

Tunbridge Wells Borough Council

# Statement of Community Involvement

---

October 2020



1.0	Introduction .....	3
	The revision of the SCI.....	3
	Our values for community involvement in the planning process.....	4
2.0	Involvement in Planning Policy .....	6
	Stages of consultation for Local Plans .....	7
	Stages of consultation for Supplementary Planning Documents (SPD) .....	9
	Duty to Cooperate .....	10
	Neighbourhood Plans.....	10
3.0	Consultation techniques for local planning documents .....	13
	Website/emails .....	13
	Media .....	14
	Social media.....	14
	Paper documents .....	14
	Surveys/questionnaires .....	15
	Public exhibitions.....	15
	Briefings .....	16
	Feedback .....	16
	Exceptional circumstances.....	16
	How your comments help.....	17
4.0	Consultation on planning applications and notifications .....	18
	Pre-application stage.....	18
	Benefits of pre-application community involvement.....	19
	The application stage .....	19
	How we will consult with neighbouring residents .....	19
	How we will consult with statutory consultees.....	20
	Planning appeals.....	21
	Customer service and feedback .....	21
5.0	Where can you get additional help and advice?.....	23
	Appendix 1: List of statutory and general bodies .....	25
	Statutory Consultation Bodies .....	25
	General Consultation Bodies.....	25
	Appendix 2: Glossary.....	26

# 1.0 Introduction

- 1.1 It is a requirement under the Planning & Compulsory Purchase Act 2004 for all local planning authorities (LPAs) to produce a Statement of Community Involvement (SCI), setting out its strategy for public participation in planning matters and associated decision making ([view the Act](#)).
- 1.2 This SCI sets out how Tunbridge Wells Borough Council will involve the community in the preparation and review of planning policy for the borough, through its Local Plan and Supplementary Planning Documents (SPDs), in support of neighbourhood planning, and in decision making on planning applications.
- 1.3 The SCI covers how the Borough Council is committed to public engagement in these areas:
- a) Planning Policy
- Development plan documents set out the policy framework for the future against which planning applications will be considered. These include both local plans and neighbourhood plans. The former are prepared by the Council as LPA, and may include strategic and non-strategic policies. Neighbourhood plans are led by a qualifying body (being the relevant town or parish council in a parished area), with advice and assistance provided by the Council. The Council may also prepare SPDs to elaborate upon Local Plan policy requirements.
- b) Development Management
- This is the process under which planning and listed building and other applications and prior notifications are considered and determined. Applications are decided in accordance with planning policy, so it is important that the community and stakeholders are involved in both policy formulation and commenting upon specific planning application proposals.

## The revision of the SCI

- 1.4 In accordance with national requirements, it is a LPA's duty to review and update its SCI every five years (view the [Government guidance on plan making](#)). As the SCI was last updated in 2016, a review is required before April 2022.
- 1.5 Since publication of the SCI in 2016, there have been a series of changes to national policy and guidance, while the Council has also undergone changes in the ways in which it consults in both Development Management and in Planning Policy. This revision will reflect these changes.
- 1.6 Also, in the light of the recent Covid-19/Coronavirus pandemic, the Government advises LPAs to urgently review their SCIs ([see Government guidance on Covid-19](#)). This will enable temporary amendments that are necessary to allow plan

making to progress, and that continue to promote effective community engagement by means that are reasonably practicable.

## **Our values for community involvement in the planning process**

- 1.7 The Council is committed to using new and innovative ways of involving the community in the planning system and will use a combination of methods, such as public exhibitions, meetings and online consultations, as appropriate to the nature of the document and stage of production. The objective is to ensure that everyone with an interest in planning understands how they can contribute to, and influence, the planning decision-making process.
- 1.8 Consultation is carried out for a variety of reasons: to provide people with information about proposals; to ask people to comment on proposals; or to ask people to contribute to the decision-making process.
- 1.9 The Council recognises that particular parts of the community are more difficult to reach out to than others, due to their specific needs or because they may have been under-represented in the past. It is important that every section of the community has the opportunity to contribute to the planning process.
- 1.10 The Council also recognises that diversity and equalities are key considerations within the planning system and is committed to addressing these issues through the planning process. Local plan documents and the determination of planning decisions must comply with the general duty in the Equality Act 2010. The Council, when carrying out planning consultations, will be guided by certain principles and will, whenever possible:
- make it clear what the consultation is about and why we are seeking views
  - choose the most appropriate method(s) of consultation for the intended audience
  - raise awareness of consultations in the most effective way, to make it as easy as possible to take part and ensure that we provide enough information for people to give their views
  - consult at a time when proposals are still at a formative stage so views can be listened to and considered before making decisions
  - carefully analyse consultation responses so that results are accurate and reliable
  - publish consultation results and provide feedback on any decisions taken or next steps
  - monitor and evaluate the effectiveness of consultations to continue to improve work in a coordinated and joined up way within the Council and with partners

