

Appendix A

**SOUTH EAST LINCOLNSHIRE
JOINT STRATEGIC PLANNING COMMITTEE**

**DRAFT
STATEMENT OF
COMMUNITY INVOLVEMENT**

April 2012



South East Lincolnshire
Joint Strategic Planning Committee

The South East Lincolnshire Statement of Community Involvement (SCI) sets out proposals for involving and consulting members of the public and stakeholders on the preparation of planning policies and the determination of planning applications in South East Lincolnshire (which covers the areas of Boston Borough Council and South Holland District Council).

The SCI has been prepared on behalf of the South East Lincolnshire Joint Strategic Planning Committee (the Joint Committee), which comprises elected members of the three partner authorities of Boston Borough Council, Lincolnshire County Council and South Holland District Council.

The Joint Committee was established by Parliamentary Order in July 2011 and is responsible for preparing planning policies for South East Lincolnshire. It is supported by the South East Lincolnshire Joint Policy Unit, which comprises the planning policy sections of Boston Borough and South Holland District Councils, and planning officers from Lincolnshire County Council.

If you have any queries about this SCI please contact:

The South East Lincolnshire Joint Policy Unit
c/o Forward Planning Team
Planning Department
Boston Borough Council
Municipal Buildings
West Street
Boston
PE20 8QR

Email: peter.udy@boston.gov.uk

Information on the SCI is available in other formats. If you would like information in Braille, Audiotape, larger print, CD or you need information in a different language please contact the JPU. Call 01205 314200

Contents

1. Introduction

Background to the South East Lincolnshire Statement of Community Involvement	4
Community involvement in Local Plan preparation	4
Glossary of terms used in the document	5
Benefits of community involvement	6
Principles of community involvement.....	7

2. Community Involvement in the Local Plan process

What is the Local Plan?.....	9
When can I comment on DPDs	10
When can I comment on SPDs?.....	11
How will I know when and how to get involved?	11
Involvement at informal consultation stages	13
Involvement at formal consultation stages.....	13
How will I know if the Joint Committee has taken my comments into account?	13
Targeting the hard-to-reach groups	14
Hard-to-reach groups – consultation table.....	15
Funding community involvement	16
Evaluating our methods.....	16

3. Community Involvement and Planning Applications

Introduction	17
Pre-application advice	17
Community involvement before an application is submitted.....	17
How do the Councils let people know about planning applications?	18
Commenting on planning applications.....	19
Community involvement when an application goes to committee	20
Community involvement if an appeal is received on a planning application decision	20
Who do I contact if I have any queries?.....	21
Where can I get independent advice about the planning process?	22
Appendix 1: Statutory Consultees	23
Appendix 2: Boston Borough Council's Code on the Publicity of Planning Applications.....	25

Appendix 3: South Holland District Council's arrangements for the Publicity of
Planning Applications 29

1. Introduction

Background to the South East Lincolnshire Statement of Community Involvement

This South East Lincolnshire Statement of Community Involvement (SCI) sets out proposals for involving and consulting members of the public and stakeholders on the preparation of planning policies and the determination of planning applications in South East Lincolnshire (which covers the areas of Boston Borough Council and South Holland District Council).

It has been prepared on behalf of the South East Lincolnshire Joint Strategic Planning Committee (the Joint Committee), which comprises elected members of the three partner local planning authorities of Boston Borough Council, Lincolnshire County Council and South Holland District Council.

The Joint Committee was established by Parliamentary Order in July 2011 and is responsible for preparing planning policies for South East Lincolnshire. It is supported by the South East Lincolnshire Joint Policy Unit (Joint Policy Unit), which comprises the planning policy sections of Boston Borough and South Holland District Councils, and planning officers from Lincolnshire County Council.

Following the establishment of the Joint Committee, both Boston Borough Council and South Holland District Council retain their separate status as local planning authorities responsible for the determination of planning applications.

The Planning and Compulsory Purchase Act 2004 and a change of Government in 2010 has led to significant changes to the planning system. At the heart of these changes is the increasing recognition of the importance of community involvement. Under the current legislation the Joint Committee must prepare and adopt a SCI which sets out how it will follow the Government's principles for community engagement in planning.

The aim of the Joint Committee is to engage with residents, businesses, interest groups and other stakeholders in a meaningful and cost-effective way where the outcomes of such engagement demonstrate both real benefits for the community and value for money for the partner authorities.

Community Involvement in Local Plan preparation

The Local Plan¹ will contain policies for the location and design of development (homes, shops, offices etc.) and for the protection of the built and natural environment. It will consist of several documents – called development plan documents – which are prepared and updated separately on a regular basis. Development plan documents are primarily used to inform decisions on planning applications.

¹The term 'Local Plan' is explained in detail in the Government's National Planning Policy Framework; DCLG, 2012.

The Local Plan sets out to answer questions and to target issues such as:

- What kind of future do we want for South East Lincolnshire?
- Which areas need regeneration and should we prioritise these locations for housing, leisure, employment or other types of development?
- How can we ensure that the form of our neighbourhoods and communities has a positive impact upon our lifestyle, the environment and our ability to access employment and leisure opportunities?

Most people have opinions on the neighbourhood in which they live and many have ideas for maintaining or improving such places. They also have ideas about other areas they use, such as a high street in a town or village, the open countryside, an employment area or local park. It is therefore important that local people are involved in the development of planning policy that will help to shape the future of such areas as well as decisions on planning applications for individual development proposals.

The Joint Committee is committed to continuous community involvement in policy-making, using methods appropriate to the circumstances, and will take into account all input from the many diverse interests it serves. However, there are stages in the policy process where seeking community involvement is a statutory requirement and 'formal consultation' must take place within a scheduled time frame. This document will help you to make sense of the process, distinguish between formal and informal consultations, and to understand how the results will be fed into policy preparation and planning application decisions.

