Brighton & Hove City Council's Local Development Framework

- health
- safer
- enterprising
- mobile
- attractive
The council is committed to effective consultation, to open, accountable local government and effective community leadership.

Strengthening community involvement is a key part of the government’s planning reforms. This document sets out the standards for consultation on the planning documents that will be prepared to form the new development plan for the city; Brighton & Hove’s Local Development Framework. The document also sets out how we consider planning applications. Our approach to community involvement in planning is to enable the local community to say what sort of place they want to live in, at a stage when this can make a significant difference. Your involvement is important to ensure that new plans deliver sustainable development and reflect the kind of city in which you want to live.

This SCI was adopted by the Policy and Resources Committee on the 28th September 2006.

Councillor Simon Burgess
Leader of the Council
Foreword

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This document sets out how people will be given the opportunity to influence future development in Brighton and Hove. It will explain how and when people will be consulted on things like new planning policy and individual planning applications.

Planning is about ensuring people live in decent homes in clean and safe neighbourhoods with access to parks, countryside and other public spaces. Planning is also about securing enough sites for industry, offices, shops, sports and leisure to make sure there are enough job opportunities and to help create a sustainable and prosperous city.

Local people should have the opportunity to influence the future of the communities they live in. The policies and plans that will be prepared will be the backbone of the planning process and will inform how we consider planning applications. Therefore community involvement in planning in Brighton and Hove should not be a reactive, tick-box, process. It should enable the local community to say what sort of place they want to live in at a stage when this can make a significant difference.

Our approach to community involvement will be to:

- enable communities to put forward ideas and suggestions and participate in developing visions, proposals and options for the city
- let communities know about emerging policies and proposals in good time
- consult on formal proposals
- ensure that consultation takes place in locations that are widely accessible
- provide and seek feedback.
Section 1 - Statement of community involvement

1.1 A key objective of the new planning system, is to strengthen community involvement. The council now has to prepare a Statement of Community Involvement (SCI) to set out formally how the community will be involved in helping to shape the city.

1.2 This SCI will:

- set out the minimum requirements for community involvement as stated in the planning regulations and will show where additional consultation will be undertaken
- set out how community involvement in the planning process will link with other consultation exercises undertaken by the council and follow the council’s Public Consultation Strategy
- identify who needs to be involved
- identify the best way to involve the communities of Brighton and Hove
- be clear about the different stages of consultation
- show that the process can be resourced and managed effectively
- demonstrate how the results of involvement are to be fed into the preparation of Local Development Documents
- outline the mechanisms to learn from consultation exercises and to improve arrangements where necessary
- set out the policy for consulting on Planning Applications
Section 2 - The Brighton & Hove Local Development Framework

2.1 This Statement of Community Involvement applies to all documents that will be part of Brighton & Hove’s Local Development Framework. These documents will, over time, replace the Brighton & Hove Local Plan. Each document will concentrate on a specific topic or area of the city and collectively they will form the Brighton & Hove Local Development Framework. Together with the South East Plan the Local Development Framework will be the development plan for the city.

2.2 The Brighton & Hove Local Development Framework will set out:

- A vision for development and change in the city over the next 20 years
- Policies and proposals for development and land use in Brighton & Hove
- The basis for decisions on planning applications and appeals.

2.3 The Brighton & Hove Local Development Framework (LDF) will contain two types of local development documents:

- **Development Plan Documents** - are the key documents within the framework as they have development plan status. These set out the vision and strategy for the city and the core policies necessary to achieve the vision (Core Strategy DPD); or set out general policies that apply to development or changes of use (General Development Control Policies DPD); or which allocate specific sites for particular uses (Site Allocation DPDs); or set out policies to deal with areas of change/ regeneration (Area Action Plans).

- **Supplementary Planning Documents (SPDs)** - these documents can be used to explain and supplement the policies and proposals in the Development Plan Documents and tend to be either topic specific (e.g. shop front design) or site specific (e.g. Brighton Centre).

2.4 We will publish our work programme for the Local Development Framework in the Local Development Scheme. The Local Development Scheme sets out the rolling three year programme of work involved in preparing local development documents that will make up the LDF, and will be updated annually if required.

2.5 Each year we will also publish an **Annual Monitoring Report**, this will set out the progress we have made in preparing our local development documents, as well as provide monitoring information on the rates of house building and performance of the policies against a series of indicators.

Waste and Minerals Development Framework

2.6 The council is working with East Sussex County Council to prepare **Waste and Minerals Development Documents** as part of a Waste and Minerals Development Framework for East Sussex and Brighton & Hove. This will include a Waste and Minerals Core Strategy, Site Allocation Development Plan Document and the Construction and Demolition Waste SPD. The Waste and Minerals Development Framework will, over time, replace the East Sussex and Brighton & Hove Waste Local Plan. East Sussex County Council will be preparing a Statement of Community Involvement setting out the county council’s approach for involving interested parties in preparing the Waste and Minerals Development Framework. Where joint consultation is undertaken as part of the preparation of waste development documents, the council will work with the county to ensure consistency of approach.
Sustainability Appraisal (SA) and Strategic Environmental Assessments (SEA)

2.7 An integral part of the new system is that all documents contribute towards creating sustainable development. To ensure this happens, a Sustainability Appraisal is required which appraises the social, environmental and economic effects of each local development document from the outset of the document preparation. The appraisal is a technique by which the probable impacts of proposed policies and proposals are predicted. At each stage of a local development document’s preparation, there is a corresponding stage in the sustainability appraisal process. This ensures that the likely implications of a plan or proposal are known and enables changes to be made if necessary. Where it is not possible to make changes, the reasons for doing so will be set out in the appraisal.

2.8 Government guidance sets out the key stages in this appraisal process. The emphasis is on ensuring that consultation is carried out at each stage of the sustainability appraisal process. The Sustainability Appraisal, where appropriate, will incorporate the Strategic Environmental Assessment (SEA) requirements of all Development Plan Documents and Supplementary Planning Documents. The SEA is largely focused on the likely environmental impacts of individual plans and is a requirement under European Legislation (European Directive 2001/42/EC).

2.9 The council’s Sustainability Commission, supported by the Sustainability Team has agreed that it will have a consultative and advisory role at the main stages of document preparation on Sustainability Appraisal matters.

2.10 As part of its participation in the World Health Organisation Healthy Cities programme, the city council has also undertaken to carry out Health Impact Assessments on all Development Plan Documents as part of the sustainability appraisal process. Health Impact Assessments seek to identify likely health impacts on the residents of the city (including overall impacts on health) which result from policies contained in Development Plan Documents.
Section 3 - The council's approach to consultation

3.1 The Statement of Community Involvement reflects and takes into account the council’s commitment to consultation, established by the following key documents:

Brighton & Hove City Council’s Public Consultation Strategy

3.2 The council is committed to developing and maintaining high standards of consultation, so that when we consult we consult with the right people no matter how ‘hard to reach’ they may be. Public consultation undertaken by the council must be:

- **topical** - related to a decision that it intends to make
- **competent** - through the use of internal guidelines
- **inclusive and relevant** - a variety of consultation methods and communication formats should be used to ensure that as many people as possible are consulted on issues and decisions that are likely to affect their lives and well-being
- **useful and complete** - providing clear feedback explaining how each consultation exercise has informed decision making about policy development, strategic planning or service delivery.

3.3 All proposals for consultation and research will be reviewed and approved by the council’s Research and Consultation Team. This will also ensure that where appropriate, links can be made to other consultation initiatives being undertaken by the council.

Inclusive council policy

3.4 The council’s inclusive council policy sets out a programme of action to guide the council’s approach to equality, diversity, community cohesion and inclusivity. The Council will make every endeavour to meet the requirements of the Race Relations Act 2000 and the Disability Discrimination Act 1995.

Community and voluntary sector forum compact

3.5 Brighton and Hove has a large and dynamic community and voluntary sector. The council together with the other statutory service providers across the city has signed a community and voluntary sector compact. This compact ensures that there is improved communication, common understanding, collaboration, trust and respect between statutory services providers and the community and voluntary sector forum (CVSF). It is lead by the Dialogue 50:50 partnership. In consultation with the coordinator of the CVSF we will use the compact as a framework for involving members of the voluntary and community sector in the LDF.

Brighton & Hove’s Local Strategic Partnership

3.6 Each local authority has been asked by the government to set up a Local Strategic Partnership and produce a Community Strategy. The Brighton & Hove 2020 Community Partnership is an umbrella organisation bringing together community representatives and key agencies from across the city such as the police, the primary care trust, local business and the city council. The Sustainable Community Strategy contains eight priority areas to achieve a ‘city of opportunities’ by 2020. These priorities were established by the Partnership following consultation and were revised in a review of the community strategy in 2005. One of these priority areas is ‘strengthening communities and involving people’, where the aim is for Brighton & Hove to be:
“A place where communities are strong, inclusive and involved and have opportunities to influence decision-making.”

3.7 The strategy is to be reviewed every three years. An LDF sub-group of the 2020 Community Partnership was set up in December 2004 to ensure that effective links are made between the Community Strategy and the Local Development Framework. The sub-group will also provide links to the community and the different sectors that make up the Partnership.