- ensure that involvement will be open to all, regardless of age, disability, gender, pregnancy and maternity, race, religion and belief, rurality, and sexual orientation
- 1.11 In order to ensure that communities, local residents, and other key stakeholders understand the process of decision making, this document sets out how and when people can get involved and acts as a framework to how decisions are made.
- 1.12 The benefits of community involvement include:
- widening public understanding of the planning system, its strengths and limitations
  - drawing on local knowledge of issues and potential concerns
  - increasing awareness, and acceptance, of decisions made locally
  - ensuring that the needs of people who are harder to reach can be considered in the planning process
  - minimising conflict through encouraging early engagement and joint working with local community groups
  - producing better outcomes that meet local aspirations and requirements

## 2.0 Involvement in Planning Policy

- 2.1 The Council, as LPA, is required to produce a Local Plan for its area. The preparation of SPDs are discretionary, being dependent on the need to add further detail to either topic- or site-specific policies in the Local Plan. The Local Plan is subject to greater levels of consultation and is examined by an independent Inspector prior to being adopted as policy, whereas SPDs require fewer stages of consultation and are not formally examined by an independent Inspector.
- 2.2 Local communities can also decide to prepare a neighbourhood development plan (NDP) for their locality. Such plans are also subject to consultation and examination, as well as requiring approval via a local referendum. The LPA has an active role in assisting local communities with the production of their NDPs, covered later in this chapter.
- 2.3 There are many aspects to the community interests in Tunbridge Wells borough. There are local residents of all ages: people working locally; people with special needs; those from different racial, ethnic, and national groups, including the gypsy and traveller communities; and people of different faiths. There are also business groups and local traders; statutory and other agencies, service providers with responsibilities in the area; adjoining authorities; town and parish councils; varied voluntary organisations active locally; and the development industry. All have their areas of interest and consequent understandings and concerns.
- 2.4 Planning regulations require LPAs to carry out certain levels of community involvement in policy making and specify a number of organisations who must be consulted on policy documents. The bodies are known as statutory consultees (Appendix 1).
- 2.5 In addition, the Borough Council has a planning policy consultation database of individuals and interested bodies who have indicated that they wish to be informed of emerging policy and with whom we consult on policy formulation. This is regularly updated and anyone who wishes to be added to the database or to have their details amended can do so by contacting the Planning Policy team on 01892 554056 or by email at [planning.policy@tunbridgewells.gov.uk](mailto:planning.policy@tunbridgewells.gov.uk).
- 2.6 The specific consultation bodies identified in the Regulations are frequently involved in planning matters and their time is often at a premium. Equally, many voluntary and business organisations need to arrange meetings and canvas opinion to represent their members' views adequately. Also, people and organisations will have very different levels of understanding, ranging from those conversant with planning procedures to those likely to have had little or no previous involvement with the planning process.
- 2.7 Therefore, the Council will set out clearly how people can get involved in planning policy formation, and at what stage. It will provide clear and up-to-date timetables for consultation periods and participation exercises. It will provide consultation

documents as early as possible at each stage, to provide full opportunity to comment and engage in consultations.

2.8 To encourage the identification of issues and concerns at the earliest opportunity, the Council will follow two general principles:

1. To recognise the needs of different groups in the community by making communication timely, relevant, and accessible; and
2. To provide for community involvement in ways that make best use of people's time and available resources.

2.9 Furthermore, the Council will show how the views of the wider community and interested parties have been taken into account at the various stages of the evolution of a planning policy document through publication of consultation statements.

## Stages of consultation for Local Plans

2.10 Local Plans go through eight stages of plan making. Table 1 identifies what the Council will do at each stage, and how the community can get involved.

**Table 1: Stages of plan making for Local Plans**

<b>Stage 1</b>	Evidence base	The Council collects an up-to-date information base on a range of social, economic, and environmental matters.
<b>Stage 2</b>	Public participation in the preparation of a Local Plan (Regulation 18)	<p>a) Initial engagement</p> <p>The results of stage 1 are used to identify the main issues that the plan needs to address and the options that are available. This is presented in an 'Issue &amp; Options' document. An assessment of the plan's social, economic, and environmental impacts is also produced at this point, called a Sustainability Appraisal (SA).</p> <p>The 'Issues &amp; Options' document sets out the Council's initial thoughts about what a new Local Plan should contain and the issues it should address. It also sets out several possible options for where and how the future growth of the borough might be located. All statutory consultees and interest groups/individuals will be informed of the consultation to this document, which occurs over a minimum six-week period.</p> <p>b) Draft Local Plan</p> <p>Taking all consultation responses into account, the Council will draft its Draft Local Plan (DLP). The DLP is subject to a six-week consultation period, and in this time the Council will host exhibitions across the borough, for interested people to find out more about it. As before, all statutory consultees and interest</p>