Glossary of terms used in this document

Local plan – the collection of *development plan documents* setting out the overall planning strategy, policies and proposals for South East Lincolnshire. The term includes any old policies which have been saved under the 2004 Planning and Compulsory Purchase Act pending replacement by new development plan documents.

Local development scheme (LDS) – a project plan and timetable for the preparation of the Local Plan. A living document that can be updated and amended as necessary.

Local development document (LDD) – a general term meaning a development plan document, a supplementary planning document or a SCI.

Development plan document (DPD) – a LDD that forms part of the statutory development plan. NB: It is currently proposed that the following DPDs will form part of the South East Lincolnshire Local Plan (the need for further DPDs, such as Area Action Plans, will be kept under review):

- the Strategy and Policies DPD – containing:

- (1) an overall vision setting out how the area and the places within it should develop;
 - (2) strategic objectives for the area focussing on the key issues to be addressed;
 - (3) a delivery strategy for achieving these objectives, setting out how much development is intended to happen where, when and by what means it will be delivered; and
 - (4) clear arrangements for managing and monitoring the delivery of the strategy;
- Proposals Map – a map of the South East Lincolnshire area illustrating where policies and proposals set out in the DPDs apply; and
 - the Site Allocations DPD – containing allocations of land for specific uses (including mixed uses), e.g. housing, retail and leisure developments.

Area Action Plan – a plan for any area with specific needs, such as regeneration or conservation, which has the status of a DPD.

Supplementary Planning Document (SPD) – a LDD which expands policies set out in a DPD or provides additional detail.

Sustainability Appraisal – a systematic and iterative appraisal process, incorporating the requirements of the European Directive on Strategic Environmental Assessment. The purpose of sustainability appraisal is to appraise the economic environmental and social effects of the strategies and policies in a LDD from the outset of the preparation process.

Annual Monitoring Report (AMR) – reports progress on the timetable and milestones for the preparation of documents set out in the LDS including reasons where they are not being met.

Benefits of community involvement

Guidelines for community involvement have been issued by the Government, but how and to what extent we engage the public at large in Local plan preparation is for the Joint Committee to determine. Local authorities with an interest in South East Lincolnshire have already made significant steps towards engagement in many service areas and we see this statement as an opportunity to build upon existing good practice. We hope effective community involvement will provide the following benefits:

Speed plan preparation

By facilitating widespread community involvement early in the preparation of the Local Plan we aim to avoid late and unexpected representations emerging towards the end of the process which could lead to lengthy delays in the delivery of a robust planning framework for the area.

Encourage plan ownership

We hope that the public will more readily understand, support and promote plan policies and proposals if they have helped to identify the issues and possible solutions on which they are based. This, in turn, should help to reduce the scope for objections when planning applications are made for proposals in accordance with Local Plan policies.

Achieve consensus on the vision for South East Lincolnshire

Since the planning system helps to shape the places in which people live, work, and enjoy leisure activities, community involvement is vital in formulating a vision for the area that responds to, and addresses, its problems, needs and ambitions.

Balance interests

Community involvement provides the opportunity to inform the public about the limitations incurred in preparing the Local Plan, particularly in balancing the needs and aspirations of a diverse range of interest groups. Open dialogue should encourage understanding, develop consensus and help to minimise views of there being winners and losers in the process.

Principles of community involvement

In promoting the benefits of community involvement it is important to recognise that there can be certain barriers to effective consultation. Committing to the following principles may help to overcome them.

Early involvement

The involvement of the community and all stakeholders should begin at a very early stage in the production of local development documents. Only becoming involved at the latter stages of plan preparation can leave many parties with the view that they are being asked to comment on 'decisions that have already been made'.

Continuous involvement

The involvement of the community in the development of policy and other proposals should be a continuous process which gradually enables interested parties to acquaint themselves with all the circumstances influencing plan preparation. Such an understanding should help to reduce objections later in the plan-preparation process and, in the case of development plan documents, help to minimise the possibility of a lengthy and controversial examination process. The nature of the community engagement will, however, be flexible. We don't expect to use the same technique for every document or every issue and we intend to modify our methods as we learn from experience.

Clear objectives

Community involvement is only effective if it is guided by clear objectives. For each exercise we need to identify the target community or parts of the community with which we wish to engage and the nature of the information we

are seeking, having regard to the type of development or the aims of the local development document in question and the particular stage in its preparation.

A diverse but fair South East Lincolnshire

The spatial planning system exists to deliver positive economic, environmental and social outcomes, and requires planners to collaborate actively with the wide range of stakeholders and agencies that help to shape local areas and deliver local services. However, different people have different needs and different priorities. Such differences are not only linked to location but can also be derived from communities sharing the same interests, identities, faiths or circumstances. We will therefore seek to engage with all the diverse sections of the community, in particular those groups which have been underrepresented in previous consultation exercises (the so-called 'hard to reach groups').

Good local knowledge

The Joint Policy Unit is committed to gathering up-to-date information on the umbrella organisations and community groups in South East Lincolnshire which it considers need to be involved at different stages in the planning process. By doing this, we aim to ensure that plan preparation is responsive to the diverse interests and needs of local communities in the area.

A 'joined-up' approach

The Joint Policy Unit will seek to ensure that the Local Plan is aligned not only with national plans and policies but also with the shared local priorities set out in partner authority strategies and plans dealing with, for example, housing and economic development where these are consistent with national policy.

'Capacity building'

We intend to increase the ability/capacity of the public to become engaged in the planning process through the sharing of information. By working with other council departments and partners within the community we can develop the skill and ability of local communities to access information and communicate their views.