The sub-group is made up of a representative from the:

Community and voluntary sector
Business sector,
Public sector,
Local authority (chair)

3.8 The aims of the LDF sub-group will be to:

- help develop measures to ensure effective, continuous and a 'joined up' approach to community involvement in the Community Strategy and the LDF with particular reference to the role of the Local Strategic Partnership.
- facilitate and promote community and stakeholder involvement in the preparation of the statement of community involvement and other LDF documents.

Members of the council

3.9 Councillors are a vital link between the local community and the council, as elected community representatives they are often the first contact residents have on local planning issues. A Local Development Framework advisory and decision-making structure has been established to ensure a robust mechanism to keep councillors up to date on the preparation of the LDF. This is attached at Appendix 1.

3.10 Advising councillors from all parties at key stages of LDF preparation will help ensure that there is a wide awareness and understanding of the LDF. Each party has nominated a lead councillor on LDF matters. These councillors will be invited to the advisory briefings and will be asked to comment on behalf of their party at appropriate stages of document preparation.

3.11 Development Plan Documents will be taken to the relevant committee (Policy & Resources or Full Council) for approval for consultation, submission to the government and for adoption. Supplementary Planning Documents will be taken to the Environment Committee for approval for consultation and for adoption.
Section 4 - Who should be involved in the LDF?

4.1 Anyone who may have a role or interest in shaping the planning of Brighton and Hove, including local people, local businesses and partnerships, local community groups, landowners/developers, public sector organisations, regional and national organisations and government agencies, should have the opportunity to engage actively in the preparation of the Local Development Framework (LDF).

4.2 The government has identified specific organisations that we have to consult on certain local development documents at certain stages of their preparation. These are called 'Specific Consultation Bodies' and these are identified in Appendix 2. These include groups such as the Environment Agency, English Nature and national transport groups. These are easily identifiable, professional organisations familiar with the planning system and will often have specific areas of interest.

4.3 The government has also identified in the planning regulations, 'General Consultation Bodies' which cover the whole range of voluntary, community, special interest, amenity and business interests and these are identified in Appendix 2. The government advises that the Statement of Community Involvement does not include a long list of these groups as this could become out of date very quickly.

4.4 The general public is an easily identified group but is often the hardest to involve in the preparation of planning documents. The SCI will need to take a balanced approach between consultation with established groups/organisations and representative fora and in trying to engage with members of the public. The use of the Citizens’ Panel will be an important way of ensuring a representative sample of people who live/ work in the city are consulted and we will use ongoing publicity and consultation to broaden awareness and interest in the LDF.

4.5 However, to be effective there must also be an awareness of the diversity of groups and interests with a stake in the city and the issues they face; including those groups that are traditionally not involved with planning. In line with the Inclusive Council Policy, we will particularly focus on younger people, older people, disabled people, lesbian, gay, bisexual and transgender (LGBT) people and black and minority ethnic (BME) people, refugees and asylum seekers and people of different religions and beliefs. Consultation on the LDF should engage with the Communities of Interest Network, the voluntary sub-network of the community and voluntary sector to reach marginalised communities/groups.

Established Community Links:

4.6 The established community links are:

**Rottingdean Parish Council** - the council has agreed a code of practice for consulting with Rottingdean Parish Council in relation to the preparation of planning documents and consultation on planning applications.

**2020 Community Partnership** - links to the partnership will be through its LDF sub-group. Where appropriate, the individual partnerships - economic; strategic housing; community safety; city health; inclusive city; renewal and learning partnerships will be approached.
The Brighton & Hove Economic Development & Enterprise Board - has been set up to oversee the development and delivery of the Area Investment Framework (AIF). The AIF sets out the spending plans of key public, private and voluntary sector organisations against agreed economic development and regeneration priorities, to enable funding to be targeted more effectively to local priorities and needs.

The Brighton & Hove Community and Voluntary Sector Forum - is an umbrella organisation of over 400 community and voluntary sector groups which meets quarterly and is therefore an important link for the Local Development Framework. The Forum has a number of sub-groups such as the Neighbourhoods Network and the Communities of Interest Network.

Advisory groups/ fora - there are a number of special consultative forums that cover particular groups who should be engaged with:

Equalities Forum
Citizen’s Panel
Older People’s Council
Spectrum
Black and Minority Ethnic Community Partnership
Federation for Disabled People
The Youth Council
Parent’s Forum
Sussex Travellers’ Forum
South Downs Joint Committee
Healthy City Partnership
Neighbourhood Network

4.7 The council has also set up a number of special consultative/ advisory panels that it supports and engages with to gain technical or specialist advice in order to influence policy and action, they include the:

Sustainability Commission
Disability Access Advisory Group
Wildlife Advisory Group
Conservation Advisory Group
Open Space Forum
Local Access Forum

Neighbourhood/ Area based groups

4.8 Locally, Brighton and Hove has well-established partnerships with groups in East Brighton, Hollingdean and Tarner as well as emerging groups in the neighbourhood renewal areas: Bevendean; Portslade; Hangleton, Knoll, Laburnum & Moyne; Bristol Estate; Queen’s Park and Craven Vale; Portland Road and Clarendon; Brunswick & Regency; Coldean; Hollingbury, Hollingdean, Meadowview; St James’s Street and Kemptown, St Peter’s, Tarner, Phoenix, Kingswood & Milner and Woodingdean. There are also non-council run community forums.
4.9 The council is currently investigating the potential for neighbourhood forums across the city with a pilot neighbourhood forum in the ward of Brunswick & Adelaide. Considerable consultation has been undertaken in East Brighton via the New Deal for Communities programme known as “eb4u”. There is a well developed network of eb4U representatives. It will be important to ensure the full regeneration perspective is captured in the Local Development Framework (LDF). With a growing neighbourhood agenda, stronger links will be sought between neighbourhood renewal and the LDF and we will work with the Neighbourhood Networks to ensure stronger links are developed with the neighbourhood groups.

Local Interest Groups

4.10 There are many local interest groups within Brighton and Hove these include local residents/tenants’ groups, amenity groups, community development groups, local environment groups, specialist interest groups, and groups representing particular sectors of the community. Many of these groups are actively involved in planning issues. The majority are voluntary groups and their awareness of the planning system and capacity to become involved will vary. The LDF database will be used to hold details of local interest groups that request to be kept informed/involved in the LDF. It is recognized that some groups/organisations may want to be involved in all aspects of the LDF, whilst others will have specific areas of the city that they are concerned with, or specific interests. By using a number of consultation methods and by publicising and making information and documents widely available during consultation periods there is an opportunity for these groups to chose their level of involvement.

Business Community

4.11 The business community in the city ranges from self-employed and small businesses to large organisations. The interests of the business sector are represented by organisations such as Sussex Enterprise, Brighton & Hove Economic Partnership; Brighton City Centre Business Forum; Hove Business Partnership; the Federation of Small Businesses; local traders associations; Brighton & Hove Hotels’ Association; and the Chamber of Commerce. It is recognised that whilst larger organisations may have the knowledge and capacity to get involved more actively, smaller organisations may need support in understanding the planning system and how it relates to them.

Developers, Agents and Landowners

4.12 Previous consultation exercises will be used to identify developers, agents and landowners in the city. Often service providers such as health trusts; the universities; schools and colleges; local transport providers; utility provides and the emergency services are significant landowners. Whilst many of these groups will be aware of the planning system and will seek to be involved, it is important that we actively engage these interests in the plan preparation process early on so their interests and sites can be considered and evaluated with all potential options.
Adjacent relevant authorities

4.13 Neighbouring local authorities including parish councils are identified as specific consultation bodies by the government and will be consulted on the Development Plan Documents if the proposed subject matter affects them. They will also be consulted on Supplementary Planning Documents (SPDs) where it is considered that the SPDs would affect them. Where future joint working is required in the production of local development documents the council will work with the relevant local authority to ensure that their communities are also involved in the consultation and involvement process. We will also ask other local authorities for their opinions on how joint consultation is best undertaken and publicised.

LDF database

4.14 As consultation begins on the Local Development Framework a database will be kept of people who request to be kept informed and those who respond to the consultation documents. Individuals can request that their details are added to the database and they will then be consulted as the process of preparing the various local development documents get underway.
Section 5 - When will consultation take place?

5.1 The new planning system sets out the way the local development documents should be produced and the separate preparation stages that are required. The broad nature of consultation that is expected with each stage is also outlined by the planning regulations. These have been set out in the diagrams overleaf.

5.2 The broad dates of consultation for each document to be prepared are set out in the Local Development Scheme, the document that sets out the three-year rolling work programme. The Local Development Scheme (LDS) will allow individuals and organisations to be aware of and plan for periods of consultation and will be made available at the council’s city direct offices and on the council’s website: www.brighton-hove.gov.uk. The council will ensure that the exact dates of consultation exercises are published in good time, through the following:

- the LDF website will be used to list current consultations, how to respond, find information and the closing date for consultation
- Council publications/press releases and adverts will also be used to provide details of consultation events
- an LDF newsletter will be produced regularly and sent out to contacts on the LDF database as a way of keeping people informed of progress on the LDF
- the council will continuously look for other ways to publicise consultation - community newsletters, websites and even posters

5.3 The council’s approach will be to make the maximum use of the early community and other stakeholder involvement stage when people’s input/ responses will make a real difference to influencing the preferred options and proposals.