		<p>groups/individuals will be informed of the opportunity to participate in the consultation of the DLP.</p> <p>The Council will take into account all of the representations which are made as a response to the DLP.</p>
<b>Stage 3</b>	Preparation of the Local Plan	The Council continues to develop the plan. This includes considering any comments from stage 2 and the findings of any new studies.
<b>Stage 4</b>	Publication of the Local Plan (Regulation 19)	<p>The Council publishes the final draft of the plan. A refined SA and proposed revisions to the Policies Map, showing any changes that would result from the adoption of the plan, are also published. The Council will undertake a public consultation for a minimum of six weeks, although the scope of representations which can be made during this period is limited to the 'soundness' or otherwise of the plan.</p> <p>A consultation statement will be produced, which provides a summary of the main issues raised by the comments at Stage 2. This assists the Council to review the representations and to consider what, if any, changes should be made to the plan before submission.</p>
<b>Stage 5</b>	Consider representations /objections	<p>The Council will consider any points raised during the publicity period and will make minor changes where required. If there are significant issues the Council may withdraw the plan and return to stage 3.</p> <p>Once all issues raised have been addressed, the plan can move to stage 6.</p>
<b>Stage 6</b>	Submission (Regulation 22)	The Council will submit the plan and any supporting documents to the Secretary of State to be examined.
<b>Stage 7</b>	Examination (Regulation 24)	An Inspector appointed by the Government will carry out an independent examination of the 'soundness' of the plan. Those who objected to the plan during stage 4 may be allowed to appear in front of the Inspector in person, at the discretion of the Inspector. He/she will consider all written representations.
<b>Stage 8</b>	Receipt of Inspector's report and adoption (Regulations 25 and 26)	The Inspector writes a report of the examination. This report will be publicly available. This report will contain the Inspector's recommendations and any Proposed Modifications (if necessary) to the planning document. If he/she considers proposed modifications to be significant 'material changes', the Inspector can advise a further round of public consultation, usually for six weeks. Once the Council receives the Inspector's final report, the plan must be changed in line with the recommendations if the Council wishes to adopt it. It is this version of the plan that will be adopted.



# Stages of consultation for Supplementary Planning Documents (SPD)

2.11 SPDs go through four stages of plan making. Table 2 identifies what the Council will do at each stage, and how the community can get involved.

**Table 2: Stages of plan making for SPDs**

<b>Stage 1</b>	Development of evidence base	The Council collects up to date information on a range of social, economic, and environmental matters.
<b>Stage 2</b>	Preparation of the draft SPD	The Council produces a draft version of the SPD based on the evidence collected at stage 1.
<b>Stage 3</b>	Consultation on the draft SPD (Regulation 12)	Once the draft document has been produced, the Council will undertake a public consultation for a period of between four and six weeks.  Any representations made will be considered and amendments will be made to the document where appropriate.
<b>Stage 4</b>	Adoption (Regulation 14)	The Council will adopt the SPD in line with Regulation 14 requirements.

2.12 The types of policy documents being produced, and their likely timescales, are set out in the Council’s adopted Local Development Scheme ([view the Local Development Scheme](#)).

2.13 In addition to the above documents, each stage of production of a Local Plan needs to be accompanied by a Sustainability Appraisal (SA). This document seeks to ensure that the policies and proposals in the Local Plan reflect sustainability principles. At the start of producing a plan, the Council will publish a SA Scoping Report for consultation, which describes the method proposed for assessing sustainability objectives. A full appraisal of all the key features of the plan is then undertaken using this method, and the findings are made available for consultation alongside the new plan. SPDs do not require a SA.

2.14 The Council recognises that the public, our communities, and stakeholders can offer a wealth of expertise and assistance through involvement in the early stages of policy formulation and plan preparation. Chapter 3 of this SCI sets out the types of communication techniques the Council will use, as considered appropriate for the plan being prepared and the stage reached, to ensure as many as possible have the opportunity to be involved.

## Duty to Cooperate

- 2.15 In relation to plan making, the Government introduced a Duty to Cooperate, set out in the Planning and Compulsory Purchase Act 2004, and amended in the Localism Act 2011; of which many of the consultees covered by the Duty to Cooperate are already included in the list of 'statutory consultees' and 'general consultation bodies'.
- 2.16 The Duty to Cooperate is not defined as consultation, but ensures that the Borough Council works with neighbouring authorities and other public bodies (prescribed in the Town and Country Planning (Local Planning) (England) Regulations 2012) to address strategic issues that affect local plans and which cross local authority boundaries. Such strategic issues can include matters such as the movement of people, vehicles or water, infrastructure provision, meeting levels of housing and employment need, and impact of ecological/biodiversity designations, amongst others.
- 2.17 The Council will report on how it meets the Duty to Cooperate in its Authority Monitoring Report. It will fully meet the spirit and letter of the legislation and supporting guidance in collaborating on strategic matters affecting the borough. It will seek to agree 'statements of common ground' with all its neighbouring local planning authorities.

## Neighbourhood Development Plans

- 2.18 Neighbourhood Development Plans (NDPs), more commonly referred to simply as 'Neighbourhood Plans', were introduced into the planning system through the Localism Act 2011 as an opportunity to allow communities to take responsibility for land use planning in their area. At the same time, NDPs need to be in general conformity with the strategic policies of the LPA which are set out in its Local Plan, as well as have regard to the NPPF and accord with relevant legislation.
- 2.19 Neighbourhood plans, when finally approved (referred to as 'made'), become part of the statutory development plan, which means that they are a key document in the determination of planning applications in that area.
- 2.20 The responsibility to produce a Neighbourhood Plan lies with the qualifying body (a parish council, a town council or, in a non-parished area, a neighbourhood forum). The extent to which a prospective forum has included residents, business, and local elected members from across the neighbourhood area will be one of the factors the Council will consider in deciding whether to designate the group as a neighbourhood forum. An application for neighbourhood forum designation must include a copy of the forum's written constitution and a statement of how it will meet the conditions for designation as a neighbourhood forum set out in the Localism Act.
- 2.21 The Neighbourhood Planning Act 2017 was introduced to strengthen neighbourhood planning by: ensuring that planning decision-makers take account of well-advanced

neighbourhood development plans; requiring parish councils and designated neighbourhood forums to be automatically notified of future planning applications in their area; and by giving neighbourhood development plans full legal effect at an earlier stage.