Clear and effective communication

Our aim is to ensure that all staff and councillors engaged in planning matters are well-briefed and knowledgeable as appropriate. We will ensure that consultation exercises are adequately resourced and that all consultation materials and documents comply with the principles of plain English and are available in a range of formats (upon request) and in a range of locations. The use of jargon will be minimised but where it is appropriate to use it, clear explanations will be provided.

Treatment of comments

We will consider all the comments we receive and they will be published along with our responses to them. This should foster trust, and encourage further participation, in the planning process.

2. Community Involvement in the Local Plan process

What is the Local Plan?

It has been agreed that a single Local Plan will be produced for the South East Lincolnshire area, replacing the existing Local Plans for Boston Borough and South Holland District. Under the current legislation and guidance relating to plan-making², the Local Plan will consist of at least two separate Local Development Documents (LDDs) which will be prepared and updated independently.

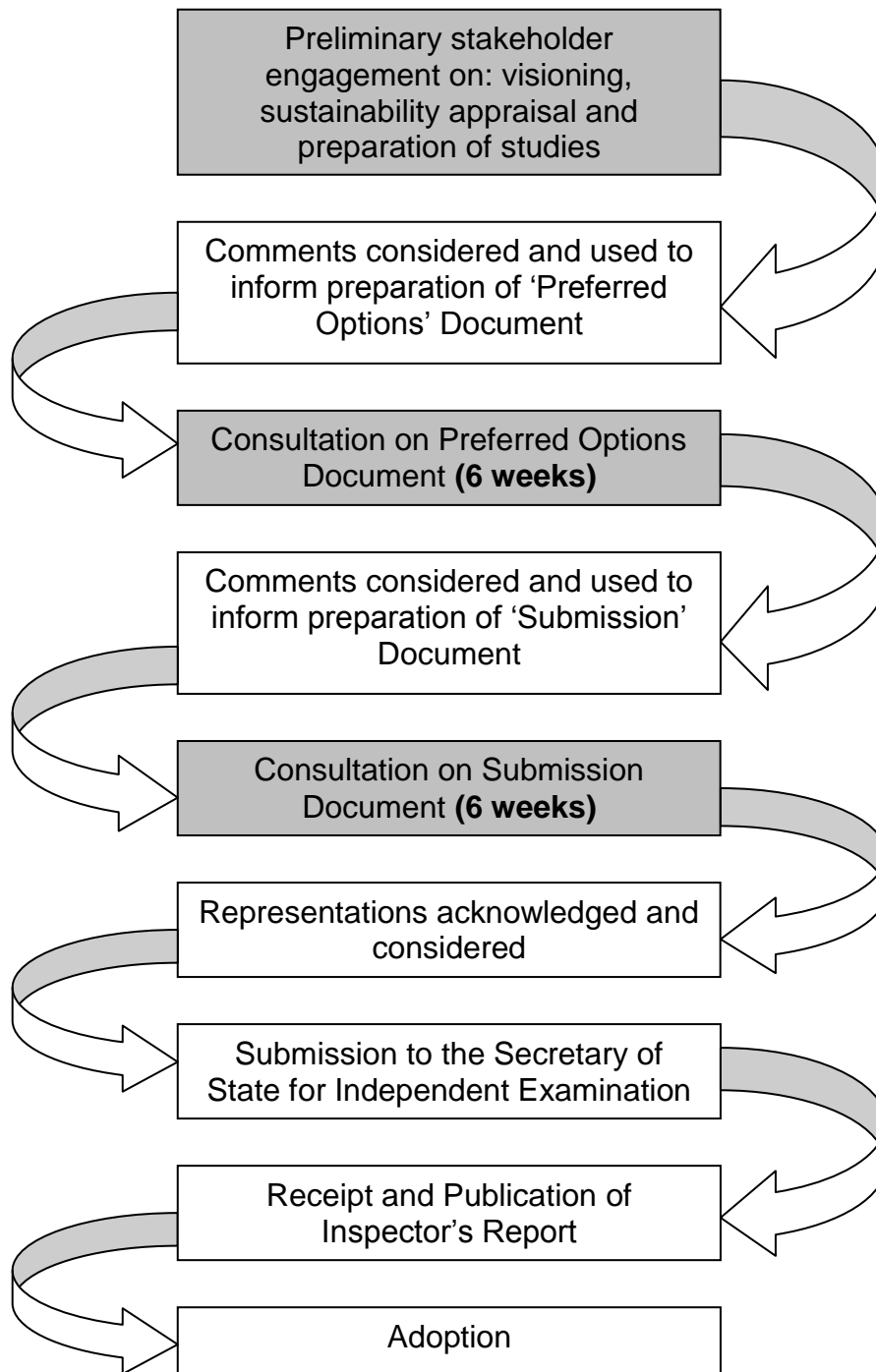
A three-year project plan called the Local Development Scheme (LDS) illustrates in detail how the Joint Committee intends to progress preparation of its Local Plan. It sets out what documents will be produced and when the consultation periods are for each stage of their production. The South East Lincolnshire LDS can be viewed at the Boston Borough Council and South Holland District Council Offices and on the South East Lincolnshire Local Plan website (see address details in the section titled '**How will I know when and how to get involved?**')

² See, respectively, the Planning and Compulsory Purchase Act 2004 and the National Planning Policy Framework

When can I comment on DPDs?