5.4 Early and continuous involvement will help to minimise the need for a lengthy and controversial examination at the end of each document’s preparation. However it is also acknowledged that the council may have to take difficult decisions on issues where it has not been possible to achieve a consensus. Where opportunities arise through other programmed consultation exercises, joint consultation exercises will be carried out.

Sustainability Appraisals (incorporating Strategic Environmental Assessments)

5.5 The key stages for the Sustainability Appraisals for Development Plan Documents (DPDs) are shown in Figure 3. For SPDs the level of appraisal undertaken will be dependent largely upon the type of document and extent to which it conforms with policies and proposals within a DPD (which may have already been subject to a Sustainability Appraisal).
Figure 1 - Preparation stages for Development Plan Documents

Regulation 25 - informal pre-submission consultation

Regulation 26 - pre-submission public participation

Regulation 28 - submission of DPD to Secretary of State

BACKGROUND WORK & RESEARCH

ISSUES & OPTIONS CONSULTATION

DEVELOPMENT OF PREFERRED OPTIONS

CONSULTATION ON PREFERRED OPTIONS

PREPARE SUBMISSION DPD

SUBMISSION OF DPD To SECRETARY of STATE & FORMAL CONSULTATION

EXAMINATION

OMISSION SITES*

INSPECTOR PRODUCES BINDING REPORT

ADOPTION

Purpose - informal to help the development of options and strategy and ensure evidence base is robust. Aim - help the council identify the issues that the DPD needs to address and options available to deal with those issues.

Purpose - formal 6 weeks consultation on the council’s preferred options before they are developed into the DPD. Preferred options will set out policy issues and where appropriate broad locations/possible site allocations. Aim - seeking comments on initial policy preparation/site allocations and make sure the council is aware of all possible options and issues before submission document is prepared.

Purpose - formal 6 weeks consultation. Comments on policies and proposals on document submitted to Secretary of State for independent examination.

Purpose - Anyone making representations has the right to attend the examination.

*If representations are received that propose alternative sites to those being proposed by the council or seek alterations to sites the council will undertake a further 6 week consultation exercise specifically on those representations.
Figure 2 - Preparation stages for Supplementary Planning Documents

- **BACKGROUND WORK & RESEARCH**
  - No formal requirement for early stakeholders stage for SPD's

- **PREPARE SPD**
  - Regulation 17 - formal participation
  - Regulation 28 - representations on a SPD

- **CONSULTATION ON DRAFT SPD**
  - Purpose: formal 4-6 week consultation on the draft. Will set out detailed advice and expand on specific policies in a DPD or provide detailed planning guidance for the development of the site / area.
  - Aim: seeking comments on draft document to make sure the council is aware of all possible issues.

- **CONSIDER REPRESENTATION & FINALISE SPD**
  - Purpose: help the council identify the issues that the SPD needs to address and options available to deal with those issues.

- **ADOPTION**

**Early Community and other stakeholder involvement stage**
Figure 3 - Preparation / consultation stages for Sustainability Appraisal SEA (for DPD’s)

- **BACKGROUND WORK & RESEARCH**
- **ISSUES & OPTIONS CONSULTATION**
- **DEVELOPMENT OF PREFERRED OPTIONS**
- **CONSULTATION ON PREFERRED OPTIONS**
- **PREPARE SUBMISSION DPD**
- **SUBMISSION OF DPD To SECRETARY of State & FORMAL CONSULTATION**
- **EXAMINATION**
- **INSPECTOR PRODUCES BINDING REPORT**
- **ADOPTION**

**SCOPING REPORT** - Baseline information and proposed methodology
5 week consultation with Statutory Environment Bodies
Comments sought from Sustainability Commission

**SUSTAINABILITY APPRAISAL OF PREFERRED OPTIONS**

**FINAL SUSTAINABILITY REPORT**
Consult with statutory bodies and public

Regulation 25 - informal pre-submission consultation
Regulation 26 - pre-submission public participation
Regulation 28 - submission of DPD to Secretary of State

Have your say “ ”
Section 6 - How we will consult on the LDF?

6.1 There are a variety of methods and approaches to community engagement. Approaches range from information provision and consultation to more participative approaches. Consultation can also be formal. For example an individual’s response to the submission draft of a Development Plan Document may need to be made on a standard response form and must be sent in within a specific period of time to be properly considered by the council and an independent planning inspector. However informal consultation can take the form of focus group discussion or workshops where views and ideas are discussed and drawn together to influence the preparation of a local development document.

6.2 When choosing the appropriate method of consultation it will be necessary to be clear about the purpose of the consultation: what is it trying to achieve and what is the required outcome. Not all types of involvement are appropriate for each type of document to be prepared and some may be more useful than others at a certain stage of the document’s preparation. Furthermore the method of consultation may need to vary depending on who is being targeted. Tables 1 and 2 at the end of this section set out the potential consultation methods that could be used for the different types of document, at the different stages of their preparation. A range of consultation methods will be used as it is not considered sufficient to rely on one method of consultation in order to have effective and meaningful community involvement. Guidance from the council’s research and consultation team will be sought to ensure that the most effective way to consult is chosen, particularly to have effective dialogue with the hard to reach groups.

Information provision

6.3 Council publications, the council’s website and the local media will receive regular updates on the progress of the preparation of the Local Development Framework (LDF). A dedicated section of the council’s website will be used to provide information on the LDF, to provide notification of forthcoming consultation and provide feedback from consultation exercises. There will also be an opportunity for people to respond via a dedicated email address. An LDF newsletter will be prepared and issued regularly and made available in public buildings, on the website and sent to people on the LDF database as this becomes established.

6.4 Format and availability of consultation documents:

- all documents will be made available for inspection and comment at the CityDirect offices at Brighton Town Hall, Hove Town Hall and Portslade Town Hall during normal office hours, for the statutory period of consultation. Brighton & Hove’s public libraries will also hold copies of the documents for inspection; because their opening hours allow greater flexibility of access. The opening times can be viewed on the council’s website
- documents will be made available in a range of paper and electronic formats, to encourage the widest possible readership: web-site/email and CD-ROM (on request). For larger documents summary versions will be prepared. Consultation documents will be free of charge at the time of consultation
- response forms provided at the formal stages of consultation will include a FREEPOST address
- council will look to utilise existing communications methods of groups and forums to reach out to them (community newsletters/ websites etc)
plain English will be used and a glossary of planning jargon will be provided.

- provide the offer of translation in all the main community languages and use minimum font size as recommended by the RNIB (also for the website).
- large print, braille or audio versions will be made available on request.
- LDF documents that are required in other formats/languages can be requested from the Local Development Team, 01273 292505 or by email: ldf@brighton-hove.gov.uk. This contact information will be displayed on LDF documents.

### Undertaking Consultation

#### 6.5

In arranging meetings or consultation exercises, it is important to understand that people who work full-time or do shift work or have care commitments, have many competing demands on their time. For religious or cultural reasons there may be particular times when certain groups in the community may not be available to participate in consultation. Some people may require specific accessibility requirements. In planning and undertaking consultation the council will:

- ensure there is plenty of time and notice given about the opportunities and dates for getting involved
- ensure that venues are easy to reach and accessible to all and appropriate refreshments are provided
- be proactive in going out to groups/communities
- carefully plan the timing of consultation
- make clear what views are being asked/ scope for comments to ensure that time is not wasted
- ensure it is properly prepared and resourced
- ensure that documents, questionnaires and response forms are simple, clear, concise and easily understood

### South East Planning Aid

#### 6.6

South East Planning Aid is an independent service providing planning advice to groups and individuals particularly in disadvantaged areas helping them to understand the planning system and influence what happens in their local area. Where appropriate we will work with the Community Planner on consultation/training activities. The contact details for Planning Aid are: ecw@planningaid.rtpi.org.uk or the Planning Advice Helpline is: 0870 850 9806.
Table 1 - Development Plan Documents (DPDs) - potential consultation methods