- 2.22 There is no consultation on single parish designations. If, however, the designation is for a neighbourhood forum, or if the area differs from the parish boundary, then the Council will consult on the application for a minimum of six weeks. A neighbourhood area designation (or decision) will be publicised on the Council's website.
- 2.23 The Borough Council will provide support to neighbourhood plan groups by:
- meeting with them to discuss their plan and how to progress with it
  - providing training where appropriate, including how to undertake site assessments, and explaining the legal requirements of a NDP, set out in the NPPF
  - sharing any evidence that can be used to inform their evidence base and/or draft NDP
  - reviewing and providing feedback on their evidence base and draft content, from initial stages through to pre-submission
- 2.24 The Council will also provide the necessary screening in relation to a need for a Strategic Environmental Assessment (SEA), in consultation with the statutory environmental bodies.
- 2.25 Consultation procedures for NDPs are set out in the Localism Act 2011, the Neighbourhood Planning (General) Regulations 2012 as amended, and in updated Planning Practice Guidance ([see Government guidance on Covid-19](#)).
- 2.26 The qualifying body is responsible for consulting upon a draft (pre-submission version) Neighbourhood Plan. When the consultation responses have been considered and any appropriate amendments made to the plan in the light of the comments, a final draft 'submission' version of the plan is produced and submitted, along with other necessary documentation, to the Council.
- 2.27 Once received, it is the role of the Council, once it is satisfied that the submitted plan and accompanying material complies with all relevant legislation, to undertake further, formal publicity of the NDP and to invite written representations over a period of at least six weeks.
- 2.28 During this consultation period, the Council will:
- work closely with the relevant parish/town council or neighbourhood forum to publicise the consultation using methods such as leaflets, posters, social media channels, press releases, and a press notice
  - publicise the Neighbourhood Plan on its website and ask the qualifying body to do the same

- contact any consultation bodies who are referred to in the Consultation Statement
- respond proportionately to emails/telephone queries upon request
- make consultation documents available to download from the Council's website

2.29 The Council will also liaise with the relevant qualifying body to have a paper copy of the NDP and other submission documents available for inspection, particularly during consultations and once the plan has been made.

2.30 The commitments set out in paragraphs 2.28 and 2.29 will be subject to the availability of resources, accommodation, and to any restrictions that may be in force (*see paragraph 3.22 for further details*).

## 3.0 Consultation techniques for local planning documents

- 3.1 The Council deploys a wide range of consultation techniques to engage with the community on its Local Plan and any SPDs, ranging from postal surveys to hosting public exhibitions and workshops. With advancements in digital services and telecommunications, and in line with recent Government advice, particularly in light of the Covid-19/Coronavirus pandemic, the Council will endeavour to use technology to its best ability to engage with the community by means that are reasonably practicable. It is likely that there will be continuing innovation in this area and the Borough Council will endeavour to explore the use of new methods of working and engagement.
- 3.2 It is important that the consultation techniques used offer as many opportunities to be involved as possible and that the communication is effective. The Council currently works with many partners who are already engaged in, and take interest in, planning matters. Accordingly, work will progress towards more creative partnership working, particularly through existing bodies (such as the town and parish councils, Town Forum, and local schools and colleges).
- 3.3 The network of town and parish councils within, and adjoining, the borough can have a particularly valuable role, by drawing together the range of issues and interests relevant to the areas they cover and the local communities they serve. Liaison with organisations such as the Town Forum and Royal Tunbridge Wells Together (Business Improvement District) will also be undertaken to inform local plan policies and proposals.
- 3.4 Opportunities for joint discussions on issues of common interest, combining consultation exercises and engaging with existing forums and groups, will be pursued wherever possible. The Borough Council will also be mindful of the need to consider meeting with individual organisations on a one-to-one basis. In a few cases, planning mediation using a third party may be advantageous in the later stages of negotiations.

### Website/emails

- 3.5 Use will be made of the Borough Council's website to post documents, progress reports, advice on opportunities for participation and to identify consultation arrangements ([see the Planning Policy web pages](#)).
- 3.6 To help interested parties prepare to submit comments within the consultation period, the Borough Council's website will prominently advertise the programme of the forthcoming consultation, while, where practicable, notice will be sent to consultation bodies and those who have registered an interest via the Council's consultation portal.