Diagram 1: Stages in the preparation of the DPDs

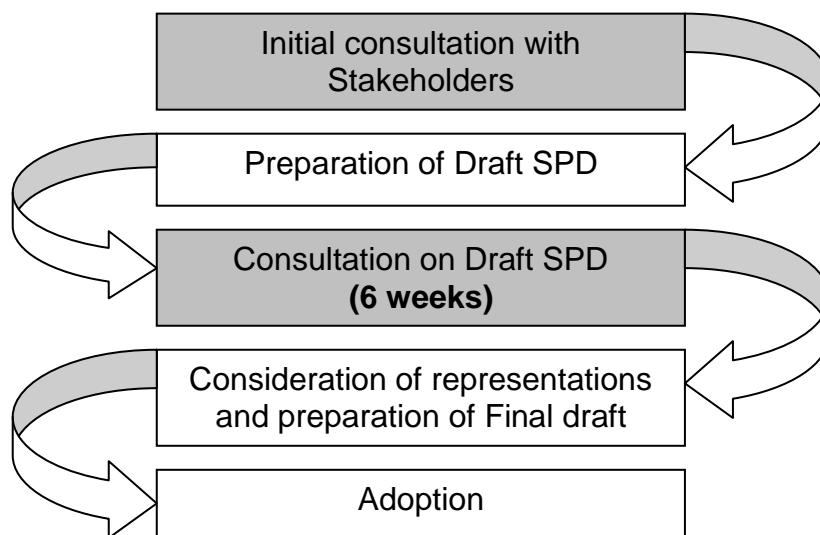
Note: the shaded areas indicate opportunities for community involvement before independent examination (the LDS will provide the latest information on scheduled consultations on LDDs).



When can I comment on Supplementary Planning Documents (SPDs)?

Diagram 2: Stages in the preparation of SPDs

Note: the shaded areas indicate opportunities for community involvement (the LDS will provide the latest information on scheduled consultations on LDDs).



How will I know when and how to get involved?

- a) There will be informal opportunities to become involved particularly in the early stages of plan preparation. General views will be sought from relevant groups and organisations with an interest in the area and from individuals living in, working in, or visiting the area. Every effort will be made to publicise this opportunity as widely as possible including the use of notices on the South East Lincolnshire Local Plan and partner local authority³ websites, notices in local newsletters and newspapers, in public and other buildings, and through direct notification by email or letter.
- b) Notice of any formal, statutory, consultation will be placed in the local press, detailing the subject matter of the document, the period for representations and the places where the document can be found.
- c) Copies of consultation documents along with details about the consultation will be made available to view at the offices of Boston Borough and South Holland District Councils and at local libraries.

³ The partner local authorities are Boston Borough Council, Lincolnshire County Council and South Holland District Council

- d) The South East Lincolnshire Local Plan website (address below) will carry up-to-date details of current consultations and progress in the preparation of individual documents. As well as indicating where hard copies of documents can be viewed, the website will enable documents to be downloaded at www.southeastlincslocalplan.org.
- e) Where appropriate, summary leaflets will be prepared to aid the understanding of consultation documents.
- f) Manned exhibitions and other events, as considered appropriate, will be held to promote understanding and discussion at the formal 'preferred options' stage of document preparation and will be promoted through a similar range of methods to those set out in a) above
- g) Local radio will be employed to promote awareness of particular consultation exercises.
- h) The best way to ensure that you or your organisation are kept informed of general progress on plan preparation and made aware of specific consultation exercises is to provide the Joint Policy Unit with a contact name and address and ask to be placed on our consultation database. You can do this by emailing Peter.Udy@boston.gov.uk or writing to the address below:

South East Lincolnshire Joint Policy Unit
C/o Forward Planning Team
Planning Department
Boston Borough Council
Municipal Buildings
West Street
Boston
PE20 8QR

Appendix 1 sets out the current indicative list of potential statutory consultees for LDDs. In proposing to prepare a LDD, the Joint Committee will consider whether it is appropriate to invite representations from other interest groups, organisations or services not covered by the definitions of statutory consultees set out in Appendix 1.

A list of all consultees with an interest in South East Lincolnshire will be maintained and regularly updated by the Joint Policy Unit. The list will be made available on the Local Plan website and on request from the Joint Policy Unit.

You can speak to a member of the Joint Policy Unit by visiting either the address above or the Council Offices, Priory Road, Spalding PE11 2XE. Alternatively, you can telephone the Joint Policy Unit on either 01205-314327 or 01775-764669

Involvement at informal consultation stages

Before the formal consultation stages relating to DPD preparation, there will be an opportunity for the public at large to offer views on planning for development and conservation across South East Lincolnshire as part of the public launch of the Local Plan website (www.southeastlincslocalplan.org).

This will raise awareness of the project and enable early comment to be made on planning concerns which should be addressed through the Local Plan's preparation.

This and further informal consultation exercises will be undertaken through widespread advertising (including use of the new website) and direct communication with those individuals and organisations listed on our consultation database.

Involvement at formal, statutory, consultation stages

Each period of formal community involvement will last six weeks. Comments (or 'representations') can be made by individuals, representatives of groups or bodies or through agents. The opportunity to comment will be widely publicised and every effort will be made to encourage the community to become involved in the process. All comments will be acknowledged.

Representations should be made in writing, on the comment form provided, either as a hard copy or electronically. Hard copies will be readily available and downloadable from the Local Plan website (address above). If the comments relate to the wording in the document then any suggestion of alternative wording would be welcomed.

How will I know if the Joint Committee has taken my formal comments into account?

All details of representations will be recorded on a consultation database. If the representative of a group/body or agent is responding then his/her details will be recorded and he/she will receive all further correspondence including automatic notification at the next stage of the process.

At the end of the consultation period a summary of the representations received and the responses to them will form a report for Joint Committee consideration. All comments and reports will be made publicly available at the Boston Borough and South Holland Council Offices and will be available to download on the Local Plan website (address above). Joint Committee reports and minutes will also be made available at local libraries.

All persons who have submitted representations in response to consultations will be individually notified of the availability of the minutes of Joint Committee meetings.