<table>
<thead>
<tr>
<th>Local Development Document</th>
<th>DPDs (Core Strategy, topic-based or site allocations DPD, Area Action Plans)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preparation Stage</td>
<td>Early Community and other Stakeholder Involvement (Regulation 25)</td>
</tr>
<tr>
<td>Purpose</td>
<td>informal to help the development of options and strategy and ensure that the evidence base for the preparation of the DPD is robust.</td>
</tr>
<tr>
<td>Aim</td>
<td>help the council to identify the strategic issues that the DPD needs to address and options available to deal with those issues</td>
</tr>
<tr>
<td>Minimum Statutory Requirements</td>
<td>Consult each of specific consultation bodies considered by the Council to be affected by the content of the DPD</td>
</tr>
<tr>
<td></td>
<td>Consult with those general consultation bodies the council feels appropriate</td>
</tr>
<tr>
<td></td>
<td>Consult on Scoping Report</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Additional requirements</th>
<th>POSSIBLE METHODS</th>
<th>PURPOSE</th>
<th>Who</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Citizen Panel Survey/ random mailout</td>
<td>Consult</td>
<td>Representative sample of the city.</td>
</tr>
<tr>
<td></td>
<td>Focus Groups/ workshops</td>
<td>Consult</td>
<td>Statutory consultees/ specific groups including 'hard to reach' groups and partnerships on specific issues.</td>
</tr>
<tr>
<td></td>
<td>Community Visioning/ Stakeholder Conference/ Planning for Real</td>
<td>Involve</td>
<td>Statutory consultees, partners and stakeholders including residents/ local interest/amenity groups. For site specific DPDs could be area-based community groups/ individuals</td>
</tr>
<tr>
<td></td>
<td>Council publications, local newspaper and local media</td>
<td>Inform</td>
<td>Wider city coverage and raising awareness of the LDF/ process of community involvement.</td>
</tr>
<tr>
<td></td>
<td>LDF website/ dedicated email address</td>
<td>Inform</td>
<td>Potentially anyone who has access to a computer/ internet and has limited time to attend meetings etc.</td>
</tr>
<tr>
<td></td>
<td>LDF Newsletter/ Leaflet with Questionnaire</td>
<td>Involve/consult</td>
<td>Could potentially be distributed to every household in the city/ available in public buildings/ make use of existing groups for dissemination.</td>
</tr>
<tr>
<td></td>
<td>Action Planning / Planning for Real/ Planning Day/Planning Weekend</td>
<td>Involve</td>
<td>Community/ neighbourhood/local interest/residents/amenity groups, targeting specific parts and sections of the community - young, elderly, ethnic minorities.</td>
</tr>
<tr>
<td></td>
<td>Local design Statement/ Urban Design Visioning/place check/ community appraisals</td>
<td>Involve</td>
<td>Out reach to specific groups or areas of the city.</td>
</tr>
<tr>
<td></td>
<td>Open House Event/ Road Show</td>
<td>Inform</td>
<td>General public or can be held in community buildings/ other venues in specific areas of the city.</td>
</tr>
</tbody>
</table>
### Preparation Stage

**Consultation on preferred options (Regulation 26)**

**Purpose** - formal six-week consultation on preferred options before they are developed into the DPD. Preferred options will set out the policy issues and where appropriate broad locations/site allocations.

**Aim** - seeking comments on initial policy preparation/site allocations and make sure the council is aware of all possible options and issues before submission document is prepared.

**Minimum Statutory Requirements**

- Publish and consult on the preferred options for six weeks:
  - Publish SA Report on preferred options
  - Make the preferred options report and its supporting document available for inspection during normal office hours at the city direct offices and at all local libraries for the six weeks
  - Publish the report and supporting document on the council’s LDF website, identifying where the documents can be inspected.
  - Advertise in the local newspaper where and when the documents can be inspected, how copies can be obtained, and the closing date for representations and where they should be sent.
  - Send copies of the documents to each of the specific and general consultation bodies where appropriate and tell them where, and by when, to send any comments.

<table>
<thead>
<tr>
<th>Additional requirements</th>
<th>POSSIBLE METHODS</th>
<th>PURPOSE</th>
<th>Who</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council publications, local newspaper and local media, displays in council buildings</td>
<td>Inform</td>
<td>Wider city coverage</td>
<td></td>
</tr>
<tr>
<td>LDF newsletter and summary leaflet</td>
<td>Inform</td>
<td></td>
<td></td>
</tr>
<tr>
<td>LDF website to provide online response form</td>
<td>Inform</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Focus groups/workshops/consensus building exercises</td>
<td>Consult</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One-to-one meetings/presentations</td>
<td>Consult</td>
<td></td>
<td></td>
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</tbody>
</table>

*Table 1 - DPDs continued*
**Table 1 - DPDs continued**

<table>
<thead>
<tr>
<th>Local Development Document</th>
<th>DPDs (Core Strategy, topic-based or site allocations DPD, Area Action Plans)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Preparation Stage</strong></td>
<td>Submission of DPD and formal consultation (Regulation 28)</td>
</tr>
<tr>
<td></td>
<td><strong>Purpose</strong> - formal six week consultation period, comments on policies and proposals and the soundness of the DPD submitted to the secretary of state for independent examination.</td>
</tr>
<tr>
<td></td>
<td><strong>Aim</strong> - help the independent inspector to decide the soundness of the DPD and the form of the inquiry that is required and prepare responses for examination in public.</td>
</tr>
<tr>
<td><strong>Minimum Statutory Requirements</strong></td>
<td>Publish and consult on the Preferred options for six weeks:</td>
</tr>
<tr>
<td></td>
<td>Publish final SA report</td>
</tr>
<tr>
<td></td>
<td>Make the DPD and its supporting document available for inspection during normal office hours at the city direct offices and at all local libraries for the six weeks.</td>
</tr>
<tr>
<td></td>
<td>Publish the DPD and supporting document on the council’s LDF website, identifying where the documents can be inspected.</td>
</tr>
<tr>
<td></td>
<td>Advertise in the local newspaper where and when the documents can be inspected, how copies can be obtained, and the closing date for representations and where they should be sent.</td>
</tr>
<tr>
<td></td>
<td>Send copies of the documents to each of the specific and general consultation bodies where appropriate and tell them where, and by when, to send any comments.</td>
</tr>
<tr>
<td></td>
<td>Tell those people who asked to be notified when the DPD was due to be submitted to the secretary of state.</td>
</tr>
<tr>
<td><strong>Additional requirements</strong></td>
<td><strong>POSSIBLE METHODS</strong></td>
</tr>
<tr>
<td></td>
<td>Council publications, local newspaper and local media, displays in council buildings</td>
</tr>
<tr>
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<td>LDF newsletter and summary leaflet</td>
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<td></td>
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</tr>
</tbody>
</table>
### Table 1 - DPDs continued

<table>
<thead>
<tr>
<th>Local Development Document</th>
<th>DPDs (Core Strategy, topic-based or site allocations DPD, Area Action Plans)</th>
</tr>
</thead>
</table>
| **Preparation Stage**      | **Omission sites - further consultation on site allocations** <br>(Regulations 32 and 33)  
**Purpose** - if representations are received during the submission stage that propose alternative sites to those being proposed by the council or seek alterations to the council’s proposed sites then the council will undertake a further six week consultation exercise specifically on those representations.  
**Aim** - to ensure that there is the opportunity to comment on alternative site allocations or boundary changes proposed during the consultation process. |
| **Minimum Statutory Requirements** | Consult on suggested new site allocations for six weeks from the date the site allocations are published. Send copies of documents to each of the specific and general bodies where appropriate and tell them, where and by when, to send any comments.  
Publish the suggested new site allocations on the council’s website and explain the closing date for the further comments on those proposals. |
| **Additional requirements** | **POSSIBLE METHODS** | **PURPOSE** | **Who** |
| Council publications, local newspaper and local media, displays in council buildings | Inform | Inform | Wider city coverage  
Inform stakeholders/partners and those groups/individuals who were involved at earlier stage but also wider city coverage about consultation and how to send comments.  
Potentially anyone who has access to a computer/internet and has limited time to attend meetings etc.  
Where appropriate to discuss with specific stakeholders/partners or groups preferred options in further detail. For example round table exercise with housing or employment interest groups/ partnerships. |
| LDF newsletter and summary leaflet | Inform | Inform | |
| LDF website to provide online response form | Inform | Inform | |
| One-to-one meetings/presentations | Consult | Consult | |
### Table 2 - Supplementary Planning Documents (SPDs) - potential consultation methods

<table>
<thead>
<tr>
<th>Local Development Document</th>
<th>SPDs (topic, area or site specific)</th>
</tr>
</thead>
</table>
| Preparation Stage          | Early community and other stakeholder involvement
|                            | Purpose - informal to help the development of options and issues to ensure that the evidence base for the preparation of the SPD is robust.
|                            | Aim - help the council to identify the issues that the SPD needs to address and options available to deal with those issues |

#### Minimum Statutory Requirements

No minimum statutory requirements for this stage

<table>
<thead>
<tr>
<th>Additional requirements</th>
<th>POSSIBLE METHODS</th>
<th>PURPOSE</th>
<th>Who</th>
</tr>
</thead>
<tbody>
<tr>
<td>Workshop/focus groups</td>
<td>Consult</td>
<td></td>
<td>Specialist groups/advisory groups, amenity, residents groups etc likely to be affected by changes in the area or particular topic.</td>
</tr>
<tr>
<td>Action planning Planning for real/Planning day/Planning weekend</td>
<td>Involve</td>
<td></td>
<td>Local community groups in areas facing change</td>
</tr>
<tr>
<td>Open house event/Road show/exhibition</td>
<td>Form</td>
<td></td>
<td>General public or can be held in community buildings/other venues in specific areas of the city.</td>
</tr>
<tr>
<td>Public meetings</td>
<td>Consult</td>
<td></td>
<td>General public/local community/resident/amenity groups likely to be affected by changes in the area/a particular site</td>
</tr>
<tr>
<td>Newspaper and local media</td>
<td>Inform</td>
<td></td>
<td>Wider city coverage</td>
</tr>
<tr>
<td>Council website/dedicated email address</td>
<td>Inform</td>
<td></td>
<td>Inform stakeholders/partners but also wider city coverage about consultation and how to send comments.</td>
</tr>
<tr>
<td>Questionnaire/leaflet</td>
<td>Consult/inform</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Preparation Stage