- 3.7 Where relevant, the Council's consultation portal will be used to enable people to view and comment on draft documents online during the relevant consultation periods. All those who have registered with the consultation portal and provided an email address will be notified of the various documents published and their consultation timescales. As increasing use is being made of electronic communications, anyone interested in receiving notification of a consultation is encouraged to register themselves on the consultation portal ([go to the consultation portal](#)) or by contacting Planning Policy on 01892 554056 or by emailing [planning.policy@tunbridgewells.gov.uk](mailto:planning.policy@tunbridgewells.gov.uk).

## Media

- 3.8 Often, the Council will advertise in the local press. Local newspapers and radio will usually be notified of forthcoming consultations through the issuing of press releases and the offer, where relevant, of a press briefing. In addition, any necessary statutory notices and advertisements will be sent to the local press (usually the Wealden Advertiser and The Tunbridge Wells Courier in the case of planning policy documents and the Kent Messenger in the case of planning applications). The Council will also include articles and news items in its own quarterly magazine called 'Local, which is delivered to all households in the borough, to publicise consultation events where publication dates and consultation dates correspond.

## Social media

- 3.9 Use will be made of the Council's Facebook and Twitter accounts to publicise draft policy documents where appropriate and the wider use of social media will continue to be explored as a way of reaching a wider audience. Virtual Question and Answer (Q&A) sessions may also be used to engage with the community through these social media platforms, and opportunities investigated for links to recorded video briefings on major (Local Plan) consultations.

## Paper documents

- 3.10 The Council will ensure that paper copies of planning policy documents will be available for public viewing at its offices and, where deemed necessary, in public libraries. Upon request, a paper copy of all Local Plan and SPDs may be provided to town and parish councils, the Town Forum and to statutory bodies.
- 3.11 Copies of documents can also be purchased by community groups and the public and can be translated/enlarged to suit specific needs, on request.

- 3.12 Wherever practicable, the Council will ensure that paper documents are available for inspection. Temporary arrangements may need to be in place in exceptional circumstances, as set out below in paragraph 3.22.

## Surveys/questionnaires

- 3.13 The Council will continue to use surveys and questionnaires during early stage engagement as part of the consultation process and in conjunction with other consultation methods, to determine attitudes and opinions of the community.

## Public exhibitions

- 3.14 For Regulation 18 consultation on the Local Plan, the Council will seek to organise a series of local exhibitions in each of the main settlements. These will generally be held in late afternoon/early evening, to ensure that there is a range of times that people can visit, or, if relevant, during the morning or afternoon on a Saturday. These will be widely publicised on the website and through other media opportunities. Posters and leaflets will be displayed in advance of the local event on noticeboards and in Council-owned car parks in the borough. Town and parish councils will also be made aware of such exhibitions and encouraged to publicise these events on their own websites/noticeboards. If there are particular groups for whom engagement may be difficult, if requested then questions raised at the exhibition by those groups will be gathered together and answers provided to those groups through an appropriate form of communication.
- 3.15 For Regulation 19 consultations on the Local Plan, where the scope of comments is focused on the soundness of the Local Plan, three public exhibitions will be held, normally at Royal Tunbridge Wells/Southborough; Cranbrook or Hawkhurst, and Paddock Wood, with the exact location to be determined dependent on content of the plan. This number, and likely location reflects the narrower scope of the Regulation 19 consultation whilst ensuring that there is a good spread across the main settlements of the borough.
- 3.16 At the time of writing, the Council is having to operate on a socially distanced basis, and there is no clear timetable as to when this will end. In light of the current restrictions on movement imposed by Government to combat Covid-19/Coronavirus ([see Government guidance](#)), consulting at public exhibitions may not always be possible. The Council will endeavour to find innovative ways to carry out virtual exhibitions, which may be achieved through video conferencing, or, by abiding by national guidance, to safely carry out socially distanced exhibitions. The Council will provide as much detail and information as it can on the documents subject to consultation, and any online exhibition material will likely be promoted through social media, posters, and leaflets.

## Briefings

- 3.17 For most Local Plan and SPD consultations, the Council will hold briefing sessions for parish and town council chairmen, the Town Forum, developers and planning agents, secondary school/colleges and the business community of Royal Tunbridge Wells and other settlements in the borough. Attendees will be able to find out more about the specific proposals or policy document. These briefings are likely to be held at the Town Hall or a relevant secondary school, but may be moved into a more local community settings where attendance is likely to be enhanced (such as a school hall for engaging with young people).
- 3.18 The Council will also investigate opportunities to provide recorded briefings through its website.

## Feedback

- 3.19 In assessing responses and the outcome of statutory consultations, the Borough Council will:
- after a formal Local Plan consultation, summarise the comments received and its response to them in a consultation statement that will be made available on the Borough Council's website
  - make findings available on the Council's website of feedback following public questionnaires, workshops, and other forms of engagement
  - produce a consultation statement for SPDs, setting out the outcome of engagement from interested people in the preparation of a draft SPD
  - produce a statement setting out who, how, and when bodies and people were invited to make representations, when submitting a development plan document to the Secretary of State
- 3.20 Responses to consultation on the SA/Strategic Environmental Assessment (SEA) will be taken into account during the preparation of the Local Plan.
- 3.21 When a document is adopted, a statement will be made available on the Council's website and in the Council's offices (at the Gateway in Tunbridge Wells), summarising how the SA/SEA have been taken into account in the document's preparation.