Targeting the hard-to-reach groups

It is our intention to undertake consultation in such a way that it includes engagement with all sectors of society including those often described as being 'hard-to-reach'. Reducing the barriers to their participation is crucial and where the difficulty is in such groups' own reluctance to engage then we must consider taking a more proactive approach in gaining their views. This is particularly important at the earlier stages of plan preparation. The table below gives examples of hard-to-reach groups and examples of possible engagement methods.

Hard to reach groups – consultation table

Group	Example of consultees	Example of possible engagement methods
Young people & young adults	<ul style="list-style-type: none"> • Children's Links • Youth Councils • Connexions 	<ul style="list-style-type: none"> • Liaison with representative groups • Consultation events in suitable locations such as youth centres and public houses • Presentation of relevant issues and concepts in an engaging and easily understood method • Possible work in schools
Older people	<ul style="list-style-type: none"> • Age concern • Specialist housing associations • Older persons forums 	<ul style="list-style-type: none"> • Liaison with representative groups • Consultation events in suitable and easily accessible locations such as Day Care Centres • Availability of information in a variety of formats
Homeless people	<ul style="list-style-type: none"> • Nomad Trust • Council Housing and Homelessness Officers • YMCA 	<ul style="list-style-type: none"> • Liaison with representative groups
Disabled people, including those with learning difficulties	<ul style="list-style-type: none"> • Disability Lincolnshire • Disability forums • Mental health foundation • RNIB 	<ul style="list-style-type: none"> • Liaison with representative groups • Ensuring that events take place in physically accessible locations. • Use of plain English and available in other formats • Ensuring that enough staff are available at events to deal with 1 to 1 assistance when required
Black and minority ethnic communities and migrant workers	<ul style="list-style-type: none"> • Lincolnshire Racial Equality Council • Commission for Racial Equality 	<ul style="list-style-type: none"> • Liaison with representative groups • Use of various translation services • Using more visual forms of communication at events
Gay men and lesbians	<ul style="list-style-type: none"> • Local community and voluntary sector groups. 	<ul style="list-style-type: none"> • Liaison with representative groups
Travellers and Gypsies	<ul style="list-style-type: none"> • National Gypsy Council • Lincolnshire Gypsy Liaison Group • Lincolnshire Racial Equality Council 	<ul style="list-style-type: none"> • Liaison with representative groups • Speaking directly to groups through contacts with local representatives
Rural communities	<ul style="list-style-type: none"> • Parish Councils and Parish meetings • Community Council for Lincolnshire 	<ul style="list-style-type: none"> • Liaison with Parish Councils and other local groups • Consultation events in suitable locations such as village halls and public houses or during market days

Funding community involvement

It is intended that community involvement exercises will be resourced from the Joint Policy Unit's budget and the work, as far as practicable, will be undertaken by existing staff. However, it is recognised that additional resources or expertise may be needed in exceptional circumstances.

Evaluating our methods

In order to maximise the effectiveness of our efforts to involve the many diverse elements of the South East Lincolnshire community, we intend to regularly evaluate the success or otherwise of our chosen methods. In each case, consideration will include the level of response, the cost, the incidence of technical problems and any comments (positive and negative) on the process adopted.

The South East Lincolnshire AMR will be used to report on this matter.

3. Community Involvement and Planning Applications

Introduction

It should be noted that each of the Joint Committee's partner local planning authorities (LPAs) (i.e. Boston Borough Council, South Holland District Council and Lincolnshire County Council) has retained its development management function following the establishment of the Joint Committee. The following comments therefore apply to the three councils, unless otherwise stipulated, and not to the Joint Committee.

Pre-application advice

Pre-application discussions with planning officers are strongly encouraged for all applications in order to give applicants the best possible advice. Planning officers will explain policies and may also facilitate consultations and discussions with certain other bodies including the County Council as highway authority and key internal consultees (as part of development management best practice). Prospective applicants will be expected to provide any relevant information and clarification necessary to allow officers to form a view on any proposal.

All advice will be given in good faith but cannot prejudice the outcome of any formal application, which is subsequently submitted. This is because all applications are subject to full publicity and consultation procedures and ultimately may be determined by the respective committee at any of the three partner LPAs. Councils will not give publicity to pre-application discussions held with officers. However, in accordance with obligations under the Freedom of Information Act, if formally requested in writing, information will not generally be withheld unless the harm/prejudice that is likely to arise from disclosure would outweigh the public interest in making the information available.

Boston Borough Council has charged for pre-application advice since May 2011.

Community involvement before an application is submitted

Consultation prior to specific planning applications being submitted is not currently a statutory responsibility of either LPA or developer. However, the three partner LPAs actively encourage developers to seek involvement of the community at this stage. Applicants should submit details of any preliminary consultation that they have undertaken with the community as part of their application.

The partner LPAs believe that potential applicants should pay particular attention to engaging with the wider community before submitting applications which in the opinion of officers are likely to give rise to issues of significant economic, environmental or social impact. Public involvement at this stage should ensure that such schemes are well understood by the local community and other interested parties, and allow early consideration of the fundamental issues relating to whether a particular proposal would be acceptable in

principle. The scale and scope of consultation exercises should be agreed with Council officers on a case by case basis.

It should be noted that the Localism Act 2011 does introduce a requirement for applicants proposing certain, as yet unspecified, types of development to carry out consultation before applying for planning permission. This matter will be addressed through the introduction of new planning regulations.

How do the Councils let people know about planning applications?

Weekly lists of planning applications received by each of the partner local planning authorities are published on the respective Borough, District and County Council websites and can, additionally, be distributed to people and interest groups as requested and as considered appropriate by the individual council.