Draft SPD
| Purpose - formal four to six week consultation on draft SPD. Will set out detailed advice and expand on specific policies in a DPD or provide planning guidance for the development of a site/area. |
| Aim - seeking comments on draft documents to make sure the council is aware of all possible issues and options. |

#### Minimum Statutory Requirements

Consult on the draft SPD for between 4-6 weeks.
| Make the draft SPD and supporting document available for inspection during normal office hours at the city direct offices throughout the consultation period. |
| Publish the draft SPD and supporting documents on the Council’s website and state where and when it can be inspected. |
| Advertise in the local newspaper where and when the draft SPD and supporting document can be inspected, how copies can be obtained and the closing date for representations and where they should be sent. |
| Send copies of the draft SPD and supporting documents to GOSE if it has asked for a copy and to those specific and general consultation bodies the Council considers to be affected by what it contains. |
| Explain how the Council has complied with the Statement of Community Involvement. Ensure adequate publicity is given to the documents |

<table>
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<th>PURPOSE</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Open House Event/Road Show/ exhibitions</td>
<td>Inform</td>
<td></td>
<td>General public or can be held in community buildings/other venues in specific areas of the city.</td>
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<td>Consult and inform</td>
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</tbody>
</table>
Section 7 - Management of consultation for the LDF

7.1 It is important that there is sufficient time and resources to ensure effective and meaningful involvement with the community, including feedback. By ensuring that consultation is targeted and realistic, the council will seek to make best use of the resources available. There is also the need to appreciate that without capacity building and support for community groups or individuals, there may be limits on the time and resources of groups to be continuously involved.

7.2 Officers within city planning will take the lead in carrying out Local Development Framework (LDF) consultation exercises but will require the support of other staff within the council to carry out consultation exercises, for example in devising questionnaires, and in approaching established consultative fora. It will also be necessary to ensure that there is relevant and ongoing training for officers involved in consultation exercises.

7.3 Therefore where possible the approach will be to:
  - consult on related LDDs where appropriate at the same time
  - make use of existing consultation exercises being undertaken within the council/ Local Strategic Partnership
  - match the methods of consultation with an awareness of the time and financial resources people may have available and their knowledge and experience of the planning system
  - utilise internal support for consultation exercises and make sure that staff are sufficiently trained
  - ensure an identified budget is set aside for consultation
  - use consultants where clear, added benefits can be demonstrated (such as their expertise on a particular consultation method, where independence or mediation is required or where there are insufficient internal officer resources to carry out the consultation exercise effectively).

Feedback, monitoring and review of the SCI

Feedback

7.4 There is often a failure to link the results of consultation with the decision-making processes, thus preventing the results from being used effectively. Without providing clear feedback on how people’s views have been taken into account, there will be no way of ensuring that a transparent and fair approach has been taken, or tracking how views may have changed as a result of ongoing consultation, especially when there are a variety of different views on an issue.

7.5 It is important to demonstrate to participants where they have made a difference. Firstly the minimum standards for acknowledging and responding to letters and emails are:

Letters - response within 10 working days; or one month for complex issues (to be acknowledged within 10 working days).

Telephone - try and answer query immediately provided call within normal office hours. If a site specific query further information in writing (eg site plan) may be requested.
Email - acknowledge and reply to all external e-mails within two working days and send a full reply within 10 working days.

Standard response form - a schedule of the responses received from consultees following the preferred options consultation will be prepared and made available on the website and in city direct offices and other deposit points. This schedule of responses will also include an officer response and whether any changes will be made to the documents as a result of the consultation. It would be too resource intensive to notify individual contributors as to how their views have shaped policy but a statement of consultation will be sent to those who responded. At the submission stage, electronic copies of representations will also be made available on the website and deposit points as well as a schedule of the summarised comments.

Conferences, workshops, focus or discussion groups - when these are held a record of the discussions will be taken and made available. Results of questionnaires/ surveys undertaken as part of consultation exercises will also be published on the LDF website and feedback given to participants.

7.6 The results of any consultation will be reported and taken into account in decisions made by and on behalf of the council. Appendix 1 outlines the decision making process for the LDF. Once the document has been submitted to the government, an independent inspector will examine the soundness of the document based on the evidence available and the representations made at the submission stage and will recommend changes which the council will have to implement.

Statement of compliance

7.7 Once the Statement of Community Involvement is adopted, we will ensure that all documents are prepared in accordance with the standards set out in the SCI. When we a Development Plan Document is submitted to the government a statement of compliance will be published. The statement will set out in detail exactly how the community involvement requirements for the particular development plan document have been met; showing firstly that the minimum requirements have been met and how through following the SCI minimum requirements have been exceeded. Compliance with an adopted SCI is a test of soundness that the inspector will have to examine. A consultation statement setting out how consultation was undertaken for Supplementary Planning Documents (SPDs) will also be published with the SPDs.

Evaluation

7.8 Monitoring and review of completed consultation exercises will be undertaken to ensure that lessons are learnt from and to improve consultation. Key questions to be asked in order to appraise consultation exercises and to underpin feedback are:

- were the results disseminated to the consultees, wider public where appropriate, relevant council departments and relevant partner organisations?
- did the consultation response directly inform a decision, or shape policy?

7.9 The statement of compliance will include the opportunity for the evaluation and feedback on the usefulness and effectiveness of different consultation methods to ensure that the consultation methods used are genuinely helping people to get involved. It will also ensure that improvements can be made and that resources are used effectively. Key questions for evaluation:
did the exercise reach a structured sample of the population / the target group?

if the exercise did not meet its objectives, why was this and what steps can be taken to prevent similar problems in the future?

Participants will also be given the opportunity to provide valuable feedback on how they found the consultation exercises through the use of evaluation forms.

Review of SCI

7.10 Once the SCI is adopted, the feedback and monitoring of the consultation exercises will enable the council to judge whether it needs to be revised. An Annual Monitoring Report is produced to assess progress on the Local Development Framework and the suitability and success of the SCI will be part of the review. It may need to be altered as a result of changes in the way the council undertakes consultation or in responses to changes in planning legislation. Any change to the SCI that is deemed necessary as a result of monitoring will be reflected in the production and submission to the Secretary of State of a revised Local Development Scheme.
Section 8 - Consultation on planning applications

8.1 Brighton & Hove City Council receives over 3500 planning applications each year. Making details of these applications available to the public is an important part of dealing with them. It is important that people have an opportunity to comment on issues that may impact on their quality of life.

8.2 The council's development control team aims to achieve demonstrable improvements in the city's built and natural environments and to provide a customer focused and responsive service to both developers and the community.

Types of applications

8.3 For the purposes of government monitoring, planning applications are classified into three types - major, minor and ‘other’ applications.

'Major' applications include:
- residential development for 10 or more dwellings;
- residential development on a site of 0.5 hectares or more;
- provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more;
- the winning and working of minerals or the use of land for mineral-working deposits;
- waste development; and
- non-residential development carried out on a site having an area of 1 hectare or more.

'Minor' applications include smaller scale residential developments or new employment floorspace.

'Other' applications include changes of use of buildings, householder developments (such as extensions), advertisement consent, listed buildings consent, conservation area consent, telecommunications development and certificates of lawfulness.

Publicising applications

8.4 The government sets out minimum standards for advertising required for all ‘major’ applications, including all those that may have significant environmental impact or depart from the provisions of the development plan or would affect public rights of way, listed building consent and conservation area consent and all planning applications affecting conservation areas and listed buildings:
- Site Notices - people have 21 days for comment from the date the notice is displayed.
- Press Notice - people have 21 days to comment from the date the notice is displayed in The Leader Newspaper.
- Neighbour Notification - serve notice on any adjoining owner or occupier (does not apply to listed building consent and conservation area consent).

8.5 For minor and other types of applications the minimum requirements are either displaying a site notice or notifying any adjoining owner or occupier. Neighbour notifications are normally used unless it is difficult to identify occupiers or adjoining owners. We will continually be looking at effective
but efficient ways of consulting people to ensure that local concerns can properly be taken account of. Currently neighbours are given 21 days to comment from the date of the letter.

8.6 The council wishes to ensure that there are further ways for people to find out about planning applications and publicises applications in the following ways:

- **Weekly List** - of all applications received. This list is made available on the council’s website. Copies are also posted on noticeboards outside Brighton Town Hall and Hove Town Hall, and made available in the CityDirect offices - ‘major’ applications will be highlighted on the paper copies and on the electronic list. People have 21 days to comment from the date of publication of the weekly list.