## Exceptional circumstances

- 3.22 There may be consultations where it is not possible to meet face to face or to publicise consultations by usual means, due to circumstances beyond the Council's control, such as the Covid-19/Coronavirus pandemic, by which the Government has imposed restrictions on movement in its efforts to combat the virus ([see](#)



[Government guidance](#)). In light of any restrictions, the Council will endeavour to use appropriate temporary methods for consultation on its own and neighbourhood planning documents, such as digital and site notice publications, virtual exhibitions, digital consultations, video conferencing, social media, and providing documents for inspection on its website, to ensure that it remains committed to effective community engagement, in line with the most up-to-date Government guidance.

## How your comments help

- 3.23 The information the Council obtains through community and stakeholder engagement will be used to inform its decisions and shape the documents it produces. The Council acknowledges that an important part of community involvement is to report back to those who have taken the time to get involved. While comments are welcomed and encouraged, it may be difficult to find solutions that satisfy all, but the Council will listen and seriously consider all comments and suggestions that are put forward in response to consultations.

# 4.0 Consultation on planning applications and notifications

- 4.1 As well as the preparation of new Local Plan documents, the community can also be involved in the process of determining planning applications considered by the Council as the LPA.

## Pre-application stage

- 4.2 The Council encourages applicants or their agents to discuss their proposals with planning officers before making a formal application. Full details of procedures for this, including fees where applicable, are clearly shown on our website ([see Pre-Application Advice](#)). We have also produced an information sheet on pre-application advice, which sets out guidance to help ensure applications are properly made and can progress quickly through the planning system. Applicants are also encouraged to undertake pre-application discussions with other consultees, where relevant (such as Kent County Council Highways, or the Environment Agency).
- 4.3 The Council has a key role to play in encouraging interested parties to take full advantage of the pre-application stage. The more issues that can be resolved at pre-application stage, including the need to deliver improvements in infrastructure, the greater the wider benefits. Statutory planning consultees will need to take the same early, pro-active approach, and provide advice in a timely manner throughout the development process, for their role in the planning system to be as effective as possible. This will also assist the Council in issuing timely decisions, helping to ensure that applicants are not met with unnecessary delays and costs.
- 4.4 It is at this early stage in discussing planning applications that potential applicants/developers will be encouraged to engage effectively with communities, neighbours of sites, the Council, infrastructure providers, and other interests throughout the planning process (please see below). Emerging planning policy sets out that applications that can demonstrate early, proactive, and effective engagement with the community will be looked at more favourably than those that cannot.
- 4.5 The Localism Act makes it compulsory for developers to consult local communities before submitting certain planning applications. The requirements cover three points:
- developers must consult communities before submitting certain planning applications, having regard to any advice that their local planning authority may provide
  - they must consider any responses they receive before they finalise their proposals and submit their applications

- when submitting their application, they must account for how they have consulted the local community, what comments they have received, and how they have taken those comments into account

- 4.6 Where a major and/or controversial development is proposed, applicants will be expected to carry out pre-application community engagement that is tailored to reflect the nature and scale of the proposed development. These community engagement arrangements will be managed, organised, and funded by the potential developer.
- 4.7 In other cases, voluntary and proportionate consultation is recommended. This will vary dependent on the scale and location of the development, but it is a strong expectation that as a minimum (for a small-scale proposal such as an extension) that the applicant discusses the proposals with their neighbours at the pre-application stage. Ultimately it will be for an applicant to decide in what ways they wish to undertake such consultation. This consultation should be recorded on the application, and if no consultation has taken place, an explanation as to why not. First and foremost, we must ensure that the probity of the Council is secured at all times.

## **Benefits of pre-application community involvement**

- 4.8 Early engagement has significant potential to improve the efficiency and effectiveness of the planning application process for all parties. Good quality pre-application discussion will result in better coordination between public and private resources and in improved outcomes for the community.
- 4.9 It is at this stage, before a planning application is submitted, that local people can have the greatest influence on development proposals and feel engaged in the process. Pre-application community involvement activities will give members of the public the opportunity to have their say while the details of the scheme are still being put together. The early exchange of information about the site and its surroundings is likely to produce a scheme that better fits its local environment and is of higher quality design.
- 4.10 Pre-application community involvement is also important from a business point of view in that it may well prevent abortive work being carried out or unnecessary delay in the planning approval stage.

## **The application stage**

### **How we will consult with neighbouring residents**

- 4.11 The Council will continue to publicise planning applications to meet our objective of involving the community in the planning application decision-making process.