All publicity is carried out in accordance with relevant Government guidance and legislation, which currently comprises; Circular 15/92 'Publicity for Planning Applications', the Town & Country (General Permitted Development) Order 1995 (as amended), the Town & Country Planning (Development Management Procedure) (England) Order 2010 and Listed Building Act/regulations 1990. It should be appreciated that these regulations may be subject to change in the future, and hence publicity arrangements may also need to change as a result.

Each of the councils in South East Lincolnshire has its own code of practice for the publicity of planning applications that will be followed and will reflect local circumstances. The publicity arrangements of Boston Borough Council (currently in draft form) and South Holland District Council are set out in Appendices 2 and 3 respectively.

Applicants are encouraged to undertake consultation exercises with the wider community where applications involve major or sensitive developments. This could include developments giving rise to increased levels of noise, pollution or other nuisance. Applicants or agents can contact the relevant Council if they would like advice on consultation methods and community involvement activities.

The Borough and District Councils have to make a judgement on which planning applications will be of wider concern within the community. For example, these Councils may decide to undertake wider public consultations when a planning application:

- is likely to affect nearby property by causing significantly increased levels of noise, smell, vibration, dust or any other form of nuisance;
- is likely to attract significantly more people to an area, which will increase noise levels in a generally quiet area; and
- involves the construction of particularly high buildings in comparison to those that will surround it.

In addition, applications relating to conservation areas, listed buildings, major applications, departures, public rights of way and Environmental Impact Assessments will be advertised in the local press and a site notice will be posted on or near the site or neighbouring residents will be sent a neighbour notification letter.

For applications submitted to Lincolnshire County Council, the following table indicates the publicity that will be carried out for certain types of development:

Type of development	Publicity required
Development where the application: -is accompanied by an Environmental Statement; or -is a departure from the development plan; or -affects a public right of way	Advertised in the local newspaper and site notice posted
Major development (likely to have a significant impact on the local area or create significant public interest or controversy)	Advertised in the local newspaper, site notice posted and neighbour notification
Minor development	Site notice and neighbour notification
Development affecting the setting of a listed building or the character and appearance of a conservation area	Advertisement in the local newspaper and site notice posted
Permitted development requiring prior approval of the local planning authority	Site notice posted

Applications determined by the County Council include proposals affecting County-owned land (e.g. schools) and proposals for mineral working and waste disposal. The Borough and District Councils are consulted on these 'county matters' proposals but do not make the ultimate decision.

Copies of the application and accompanying plans can be inspected at the relevant council's offices (see section titled '**Who do I contact if I have any queries?**' for contact details) or on its website. Further details regarding the development management process can be viewed on the websites of the respective councils.

Commenting on planning applications

In making comments about planning applications, it should be remembered that Councils can only take into account planning considerations, for example:

- whether or not the proposal complies with the local planning policies contained in the Local Plan or other local development document;

- the National Planning Policy Framework or other Government planning policies
- comments on the design and appearance of the proposed development and its potential impact on neighbouring property or the surrounding area;
- planning law and previous decisions;
- highway safety and traffic issues;
- noise, disturbance and smells; and
- the conservation of historic buildings, trees etc.

The following are examples, although not exhaustive, of issues which are not capable of being taken into consideration:

- the effect of the development on property values;
- private legal matters between the applicant and objector such as property boundaries, access or party walls;
- matters covered by other laws (e.g. alcohol licensing);
- the applicant's morals or motives;
- suspected future development; and
- loss of view.

Comments should be submitted in writing, by email or by using the councils' online services which can be found at the relevant council's website. Comments should include the planning application reference number and be submitted as soon as possible within 21 days of the publication of the planning application, although the councils will try to take into account any representations received up to the date on which the decision is made. Where necessary, persons or organisations making representations should provide their full postal address.

Councils will not determine any application within a minimum period of 21 days from the date on which consultation letters are sent out.

Community involvement when an application goes to committee

The South East Lincolnshire councils all have procedures for allowing those who made representations to speak at Committee. For further information on this please contact the Committee Services of the relevant Council. Contact details can be found under the section titled '**Who do I contact if I have any queries?**'.

Community involvement if an appeal is received on a planning application decision

Only applicants have a right of Appeal to the Secretary of State. There is currently no Third Party Right of Appeal against a planning decision. The Planning Inspectorate deals with planning appeals on behalf of the Secretary of State and an independent Inspector is appointed to examine the issues.

It can be contacted as follows:

Post: The Planning Inspectorate
Room 3/13
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
Tel: 0117 372 6372 (General Enquiries)
Email: enquiries@planning-inspectorate.gsi.gov.uk
Website: www.planninginspectorate.gov.uk

All those persons who made observations on the planning application will receive a letter or email to inform them of the appeal and how they can make their views known. Copies of letters submitted in relation to the planning application will have been supplied to the Planning Inspectorate and the appellants. The publicity for any necessary public inquiry will involve placing a statutory notice in the media and placing a notice adjacent to the appeal site.

Who do I contact if I have any queries?

Should you wish to comment on a planning application or have any queries then you can contact the relevant authority directly.

The addresses, telephone numbers and websites of the three Councils are given below:

Planning and Strategy
Boston Borough Council
Municipal Building
West Street
Boston
PE20 8QR
Tel: (01205) 314305
E-mail: planning@boston.gov.uk
Website: www.boston.gov.uk

Planning
South Holland District Council
Council Offices
Priory Road
Spalding
PE11 2XE
Tel: (01775) 761161
E-mail: planningadvice@sholland.gov.uk
Website: www.sholland.gov.uk

Development Directorate
Lincolnshire County Council
City Hall
Lincoln

LN1 1DN
Tel: (01522) 782070
E-mail: customer_services@lincolnshire.gov.uk
Website: www.lincolnshire.gov.uk

Where can I get independent advice about the planning process?