- **Planning Register** - the council’s planning register is now available on the council’s website. The formal period for consultation is 21 days. The Council will consider representations up to the date the decision is made or by midday on the Friday before the relevant Committee Meeting if appropriate. However, to be sure comments are considered, they should be submitted before the date given in any notification, letter or notice.

**Accessing information**

8.7 People can then find out further details of registered planning applications in 3 ways:

- Inspecting the plans at the CityDirect offices
- Being sent a copy of the plans directly (in the case of external statutory consultees)

8.8 The planning register allows people to view online information and progress on all applications submitted since 26 September 2005. This includes electronic versions of plans, letters, application forms and the decision notice. The webpage also gives people the opportunity to comment on current planning applications by email and gives guidance on how to make comments.

8.9 The register can also be used to access information about all planning decisions since 1997, allowing people to see what was decided, who was consulted and what conditions were placed on the decision. It is intended that other information, such as enforcement notice details, online submission of complaints, online submission of general or site-specific planning enquiries, details of consultees and planning appeal statements, will be available on this webpage in the near future.

8.10 At CityDirect offices, staff are able to help customers who may not be familiar with understanding plans, and interpreting proposals. Copies of plans are available at a reasonable cost. There is a computer at CityDirect offices to provide free website access, and a printer can be used free of charge to print out information contained online. The reception areas stock a variety of useful leaflets that, for example, outline the role of elected ward councillors, make reference to the (free) Planning Aid service and to a list of local planning consultants.

8.11 Requests to help members of the public who may be of restricted mobility will always be considered sympathetically. In these circumstances, it may be appropriate for council officers to visit a person’s home to explain the proposal to them.
Commenting on planning applications

8.12 Anyone can make comments upon a planning application, regardless of whether they are directly affected or not. The council makes all applications that are received available for public inspection (see above) and it takes account of any representations made when reaching a decision. The results of any such consultation will be reported and taken into account in decisions made by, and on behalf of, the council.

8.13 Members of the public will continue to have a 21-day statutory period to comment on any planning application.

8.14 Comments must be made in writing, whether by letter, fax or email - although verbal comments can be transcribed if specifically requested. People will also be able to indicate whether they wish to speak at a public meeting or if they wish to be informed of a decision. However, representations made after the statutory consultation period has finished cannot be guaranteed to be taken into account in the determination of an application.

8.15 Only comments that are made on valid planning grounds (that is, reflected in national regional and local planning policies) will be taken into consideration. These include issues such as open space provision, nature conservation, sustainable development and traffic generation. The other kinds of planning issue that we will also consider where appropriate include:

- overlooking / loss of privacy
- overshadowing
- loss of amenity - for example, noise and disturbance
- the design of new buildings
- whether a proposed use is suitable for the area
- whether the appearance and size of a new building is in keeping with its neighbours and surroundings
- whether a new building has satisfactory access for disabled people.

8.16 Those issues that are not relevant to planning cannot be taken into account and these include:

- effect on the value of a property
- inconvenience arising from construction works
- loss of views from within properties (although external views affecting listed buildings and conservation areas are planning issues)
- private property rights - for example, boundaries or access disputes
- matters covered by other laws
- loss of trade from competing businesses.

8.17 We will also seek expertise and advice from a wide range of external organisations, for example, Sussex Police, Southern Water, the Environment Agency, the South East England Regional Development Agency (SEEDA), Network Rail, English Heritage (concerning any Grade I and II* listed building) and the Government Office for the South East (when an Environmental Statement is submitted). They have 21 days to comment on...
a planning application from the date of the letter informing them of the application or for English Nature 28 days in the case of a planning application potentially affecting a SSSI or in a SSSI consultation area\(^1\), in which to comment.

18.18 There may be instances where re-consultation is required on a submitted application. In order to meet government targets for determining applications in exceptional circumstances this means the end date for re-consultation occurs after the officer deadline for reports to go to the Planning applications Sub-Committee. However in these instances the officer recommendations are minded to grant/refuse subject to there being no material consideration being received during the remainder of the consultation period.

Role of committee

18.19 All major, substantial or controversial planning applications and those that depart from local or national planning policies are determined at the Planning Applications Sub-Committee. This sits every three weeks and comprises 12 members reflecting the political balance of the city plus non-voting representatives of the Conservation Advisory Group (CAG) and the Disabled Access Advisory Group (DAAG). Details of which planning applications are due to be considered at committee are put on the planning website 10 days before the date of the meeting.

18.20 The council also allows the applicant, members of the public and local ward councillors to have limited public speaking rights at committee meetings. Anyone wishing to speak at the meeting needs to give written notice at least 5 days in advance of the meeting. Guidelines on public speaking are available from CityDirect Centres.

18.21 The development control team can determine ‘minor’ or ‘other’ planning applications under delegated powers if they do not attract five or more individual letters of objection (or if they do not attract five or more letters of support where the officer is minded to refuse the application). It is envisaged that 90% of all applications will be dealt with in this way. Ward Councillors, Rottingdean Parish Council, the CAG and DAAG can call in any applications, within the specified consultation period, they would like to go before the Planning Applications Sub-Committee.

How long will it take to determine planning applications?

18.22 Brighton and Hove City Council aims to determine its planning applications in accordance with current government standards:

- 60% of all major applications to be determined within 13 weeks from date of receipt;
- 65% of all minor applications to be determined within eight weeks from date of receipt; and
- 80% of all ‘other’ applications to be determined within eight weeks from date of receipt.

\(^1\) in accordance with Section 28 of the Wildlife and Countryside Act 1981 as amended by Section 75 and Schedule 9 of the Countryside Rights of Way Act 2000
Feedback

18.23 The council notifies the applicant/agent of the planning decision; this accords with the statutory requirements. Whilst the council does not notify communities or interested parties, for those who have requested to be notified of the outcome of an application and supply a stamped addressed envelope the council will send a letter notifying them of the decision taken. If a paper copy of the decision notice is requested this can be sent but a charge is required to be paid. However, the decision list following each meeting of the Planning Applications Sub-Committee is made available on the website and the decision notice can also be downloaded from the online planning register. For those without access to a computer, the planning register can be viewed online at the city libraries and CityDirect offices.

18.24 Monitoring customer care is important to the council and a regular review of the development control service is a key aim. In early 2003, a three-yearly users’ survey was undertaken in order to evaluate how well the council, in its role as Local Planning Authority, was performing in the view of a random sample of applicants and agents who had submitted an application recently.

18.25 Overall, just over half the respondents were satisfied with the service provided by the council in processing their application. Nearly two-thirds understood the reasons for the decision made on their application, but just over 40% felt that the council did not keep them informed about the progress of their application.

18.26 This survey will be carried out again at the end of 2006. In addition, we will set up an annual planning forum to discuss the planning service with a wide range of users, including resident and interest groups.

Pre-application advice

18.27 Brighton & Hove City Council encourages applicants to discuss planning proposals prior to submission of an application. Advice is always given on a ‘without prejudice’ basis and does not commit the council to any particular decision. Currently, no fees are charged for any advice. In addition, planning support officers can deal by telephone with general queries about whether planning permission is needed.

Other forms of planning advice include:

- the website - which links to documents produced by the council and external websites;
- leaflets - including planning guides for householders and businesses, advertisements, appeals;
- Supplementary Planning Guidance notes / Supplementary Planning Documents - including Roof alterations and extensions; Parking Standards; Energy Efficiency and Renewable Energy, and Satellite Dishes;
- Technical Advice notes - such as damp and timber treatment, and flintwork and bungarooch;
- application forms and guidance notes - which show the information that we need when processing an application;
- information at citydirect offices - such as planning histories, site plans and basic advice about the planning process;
- major development updates - e.g. King Alfred, Brighton Station; and
- Planning Aid - a free, independent and professional advice service (http://www.planningaid.rtpi.org.uk/).
What we expect from developers

Pre-application stage

18.29 Developers may discuss proposals of any scale with officers prior to making an application. Developers of larger sites at this stage will be expected to engage with local communities - residents’ and community associations and relevant interest groups and perhaps statutory consultees or service providers (the local planning authority can provide assistance in contacting these groups) - and this could be in the form of meetings or exhibitions. This will ensure that major issues of concern for local people and others can be addressed before an application is formally submitted. The following benefits may be achieved as a result of this approach:

- a better quality of development, more responsive to local needs;
- local skills, knowledge and experience being included;
- feelings of ‘ownership’ and involvement;
- resolving or removing key conflicts between parties; and
- reducing overall time taken to determination.

18.30 It is important too that the public are kept informed of how their views have helped make a difference to an evolving proposal. Such an approach would be sought in applications that would be of city-wide, regional, national or even international importance - this could include significant residential development, tall buildings, large leisure, entertainment or retail facilities, and major infrastructure projects.

18.31 In these types of schemes, the council will expect developers, as part of their application to detail the pre-application consultation they have undertaken and how comments have been addressed in progressing a proposal - which could take the form of a ‘statement of community involvement’. This will ensure that the standard requirements for involving the local and/or wider community are met.

