is to consider if the development plan document is sound; paragraph 4.24 of Planning Policy Statement 12

(PPS12): Local Development Frameworks explains the tests of soundness upon which the examination will be based.

- (ii) Delete the penultimate and final sentences of the section entitled Independent Examination in paragraph 2.16 and replace them as follows: The Inspector will decide how to deal with representations that are to be heard during the examination – this may involve the use of hearings, round table sessions or formal testing of evidence under cross-examination. Representations made in writing carry the same weight as those presented orally.

Test 6

6.1 Section 4 of the document, which explains in some detail what is entailed by consultation, participation and involvement, makes it clear that consideration will be given to the link between the available resources and the type/scale of community involvement that will be undertaken. This link is reinforced in paragraph 4.9 which sets out guiding principles for consultation. Section 4 also explains who will manage community involvement processes in the Council. This information is supplemented by the details provided on the methods that will be employed to engage with the community and other stakeholders. Many of these methods rely on existing facilities – the website, other media, the libraries and existing networks and forums such as the Citizens Panel and the Youth Forum. Reading the document as a whole, it is clear that reasonable consideration has been given to the link between resources and the type/scale of community involvement proposed; the additional appendix suggested by the Council (see paragraph 10.1 below) will assist in evaluating the resource implications of different involvement techniques. However, it should be made explicit that the Council will seek to link consultation exercises on different LDDs where this would be appropriate.

6.2 Recommendation

- (i) Add a new sentence after the first sentence of paragraph 4.8 as follows: The Council will, however, seek to link community involvement initiatives on different LDDs where this would be appropriate, for example, where a Supplementary Planning Document (SPD) and a Development Plan Document (DPD) are prepared in parallel because the detail set out in the former is fundamental to the early delivery of policies in the latter.

Test 7

7.1 Section 2 of the document explains clearly how all those who wish to be involved in shaping the future of the District can do so. Paragraphs 2.11 onwards describe the different stages of production of DPDs and SPDs, how decisions will be made about

their content, and the outcomes expected from the community involvement activities at various stages in the evolution of these documents. There are explicit references to the formal processes for reporting back on the outcome of community involvement. Section 4 reinforces these important elements of the SCI by setting out the Council's intention to strive for collaborative methods wherever possible, and the guiding principles for consultation (paragraph 4.9) underline the importance of meaningful involvement and feedback.

7.2 This test has been met.

Test 8

8.1 Paragraph 6.2 sets out how the SCI will be monitored as part of the annual monitoring process for the LDF that feeds into the Annual Monitoring Report (AMR). Specific reference is made to the need to monitor the results achieved and the appropriateness of the techniques employed in community involvement. There is an undertaking that the Council will consider whether the principles set out in the SCI are being achieved, how the process can be improved, and will review the allocation of resources to ensure the effectiveness of the SCI. The additional text suggested by the Council (see paragraph 10.1 below) will clarify the timescale for full review of the SCI.

8.2 This test has been met.

Test 9

9.1 Section 3 of the SCI sets out the Council's policies and procedures for consultation on planning applications and makes clear how the results of consultation will be reported and will inform decisions. It explains the various procedures for consultation on applications of different types and significance. Ways in which the community will be involved are explained clearly, and this includes provision for community involvement before an application is made (see paragraphs 3.14 onwards). Overall, Section 3 sets out clear policy and procedures which exceed the minimum requirements contained in the legislation. However, it would be helpful to the reader to explain that references to planning applications in the SCI also apply where relevant to other development control applications such as those for listed building or conservation area consents. Also, the title of the section should be corrected on page 9 and on the contents page to delete the word 'significant' since the text refers to all planning applications, not only those that are considered 'significant'.

9.2 Recommendations

- (i) Insert a footnote to the first sentence of paragraph 3.1 which explains that references to planning applications in the SCI

also apply where relevant to other development control applications such as those for listed building or conservation area consent.

- (ii) Correct the title of Section 3 on the contents page and on page 9 by deleting the word `significant' before `planning applications'.

Other Matters

10.1 A number of corrections or amendments that the Council proposes in response to the representations were set out in a schedule submitted at the hearing. I have considered these in terms of the tests of soundness and relevant guidance and I recommend that the SCI should be amended as set out in the schedule except that:
a) I find no need to include a new section that profiles the District and its people since this would add significantly to the length of the document and the submitted SCI already takes account of the diverse needs of the community; b) instead of adding a reference to developers and landowners in section 2.9 it would be more appropriate to refer to `other stakeholders' since this would include anyone with an interest in the development of the District.

10.2 It will also be necessary to update the submitted SCI at adoption stage in regard to consultation processes that have been completed. My recommendations below deal with these matters. Any consequential re-numbering of paragraphs is a matter for the Council to address.

10.3 Paragraph 3.7 should be corrected to express the presumption in favour of development that accords with the development plan.

10.4 I have not attempted to identify every typographical error but for the assistance of the Council I list those which I have noted.

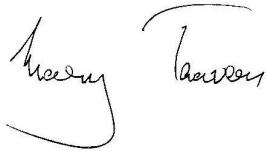
10.5 Recommendations

- (i) Amend the SCI in accordance with the details set out in the schedule submitted by the Council at the hearing except in respect of points a) and b) in paragraph 10.1 above.
- (ii) Amend the first sentence of the second paragraph in section 2.9 as follows: For all LDDs it is important for local planning authorities to involve the community and other stakeholders at an early stage in their preparation, allowing issues to be identified and policy responses to be considered.
- (iii) Amend the first part of the first sentence of paragraph 3.7 as follows: Planning applications will be determined in accordance with the policies of the development plan unless material considerations.....

- (iv) Update paragraph 1.4 to state that the adopted version of the SCI has been subject to public consultation and has been examined by an independent Inspector, and delete paragraphs 1.5, 1.7 and 6.1.
- (v) Replace the word 'effect' by the word 'affect' in the third line of paragraph 3.2, and replace 'week' by 'weeks' in the second line of paragraph 3.13.

Conclusion

11.1 Subject to the above recommendations the Stratford-on-Avon District Council Statement of Community Involvement (June 2005) is sound.

A handwritten signature in black ink, appearing to read 'Mary Travers', with a large, sweeping flourish at the end of the name.

Mary Travers
Inspector

ANNEX A

Examination of the soundness of the statement of community involvement

3.10 The purpose of the examination is to consider the soundness of the statement of community involvement. The presumption will be that the statement of community involvement is sound unless it is shown to be otherwise as a result of evidence considered at the examination. A hearing will only be necessary where one or more of those making representations wish to be heard (see Annex D). In assessing whether the statement of community involvement is sound, the inspector will determine whether the:

- i. local planning authority has complied with the minimum requirements for consultation as set out in Regulations;¹
- ii. local planning authority's strategy for community involvement links with other community involvement initiatives e.g. the community strategy;
- iii. statement identifies in general terms which local community groups and other bodies will be consulted;
- iv. statement identifies how the community and other bodies can be involved in a timely and accessible manner;
- v. methods of consultation to be employed are suitable for the intended audience and for the different stages in the preparation of local development documents;
- vi. resources are available to manage community involvement effectively;
- vii. statement shows how the results of community involvement will be fed into the preparation of development plan documents and supplementary planning documents;
- viii. authority has mechanisms for reviewing the statement of community involvement; and
- ix. statement clearly describes the planning authority's policy for consultation on planning applications.

From: Planning Policy Statement 12: Local Development Frameworks