- 4.12 However, there are a number of different types of applications and notifications (i.e. not just planning applications), including a number of 'light touch' notifications introduced by the Government in recent years. Many of these are 'time limited', and have different legislative requirements in respect of consultation to planning applications and the matters which can be considered in their determination are often narrower. Therefore, the following information on consultation only relates to applications for planning permission. Consultation on other applications and notifications varies depending on the type of application/notification.
- 4.13 Consultation on planning applications is as follows:
- any residents who are registered through the Council's website (and have set up an 'area of search') to receive planning application notifications will receive an email notification
  - at least one site notice will be placed at the property, which will be clearly visible and readable from a public place
  - all applications will be available on the Council's website and certain applications will be advertised by press advertisement
  - the results of any such consultations will be reported and taken into account in decisions made by, and on behalf of, the Council
- 4.14 All members of the public are highly recommended to register their interest, and to regularly review their registered email account. Registration can be undertaken by clicking here: <http://www.tunbridgewells.gov.uk/notify>. This includes a document which explains clearly, step by step, how one can sign up to register for these emails, and how site notices are and will be displayed based on site configurations. The document is publicised periodically by the Council, including by social media.
- 4.15 Weekly lists of applications can be searched online by ward and parish and all applications and notifications, including plans, are available for viewing online. It is possible to search for applications and notifications in a number of ways, including by street, ward, or parish, or by viewing the online map, and to register through the website so you can be alerted to any applications or notifications within a particular locality (for example, near where you live). The Council's website can be accessed from the Gateway in Tunbridge Wells, and libraries for those without access to a computer. Information on how to comment on planning applications only, and advice on issues that are relevant to decisions on planning applications, is provided on the Council's website.

## How we will consult with statutory consultees

- 4.16 Statutory consultees, including essential service providers where relevant, will be consulted on relevant planning applications in line with national legislation and guidance, and regard is had to all comments received.

- 4.17 Town and parish councils are important consultees on planning applications and the Council carefully considers all comments received from them. Most town and parish councils have open planning meetings where residents, etc can speak. It is suggested any interested parties contact the local town or parish council to check specific arrangements.
- 4.18 In addition, various local organisations are actively involved in planning matters and regularly make representations. These are varied but include: Conservation Area Advisory Committees; local amenity groups; and local resident associations. The Council will continue to ensure that these organisations are able to engage and have access to planning information via the Council's website.
- 4.19 The majority of planning applications are determined under delegated powers (i.e. by senior officers in Planning Services), but some are determined by the Planning Committee. Applicants, and those making comments, have an opportunity to speak at the Borough Council's Planning Committee meetings if an application is reported to it. These will be proposals for significant major development (20+ residential units/1,000sqm floorspace) recommended for approval, 'called in' by Council Members in accordance with the Council's Constitution, submitted by or on land owned by the Council, or referred by the Head of Planning, determined by the Planning Committee. Full details, including how to register to speak, are available on the website.
- 4.20 As soon as a formal decision is made on an application, the decision notice will be published on the website, along with the relevant 'delegated' or 'committee' report (and minutes), which explains how the Council has reached its decision.

## Planning appeals

- 4.21 If an application for planning permission is refused by the Council, or it is granted with conditions, an appeal can be made to the Secretary of State against the refusal or the conditions attached. All comments received by the Council before the decision was made will be forwarded to the Planning Inspectorate. Those who submitted comments will receive a notification from the Council to inform them of the appeal decision, and of the opportunity to provide additional comments to the Planning Inspectorate (or sent to the Council to forward on).
- 4.22 All details and information relating to appeals are made available on the Council's website under the application number, within the 'Documents' tab.

## Customer service and feedback

- 4.23 In addition to consulting on individual planning applications, the Council seeks feedback from customers on the way the planning service is provided. We do this in the following ways:

- seminars for town and parish councils
- a focus group for planning agents (architects, surveyors, and others who regularly submit applications), including the use of questionnaires

4.24 The feedback is used as part of the regular monitoring and review of planning services.

## 5.0 Where can you get additional help and advice?

- 5.1 Principal government documents relating to the new planning system are the Localism Act 2011, National Planning Policy Framework (NPPF, 2019) ([see the NPPF](#)) and the Planning Practice Guidance (PPG, periodically updated) ([see the PPG](#)). The Ministry of Housing, Communities and Local Government, as the department responsible for planning and local government, is leading the changes in the planning system. The relevant government website is <https://www.gov.uk/government/organisations/ministry-of-housing-communities-and-local-government>.
- 5.2 If you seek independent help and advice on any planning matter you can contact:  
Planning Aid England, RTPi  
41 Botolph Lane  
London EC3R 8DL  
E-mail: [southeast@rtpi.org.uk](mailto:southeast@rtpi.org.uk)  
[View the Planning Aid website](#)
- 5.3 Useful general information on the planning system can be found on the Planning Portal ([see the Planning Portal](#)).
- 5.4 Please contact Planning Policy if you need any further support or advice regarding this document:  
Planning Policy  
Planning Services  
Tunbridge Wells Borough Council Town Hall  
Civic Way  
Royal Tunbridge Wells Kent TN1 1RS  
  
Telephone: 01892 554056  
E-mail: [planning.policy@tunbridgewells.gov.uk](mailto:planning.policy@tunbridgewells.gov.uk)

# Appendices



# Appendix 1: List of statutory and general bodies

## Statutory Consultation Bodies

The statutory consultees (specific consultation bodies) that the regulations require the Council to consult are:

- The Environment Agency
- Historic England
- Natural England
- Network Rail
- Highways England
- Kent County Council
- Town and Parish Councils
- Kent Police
- Adjoining authorities
- Telecommunications providers
- Kent and Medway NHS Trust
- Utility providers (water, sewerage, gas, and electricity)
- Homes England and Regulator of Social Housing
- Secretary of State for Transport
- The Civil Aviation Authority

## General Consultation Bodies

The general consultees (general consultation bodies) that the regulations require the Council to consult, where appropriate, are:

- Conservation Area Advisory Committees, Civic Societies, local amenity groups, local resident associations, neighbourhood forums, Town Forum
- Voluntary bodies
- Bodies which represent the interests of different racial, ethnic, or national groups
- Bodies which represent the interests of different religious groups
- Bodies which represent the interests of people with disabilities
- Bodies which represent the interests of persons carrying on business

# Appendix 2: Glossary

Authority Monitoring Report (AMR)	Local planning authorities are required to produce regular reports, assessing progress with and the effectiveness of, planning policy documents such as the Core Strategy and Site Allocations Development Plan Document. Formerly known as the Annual Monitoring Report.
Consultation	Procedure for assessing public opinion about a plan or major development proposal, or in the case of a planning application, the means of obtaining the views of affected neighbours or others with an interest in the proposal.
Core Strategy	The Core Strategy is a long-term strategy document, which sets the overarching agenda for future planning and decision making in the borough by defining how much development of each main type will take place and broadly where it will go. The Borough Council's Core Strategy was adopted in 2010, setting growth between 2006 and 2026.
Development Plan	As set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan consists of the Development Plan Documents contained within its Local Development Framework.
Development Plan Document	A Local Development Document, which must be subjected to a statutory adoption process before it can be formally adopted by the authority. The process consists of consultation, submission of the document to the Secretary of State, Independent Examination, receipt of Inspector's Report, and formal adoption. They can include a Core Strategy, Site Specific Allocations of land, and Local Plan.
Independent Examination	The process of formal consideration and examination of draft Development Plan Documents, conducted by an independent inspector, appointed by the Secretary of State, or by an independent Examiner in the case of neighbourhood plans.
Inspector's Report	A report issued by the Inspector who conducts the independent examination, setting out their conclusions on the matters raised at the examination and detailing the amendments which they require the local planning authority to make to the submitted document. The report is binding.
Issues and Options	Produced during the early production stages of the preparation of DPDs and may be issued for consultation.
Local Development Document (LDD)	These include statutory Development Plan Documents (DPDs) and non-statutory Supplementary Planning Documents (SPDs), which together deliver the spatial planning strategy for the local authority area.
Local Development Scheme (LDS)	A document setting out the local planning authority's programme for its Local Plan; in particular, the Local Development Documents it intends to produce and the timetable for their production and review.
Local Plan	A Development Plan Document that sets out the long-term spatial vision for the borough, the spatial objectives, and strategic policies to deliver that vision.
Major Development	As defined in the NPPF, page 68: For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development it means additional floorspace of 1,000m <sup>2</sup> or more, or a site of 1 hectare or more, or as otherwise provided in

	the Town and Country Planning (Development Management Procedure) (England) Order 2015.
National Planning Policy Framework (NPPF)	<p>The document which sets out the Government's planning policies for England and how these are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in decisions on planning applications. It replaces Government planning policies previously set out in Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs).</p> <p>Further guidance on particular topics, entitled Planning Practice Guidance, is provided on the Department of Communities and Local Government website. This is intended to supplement the NPPF and be updated as necessary.</p>
Neighbourhood Plan	Formally referred to as Neighbourhood Development Plans, Neighbourhood Plans were introduced into the planning system through the Localism Act 2011 as an opportunity to allow communities to set planning policies to guide development in their areas.
Planning Inspectorate (PINS)	Government body whose main work is the processing of planning and enforcement appeals and holding inquiries into local development plans. They deal with a wide variety of other planning related casework including listed building consent appeals, advertisement appeals, and reporting on planning applications.
Statement of Community Involvement (SCI)	This sets out the methods and standards which the planning authority intend to achieve in relation to involving the community in the preparation, alteration, and review of all LDDs and in development management decisions. The SCI was originally subject to independent examination, but this is no longer the case and it is now approved by the local authority.
Strategic Environmental Assessment (SEA)	A generic term used to describe environmental assessment as applied to policies, plans and programmes. The European 'SEA Directive' (2001/42/EC) requires a formal 'environmental assessment of certain plans and programmes, including those in the field of planning and land use'. It is a tool for integrating environmental considerations into decision-making by ensuring that any significant environmental effects of the decision are taken into account. The Strategic Environmental Assessment must form an integral part of the adoption process for Development Plan Documents and must be taken into account from the initial stages of plan preparation.
Supplementary Planning Document	Documents which add further detail to planning policies. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents can be a material consideration in planning decisions but are not part of the development plan.
Sustainability Appraisal	An appraisal 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.

**If you require this document in another format,  
please contact:**

**Planning Policy**

**Planning Services**

**Tunbridge Wells Borough Council**

**Town Hall**

**Royal Tunbridge Wells**

**Kent TN1 1RS**

**Telephone: 01892 5 5 4 0 5 6**