Types of proposals requiring wider consultation

18.32 The ‘significance’ of a development proposal will determine the likely minimum level of wider community involvement. It is expected that the applicant will be able to identify potentially controversial applications at the initial stage and ward councillors should be consulted at the earliest opportunity.

18.33 Suggested methods of community involvement for developers dealing with the three major types of applications are outlined below. The council cannot prescribe that developers use all these methods or refuse to validate an application if certain methods of consultation are not used. However a lack of engagement with the local community could lead to objections being made which could be material to the determination of an application.
### Post-application stage

Inevitably some proposals that have received planning permission may need to be amended - this could be because of design or practical construction issues, for example. Many of these can be dealt with as minor amendments, as the changes would be non-material and therefore make little difference to nearby residents’ quality of life. Others, however, may be more significant and in these circumstances, a fresh application will be requested. In the latter case, further public consultation by the developer may be necessary.
Appendix 1 Decision-making structure for the LDF

- Core strategy
- Site Allocations Policy
- Development Control Policy
- Area Action Plans

- Local Development Scheme
- Statement of Community Involvement

- Supplementary Planning Documents
- Research & Evidence Papers

Advisory

INTERNAL OFFICERS ADVISORY GROUP

ALL PARTY ADVISORY BRIEFINGS

EXTERNAL CONSULTATION ADVISORY GROUP
LDF GROUP SUBGROUP OF LSP

LDF STEERING GROUP

LDF PROJECT TEAM

FULL COUNCIL

POLICY & RESOURCES COMMITTEE

ENVIRONMENT COMMITTEE

Have your say “”
Appendix 2 Specific and General consultation bodies

South East England Regional Assembly
Rottingdean Parish Council
Lewes District Council
Ditchling Parish Council
Falmer Parish Council
Kingston Parish Council
Rodmell Parish Council Telscombe Town Council
Adur District Council
Mid-Sussex District Council
Fulking Parish Council
Poyning Parish Council
Newtimber Parish Council
Pyecombe Parish Council
Horsham District Council
Upper Beeding Parish Council
West Sussex County Council
East Sussex County Council
The Countryside Agency
The Environment Agency
Highways Agency
English Heritage
English Nature
The Strategic Rail Authority
South East England Development Agency
British Telecommunications
Mobile Operators Association
O2UK
Orange
T-Mobile
Vodafone
Hutchison 3G
Surrey and Sussex Health Authority
EDF Energy
Transco Gas
Scottish Power
Southern Water
Government Office for the South East
Appropriate Government Departments

General and other consultation bodies include groups that represent:

Community and voluntary sector
Business groups and partnerships
Local civic and amenity groups
Environmental and wildlife groups (national, regional and local)
Transport operators and organisations
Sports and open space organisations
Local developers and planning agents
Fire, Police and Ambulance services
Health and Education organisations

The LDF consultation database being developed will contain a detailed list of these general consultation bodies and will be updated regularly.

Please note, this list is not exhaustive and also relates to successor bodies where re-organisations occur.
Appendix 3 - Glossary of terms

**2020 Community Partnership** - responsible for producing and implementing Brighton & Hove's Sustainable Community Strategy.

**Annual Monitoring Report (AMR)** - provides an annual assessment of the progress against work set out in the Local Development Scheme (LDS). It includes commentary if any of the targets in the LDS have not been met and on the performance of policies. The monitoring period is April to March.

**Area Action Plans (AAPs)** - see Development Plan Documents (DPD).

**Binding Report** - a report produced following the examination phase by an independent inspector. The report will set out precise recommendations for how a development plan document including the statement of community involvement (SCI) must be changed. Brighton & Hove City Council must then incorporate the changes required by the inspector, before adopting the development plan document.

**Certificate of lawfulness** - determines the lawfulness of an existing use, operation or proposed use or development in Brighton & Hove. It can be applied for by any one wishing to find out whether: the existing or proposed use of buildings or other land is lawful; existing or proposed operations are lawful (i.e. building works); and failure to comply with a condition/limitation attached to a planning permission is lawful.

**Citizen Panel** - one of number of consultation techniques that consists of a number of residents of Brighton & Hove who take part in questionnaire surveys about a wide range of issues of importance to city.

**CityDirect Office/Centre** - places where people can get information, advice and discuss Brighton and Hove City Council services. There are three Centres: Bartholomew Square Brighton, Hove Town Hall and Victoria Road Portslade.

**Communities of interest** - In the Brighton & Hove context, these are any one of eleven identified marginalised communities: the homeless & inadequately housed; lesbian, gay, bisexual & transgender (LGBT); black & minority ethnic communities; people with physical disabilities; people with learning difficulties; people with mental health problems; women; people with HIV/AIDS; young people; substance/alcohol mis-users; older people; and travellers. The Communities of Interest Network supports the three Communities of Interest seats on the Brighton & Hove Local Strategic Partnership by bringing together representatives from these communities.

**Community and Voluntary Sector Forum** - a membership-led organisation open to all community and voluntary organisations in Brighton & Hove that provides space for these groups to meet and exchange ideas, information and good practice as well as elects people to represent the views of the sector on strategic partnerships across the city.

**Community Strategy** - the plan which Brighton & Hove is required to prepare through a **2020 Community Partnership** - responsible for producing and implementing Brighton & Hove’s Community Strategy.

**Consultation** - see Public Consultation.
Consultation methods - consultation is undertaken by or on behalf of Brighton & Hove City Council to find out what people think; to identify priorities and concerns; and to meet statutory obligations. Various methods can be used to achieve that purpose. Some of the more common ones used by Brighton & Hove City Council are surveys (telephone, online, face-to-face or leaflet-based questionnaires); citizens' panels; focus groups; public meetings; stakeholder meetings/conferences/workshops; planning for real; and in-depth interviews. See also Public Consultation, Inform and Involve.

Core Strategy - see Development Plan Documents (DPD)

DCLG - Department for Communities and Local Government.

Development Plan - the Government is still committed to the well-established principle of a plan-led system. The statutory development plan will continue to be the starting point in the consideration of planning applications for the development or use of land (Clause 37(6) of the Planning and Compulsory Purchase Act 2004). The development plan will consist of the South East Plan produced by the South East England Regional Assembly (SEERA); and Development Plan documents prepared by Brighton & Hove City Council as part of the Local Development Framework (LDF).

Development Plan Documents (DPDs) - these will be subject to statutory requirements, including submission to the Secretary of State, formal testing through an independent examination and a binding Inspector’s report. Policies in such documents will be given primacy when decisions are taken on planning applications under clause 37(6) of the Act. The development plan documents, which local planning authorities must prepare, include the following elements:

- Core strategy: it will contain the Council’s spatial vision for the area; a set of environmental, economic and social objectives for what the authority is seeking to achieve in line with its vision and sustainable development objectives; and a set of policies for delivering the strategy for the area.

Broad locations for development may be set out in a key diagram;

- Area Action Plans (AAPs): these are more detailed DPDs, which will provide a planning framework to cover key areas of change or conservation. Examples are a town centre plan, or a plan for a small town or village where change is anticipated. They are likely to include site allocations;

- Proposals map: this shows existing and revised designations of areas of land such as conservation areas and green belt, and the locations of any proposed or actual AAPs. It would also define the sites for particular future land uses or developments, and the areas to which specific policies apply. The map must be on an Ordnance Survey base and there might be separate inset maps; and

- Site allocations: these must be shown on DPDs although consequential details such as development briefs will be contained in SPDs.

- General development control policies: a suite of criteria-based policies which are required to ensure that all development within the area meets the vision and strategy set out in the core strategy.
A DPD will contain:

- A consultation statement showing how the local planning authority has complied with its statement of community involvement will be required for all local development documents and;
- A statement of conformity outlining how the policies in the DPDs conform with the Regional Spatial Strategy.
- A sustainability appraisal assessing of the economic, environmental and social effects of a plan from the outset of the preparation process to allow decisions to be made that accord with sustainable development. Local planning authorities should ensure that sustainability implications and alternatives of certain plans and programmes are considered as early as possible.

**eb4U** - organisation responsible for the management and delivery of the New Deal for Communities regeneration programme covering the communities of Bates Estate, Higher Bevendean, Manor Farm, Moulsecoomb, Saunders Park and Whitehawk.

**General Development Control Policies** - see Development Plan Documents (DPD)

**Hard to reach** - sectors of the city’s community that, for various reasons, are inaccessible to standard consultative mechanisms. That is to say, any group whose perceptions or experiences are difficult to for any reason such as: physical inaccessibility, language, cultural perceptions and traditions and social expectations.

**Inform** - methods of consultation such as newsletters or meetings used to advise the community of a situation or proposal; inform on a decision or direction and; provide advice on an issue.

**Inclusivity** - In 2004, Brighton & Hove City Council launched a city-wide Inclusivity policy. Through it action is being taken to ensure equality and diversity issues are embedded into the heart of its business. This includes testing all services for unintentional discrimination and actively consulting community groups, particularly those associated with the city’s lesbian, gay, bisexual and transgender (LGBT) community.

**Involve** - method of consultation where the community is involved in discussion or debate; used to ensure informed input through briefing and information; through more innovative and participatory approaches such as planning for real.