Planning works best when the process is easily accessible and understood, but for some it is not. Planning Aid England provides free, independent and professional town planning advice and support to communities and individuals who cannot afford to pay fees to a planning consultant. It complements the work of local planning authorities, but it is wholly independent of them.

Planning Aid England can help communities or individuals to:

- understand and take part in planning in your local area;
- take part in the preparation of plans;
- comment on planning applications;
- apply for planning permission and appeal against a decision (NB: it can not draw plans); and
- represent themselves at appeals or public inquiries.

To find out more, or to access Planning Aid England services, contact:

Tel: 0330 123 9244
Email: advice@planningaid.rtpi.org.uk
Web: www.rtpi.org.uk/planning_aid

Appendix 1

Statutory Consultees

Specific consultation bodies

The Draft Town and Country Planning (Local Planning) (England) Regulations 2012 require any of the following bodies (known as 'specific consultation bodies') which the Joint Committee considers may have an interest in the subject of a proposed DPD to be consulted on what it ought to contain:

1.	the Coal Authority
2.	the Environment Agency
3.	the Historic Buildings and Monuments Commission for England
4.	Natural England
5.	Network Rail
6.	the Highways Agency
7.	a relevant authority any part of whose area is in or adjoins the area of the local planning authority
8.	any person to whom the electronic communications code applies by virtue of a direction given under section 106(3)a of the communications Act 2003, and who owns or controls electronic communications apparatus situated in any part of the local planning authority's area
	<i>if it exercises functions in any part of the local planning authority's area:</i>
9.	<i>a Primary Care Trust</i>
10.	<i>a person to whom a licence has been granted under section 6(1)(b) or (c) of the Electricity Act 1989</i>
11.	<i>a person to whom a licence has been granted under section 7(2) of the Gas Act 1986</i>
12.	<i>a sewerage undertaker</i>
13.	<i>a water undertaker</i>
14.	The Homes and Communities Agency

General consultation bodies

The Draft Town and Country Planning (Local Planning) (England) Regulations 2012 require any of the following bodies (known as 'general consultation bodies') which the Joint Committee considers may have an interest in the subject of a proposed DPD to be consulted on what it ought to contain:

1.	voluntary bodies some or all of whose activities benefit any part of South East Lincolnshire
2.	bodies which represent the interests of different racial, ethnic or national groups in South East Lincolnshire
3.	bodies which represent the interests of different religious groups in South East Lincolnshire
4.	bodies which represent the interests of disabled persons in South East

	Lincolnshire
5.	bodies which represent the interests of persons carrying on business in South East Lincolnshire

In proposing to prepare a DPD, the Draft Town and Country Planning (Local Planning) (England) Regulations 2012 also require the Joint Committee to consider whether it is appropriate to invite representations from persons who are resident or carrying on business in its area.

Appendix 2

Draft version of Boston Borough Council's Code on the Publicity of Planning Applications



This Code is concerned with the publicity of planning applications within Boston Borough and will effectively replace Part 2 of the current Boston Borough Council SCI (June 2006).

In this document 'publicity' means how the public/neighbours or what may become 'interested parties' get to know about planning applications so that they can make their views known. The publicity which this authority will undertake complies with the minimum statutory requirements defined in the Town & Country Planning (Development Management Procedure) Order 2010, the Planning (Listed Building & Conservation Areas) Regulations 1990 and the Town & Country Planning (Environmental Impact Assessment) Regulations 2011, as appropriate. Publicity is different to 'consultation' which is either statutory or voluntary notification to other agencies, authorities and specialist bodies on certain categories of development. This note assumes that 'consultation' continues along statutory or voluntary requirements and is not addressed or amended here.

Neighbour Notification* is the individual consultation by letter to the occupiers of properties that adjoin or neighbour the application site. The purpose of neighbour notification is to inform occupiers in the vicinity of the receipt of proposals. It is not intended to indicate that those consulted will necessarily be affected by the development proposed. The accuracy, extent and coverage of Neighbour Notification will be checked at the time of the Officer's site visit. Any additional notifications required would be initiated then.

Publicity which Boston Borough Council will undertake	<i>Press advert</i>	<i>Site Notice</i>	<i>Neighbour notification*</i>
<i>EIA application</i>	yes	yes	yes
<i>Departure</i>	yes	yes	yes

affecting a PROW	yes	yes	yes
Listed building Consent (lbc)	yes <i>but not for only internal works to a Grade II building</i>	yes <i>but not for only internal works to a Grade II building</i>	no
Conservation Area Consent (CAC)	yes	yes	no
Application to vary or discharge conditions on an lbc or CAC	yes <i>but not in respect of an lbc for only internal works to a Grade II building</i>	yes <i>but not in respect of an lbc for only internal works to a Grade II building</i>	no
pa affecting setting of listed building	yes	yes	yes
pa affecting character or appearance of CA	yes	yes	yes
Major pa (> 10 houses, > 1 ha or > 1000 sq m) Art 13(4)	yes	yes	yes
Minor pa Art 13(5)	no	yes	site notice <u>or</u> adjoining owner/occupier
Adverts	no	yes	no
TPO applications	no	no	no
s.211 notification	no	no	no
Prior notifications, telecoms, agric, demolitions	no	Site notice, and any stat consultees	no
Changes to applications during consideration	no	14 day notification	no
Condition discharge	no (except lbc above)	no (except lbc above)	no
Application for approval of RMs	same as per outline application	same as per outline application	same as per outline application
When an EIA application has been determined	yes	no	no

Explanation

This is the minimum which the Council is committed to carry out. In all cases the Council will exercise consistent discretion based upon the validation procedure.

A 'minor' application might necessitate site notice only if there are no neighbours but if there are, adjoining neighbours will be consulted instead. A 'major' also advertised as affecting a Conservation Area would receive all forms of publicity; an advert application in a Conservation Area may be sufficiently covered by just a site notice but there may be instances when the Council will consult neighbours.