**Independent examination** - all DPDs and the SCI will be subject to independent examination by a person (the Inspector) appointed by the Secretary of State. The purpose of the plan is to determine the ‘soundness’ of the plan. Following the examination the Inspector will produce a report which will be binding on the Local Planning Authority (LPA).

**Local Development Documents (LDDs)** - each LDF will comprise a set of documents of which there will be two main kinds: development plan documents and supplementary planning documents. In addition the statement of community involvement is an LDD.

**Local Development Framework (LDF)** - this is the group of documents that form the spatial development framework for the area.

**Local Development Scheme (LDS)** - setting out a project plan for the preparation and delivery of the various LDDs. The purpose of the LDS is to inform the public of the
documents that will make up the LDF and the timescales they can expect preparation and review of these documents. They should also establish and reflect Council priorities.

**Local Plan** - a Brighton & Hove Local Plan is currently the statutory development plan for the city which sets out the Council’s policies for the development and use of land. The policies in this document will be ‘saved’ for 3 years until replaced by the Local Development Framework (LDF).

**Local Strategic Partnership (LSP)** - an over arching partnership of key stakeholders responsible for producing the Community Strategy for the city.

**Material Consideration** - any consideration relevant to the use and development of land and which is taken into account in determining a planning application is capable of being a material consideration.


- a statutory system for regional planning;
- a new system for local planning;
- reforms to the development control and compulsory purchase and compensation systems; and
- removal of crown immunity from planning controls.

**Planning Aid** - voluntary provision by planners of free and independent professional advice on planning to individuals or groups unable to pay for the full costs of such advice.

**Preferred Options** - A report on the Council’s Preferred Options will offer alternative proposals and policy options for consultation over 6 weeks, however the Council will highlight those options which it feels is most appropriate; and why alternatives discarded.

**Brighton & Hove’s Public Consultation Strategy** - approved by the Policy and Resources Committee in November 2003, this document sets out the criteria governing when and why the council should consult with its residents and stakeholders, and gives details of the basic principles that underlie any consultation we undertake.

**Public consultation** - a process through which the public is informed about proposals fashioned by a planning authority or developer and invited to submit comments on them. Public consultation is often a significant part of public participation.

**RNIB** - Royal National Institute of the Blind.

**SEEDA** - South East of England Development Agency.

**Site Allocations** - allocation of development sites for specific or mixed uses or development to be contained in DPD. Policies will identify any specific requirements for individual proposals. See also Development Plan Documents (DPD).

**Site Notice** - sign placed on a site stating intent to apply for planning permission for the development and/or change of the existing conditions within the site. In Brighton & Hove City Council, notices contain explanation of the kind of development / changes being pursued with the aim of informing local residents and presenting them with the opportunity of commenting upon these changes.
SoS - Secretary of State, DCLG

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 Brighton and Hove’s Statement of Community Involvement (SCI).

South East Plan - is the Regional Spatial Strategy (RSS) for the South East that is prepared by the South East England Regional Assembly (SEERA). It will be a statutory document and part of the Development Plan and it will set out the policies in relation to the development and use of land in the region and will be approved by the Secretary of State.

Spatial Planning - planning will no longer be concerned just with those activities requiring planning permission, but will now cover any activity with a geographical component, e.g. education, housing, economic development, cultural and social issues.

Statement of Compliance - see Development Plan Documents (DPD), consultation statement.

Statutory Environmental Bodies - four government-appointed bodies who give advice and must be consulted for comment upon Sustainable Appraisals. They are: Countryside Agency, English Heritage, English Nature and the Environment Agency.

Strategic Environmental Assessments (SEA) - an environmental assessment of certain plans and programmes, including those in the field of planning and land use, which complies with the EU Directive 2001/42/EC undertaken as part of Sustainability Appraisal. The environmental assessment involves the:

- preparation of an environmental report;
- carrying out of consultations;
- taking into account of the environmental report and the results of the consultations in decision making;
- provision of information when the plan or programme is adopted; and
- showing that the results of the environment assessment have been taken into account.

Supplementary Planning Documents (SPD) - these will need to be consistent with parent DPDs. They will elaborate upon the policies and site allocations set out in DPDs. They will be adopted by shorter, simpler procedures and will not undergo independent testing, but will require sustainability appraisal and community involvement. They will be capable of being a material consideration in the determination of applications although afforded less weight.

Supplementary Planning Guidance (SPG) - may cover a range of issues, both thematic and site specific and provide further detail of policies and proposals in a development plan. As part of the changes to the planning system following the Planning Act 2004, they are to be progressively substituted by Supplementary Planning Documents (SPD).

Sustainability appraisal (including Environmental Appraisal) (SA) - see Development Plan Document (DPD).

Sustainability Commission - made up of cross-party elected members, this Commission helps Brighton & Hove City Council develop and implement its sustainability policies as a mainstream part of its activities, including partnership work with other agencies and bodies.
**Sustainable Development** - environmentally responsible development, commonly defined as "development which meets the needs of the present generation without compromising the ability of future generations to meet their own needs".

**Stakeholders** - People who have an interest in the activities and achievements of the Council, including residents, local communities of interest, partners, employees, customers, shareholders, suppliers, opinion leaders, regulators and "hard to reach" groups.

**Telecommunications development** - forms of communications by electrical or optical wire and cable and radio signals (whether terrestrial or from satellite), both public and private, except where otherwise stated. Investment in new technology and the maintenance and improvement of the established networks can entail the physical development of land, and so have implications for both development plans and development control.
Appendix 4 - Contact details for further information

Local Development Team
If you want to know more about the Statement of Community Involvement or the Local Development Framework process then please contact the Local Development Team by phone on 01273 292505, by fax on 01273 292379 or by email at ldf@brighton-hove.gov.uk

Development Control Team
For queries about planning applications, please contact the general administration team:

East
(01273) 292116
(01273) 292208

West
(01273) 292323
(01273) 292177

For queries about planning permission please contact the relevant Planning Support Officer:

East
(01273) 292509
Area Covering:
East Brighton
Hanover & Elm Grove
Hollingbury & Stanmer
Moulsecoomb & Bevendean
Queens Park
Patcham
Preston Park
Rottingdean Coastal
St Peters & North Laine
Woodingdean

West
(01273) 292121
Area Covering:
Brunswick & Adelaide
Central Hove
Goldsmid
Hangleton & Knoll
North Portslade
South Portslade
Regency
Stanford
Westbourne
Wish
Withdean

Planning Investigations & Enforcement
A new planning Investigation & Enforcement team has been established to investigate complaints about unauthorised development and initiate enforcement or legal action where appropriate. You can contact the team by e-mail at planning.investigations@brighton-hove.gov.uk or by calling these telephone numbers:

East Area: covering wards: East Brighton, Hanover & Elm Grove, Hollingbury & Stanmber, Moulescoomb & Bevendean, Queens Park, Patcham, Preston Park, Rottingdean Coastal, St Peters & North Laine and Woodingdean. Tel: (01273) 292189 / 292106

West Area: covering wards: Brunswick & Adelaide, Central Hove, Goldsmid, Hangleton & Knoll, North Portslade, South Portslade, Regency, Stanford, Westbourne, Wish and Withdean. Tel: (01273) 292366 / 292031
If you would like this translated, please tick the box (or state the language required) and return this to any council office

Në göffë se dëshironi që ky informacion të përktëhët nënjëhën shqipe ju lutem shënoni ‘✓’ në kuadratin përkatës dhe dorëzojeni këtë në cilëndë zyrë të Këshillit të Prehtit.

Albanian □

Si vous souhaitez obtenir une traduction de ces informations en français, cochez cette case et renvoyez ce coupon au bureau municipal de votre choix

French □

如果你想这些信息翻译成普通话，请在方格内划勾，并把这张表格送回任何市议会的办事处。

Mandarin □

‘আপনি যদি এই তথ্যটির অনুবাদ চান [বাংলা ভাষায়] পেতে চান তাহলে অনুবাদ করার পদ্ধতির বর্তমান তথ্য দিয়ে নেওয়া বলে কাউন্সিল অফিসে পাঠিয়ে দিন।

Bengali □

If you want these materials translated into Mandarin, please tick the box and return this to any council office.

Portuguese □

如果你想這些資料翻譯成廣東話，請在方格內加勾，並把這表格送回任何市議會的辦事處。

Cantonese □

Eğer bu bilgilerin Türkçe tercümesini ıstersiniz, lütfen kutuyu işaretleyip herhangi bir Belediye bürosuna götürlünüz.

Turkish □

“اگر مایلید ان اطلاعات به زبان فارسی (فارسی ترجمه شود، خواهشمند شکل مربع را عالم زده و را به اهد فردی که در اختیار دارید پیش فرستد.”

Farsi □

Other (please state)

This can also be made available in large print, in Braille or on audio tape

£ 01273 - 292505

For further information contact:
The Local Development Team, Planning Strategy & Projects, Brighton & Hove City Council, Hove Town Hall, Norton Road, Hove BN3 3BQ.

Email: ldf@brighton-hove.gov.uk or visit our
LDF website at: www.brighton-hove.gov.uk