Within the defined Minor category of application, some changes of use to a restaurant, takeaway, taxi office or amusement centre will have the additional publicity of a site notice and extended Neighbour Notification. Additional publicity will also be considered where applications raise particular questions of pedestrian congregation, particular noise or potential pollution.

Where an application is made which is a resubmission of a previous proposal within one year, any person who made comment regarding the previous proposals will be reconsulted on the resubmitted application.

On changes to applications during their life, there will not normally be further publicity on changes to applications unless, in the case officer's opinion, the changes do not necessarily address the objections and bearing in mind determination targets. That is, if changes appear to address objections, the Council will not reconsult. Condition discharge may only ever be the subject of publicity (other than the lbc exception) when Officers have specifically undertaken to a third party that the Council will consult them when those details come in, or if there has been a particular Committee request when the condition was imposed/agreed.

Other application types like s.73s and Lawful Development Certificates where there is no legal requirement; the Council would follow the equivalent as if it were a 'planning application'. S.96A applications will not be the subject of publicity because, by definition, they are non-material.

Glossary

EIA =	planning application which requires Environmental Impact Assessment and is accompanied by an Environmental Statement
Departure =	does not accord with the provisions of the development plan in force for the area
PROW =	a public right of way by virtue Pt III of The Wildlife and Countryside Act 1981
CAC =	application for Conservation Area Consent (is only for certain types of total or substantial demolition in a Conservation Area)
pa =	planning application
Major application =	number of dwellings proposed > 10 or site area > 0.5ha; >1,000 sq m of floor space, or application site area > 1 ha
Minor application =	includes the 'minor and 'other' PS2 categories of application
TPO =	works to trees the subject of a Tree Preservation Order

s.211 =	the necessary 6 week notification of intention to do works to trees (not covered by a TPO) in a Conservation Area
DMPO =	T&CP (Development Management Procedure) Order 2010
1990 Regs =	Planning (Listed Building & Conserv. Areas) Regs 1990
EIA Regs 2011=	T&CP (EIA) Regulations 2011

Appendix 3

South Holland District Council's arrangements for the Publicity of Planning Applications



How will planning applications be publicised?

Large-scale development

Planning applications which involve major development such as large housing estates (10 dwellings or more) and large retail or commercial development will be publicised in the following manner:

- A Notice will be placed in the press giving details of the planning application, how the plans can be inspected and how representations can be made. A period of 21 days, from the date the notice appears, will be available to make representations.
- A Site Notice (or several Site Notices if the site is large) will be displayed near the site giving details of the proposal, how plans can be inspected and how representations can be made. A period of 21 days from the date the notice is erected will be available to make representations.
- The relevant Town or Parish Council will receive a notification letter of the planning application together with relevant plans. They will have 21 days in which to respond.
- The District Council Ward Member(s) will be sent a notification letter of the planning application together with a site location plan. They will have 21 days in which to respond.
- Those properties which directly adjoin the site will receive a letter notifying them that a planning application has been received and how they can view the plans. A period of 21 days, from the date of the letter, is available for them to make representations to us.
- Statutory and non-statutory consultees will also be notified where necessary. They will have 21 days in which to respond. Bodies such as Natural England

will be allowed a longer period of time to comment on applications where this is prescribed by legislation.

- All comments and representations must be made in writing.

Small-scale development

For smaller scale developments such as single dwellings, extensions and small scale retail and commercial developments planning applications will be publicised in the following manner:

- A Notice will be placed in the press only if the proposal meets certain criteria, for example, it is within a Conservation Area, it is close to a Listed Building or affects a Public Right of Way.
- A Site Notice may also be erected for the above reasons or if we consider that there may be a wider interest in the proposal or if the application site is bounded by open or agricultural land.
- Those properties which directly adjoin the site will receive a letter notifying them that a planning application has been received and how they can view the plans. A period of 21 days, from the date of the letter, is available to them to make representations to us.
- The relevant Town or Parish Council will receive a notification letter of the planning application together with relevant plans. They will have 21 days in which to respond.
- The District Council Ward Member(s) will be sent a notification letter of the planning application together with a site location plan. They will have 21 days in which to respond.
- Statutory and other consultees will also be notified where necessary. They will have 21 days in which to respond.
- All comments and representations must be made in writing.

Site Notices

Site Notices are laminated A4 sheets of paper displayed as near to the site as possible, often attached to a lamppost. The Notice shows the planning application reference number, the name of the applicant, the location of the site and a description of the proposal. The Notice gives details of where the application and plans can be viewed and how comments can be made.

Changes (amendments) to planning applications

Sometimes it is necessary for an applicant to amend the proposal which is the subject of a planning application. This may be as a result of discussion with the planning officer who considers that certain changes will improve the proposal, as a result of consultation responses already received or at the request of the Council's Development Control Committee. In these cases the planning application remains live and those neighbours, groups etc previously consulted may be re-consulted on the changes. The decision whether or not to re-consult is made by the planning officer. In the case of minor changes such as those to improve the design of a proposed building or repositioning a proposed building away from a shared boundary to overcome neighbour concerns, it will not be necessary to

formally re-consult. More significant changes will always be subject to re-consultation, particularly where neighbours could be materially affected. This will be done in the following way:

- A notification letter will be sent to those properties consulted previously advising them that an amendment has been received. They will have 10 days in which to respond.
- The relevant Town or Parish Council will be sent a notification letter together with copies of the amended plans. They will have 10 days in which to respond.
- The District Council Ward Member will be sent a notification letter advising that an amendment has been received. They will have 10 days in which to respond.
- All comments and representations must be made in writing.