

## Appendix 2



# LIVERPOOL STATEMENT OF COMMUNITY INVOLVEMENT

2013



## INTRODUCTION

- 1.1 The Statement of Community Involvement (SCI) sets out how the City Council will engage the local community in the development of planning policy and the determination of planning applications in Liverpool.
- 1.2 The requirement to produce a SCI was introduced in the 2004 Planning and Compulsory Purchase Act, and the City Council adopted the current SCI in July 2007. There is a need to review the current SCI in light of the new changes the way the Planning Service interacts with the general public and key stakeholders, and the use of electronic communication to undertake consultation having increased significantly. More recently there have been changes to the Planning system, notably the introduction of the Localism Act in 2011 and the publication of the National Planning Policy Framework in 2012.
- 1.3 Planning shapes the neighbourhoods in which we all live and work, and it is important that people have the opportunity to be involved and influence decision making. The National Planning Policy Framework places importance on community engagement in the development of Local Plans:

*‘Early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. A wide section of the community should be proactively engaged, so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area, including those contained in any neighbourhood plans that have been made.’*

### Local Planning Policy

- 1.4 Liverpool City Council is required to prepare a Local Plan which sets out how sustainable development will be delivered across the City. It will identify sites for development and set out clear policies on the types of development which will be permitted and where. Planning applications will then be assessed against these policies and site allocations. Policies in the National Planning Policy Framework are also a material consideration when determining planning applications.

### Planning Applications

- 1.5 Planning permission is required for the carrying out of any development of land. Consent is also needed for work affecting trees, listed buildings and conservation areas. Permission must be sought by submitting a planning application to the City Council.

### Statement of Community Involvement

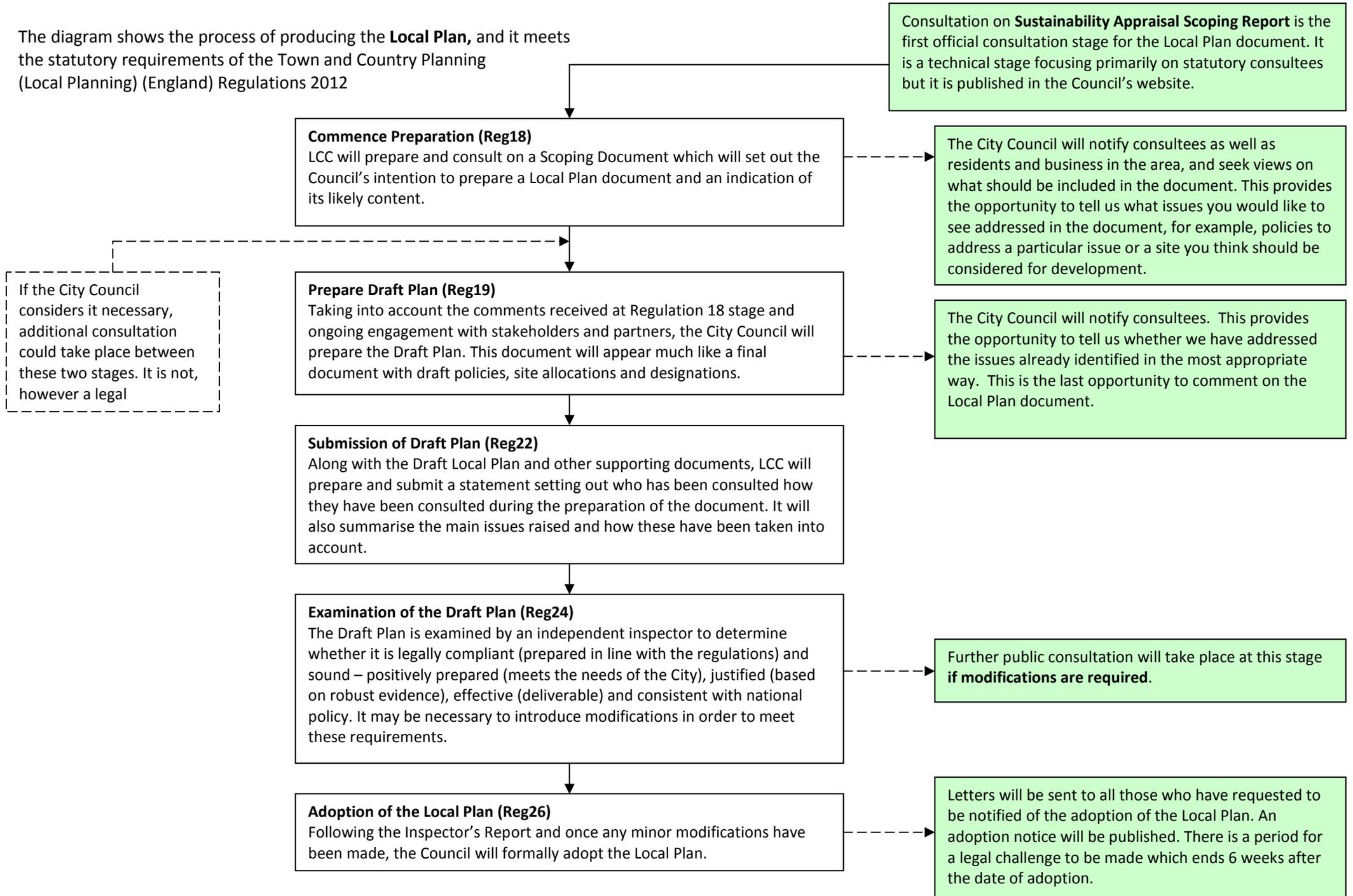
- 1.6 One of the City Council’s aims is to build strong attractive and accessible neighbourhoods by encouraging more engagement with local people and groups.
- 1.7 This document explains the process and requirements of the planning system, and sets out when and how the Planning Service will engage with the local community, businesses and other stakeholders in both the preparation of planning policy and in the determination of planning applications.

- 1.8 Good practice in community involvement embraces a wide range of activities and these depend on the purpose for which consultation is being undertaken and who is being consulted. The approach to community involvement in Liverpool focuses on information and participation.
- Information – providing information in a timely and accessible way
  - Participation – listening to and helping people to express their views at the most appropriate time and way.
- 1.9 The community in Liverpool is made up of interest groups some of which face barriers to engagement and difficulties in terms of participating in the planning process. These are known as ‘Hard to Reach’ groups and may comprise:
- Black and Minority Ethnic Groups
  - Young People
  - The elderly
  - Transient populations:- New residents, commuters and students, Gypsies and Travellers
  - People with disabilities
  - Lone parents (male or female)
- 1.10 In order to provide opportunities for involvement, specific types of consultation methods have been considered. As a general approach to engaging with these groups, information and documents will be provided in accessible locations, at convenient times and when requested in alternative formats such as minority languages and Braille. Public meetings, focus groups or work shops may also be used as a means of providing information and enabling feedback.
- 1.11 The following principles of community involvement underpin the City Council’s approach:
- Community involvement that is appropriate to the level of planning
  - Front loading involvement, i.e. early consultation
  - The methods used to encourage involvement should be relevant to the community’s experience and the policies under preparation
  - opportunities for continuing involvement
  - Transparency and accessibility

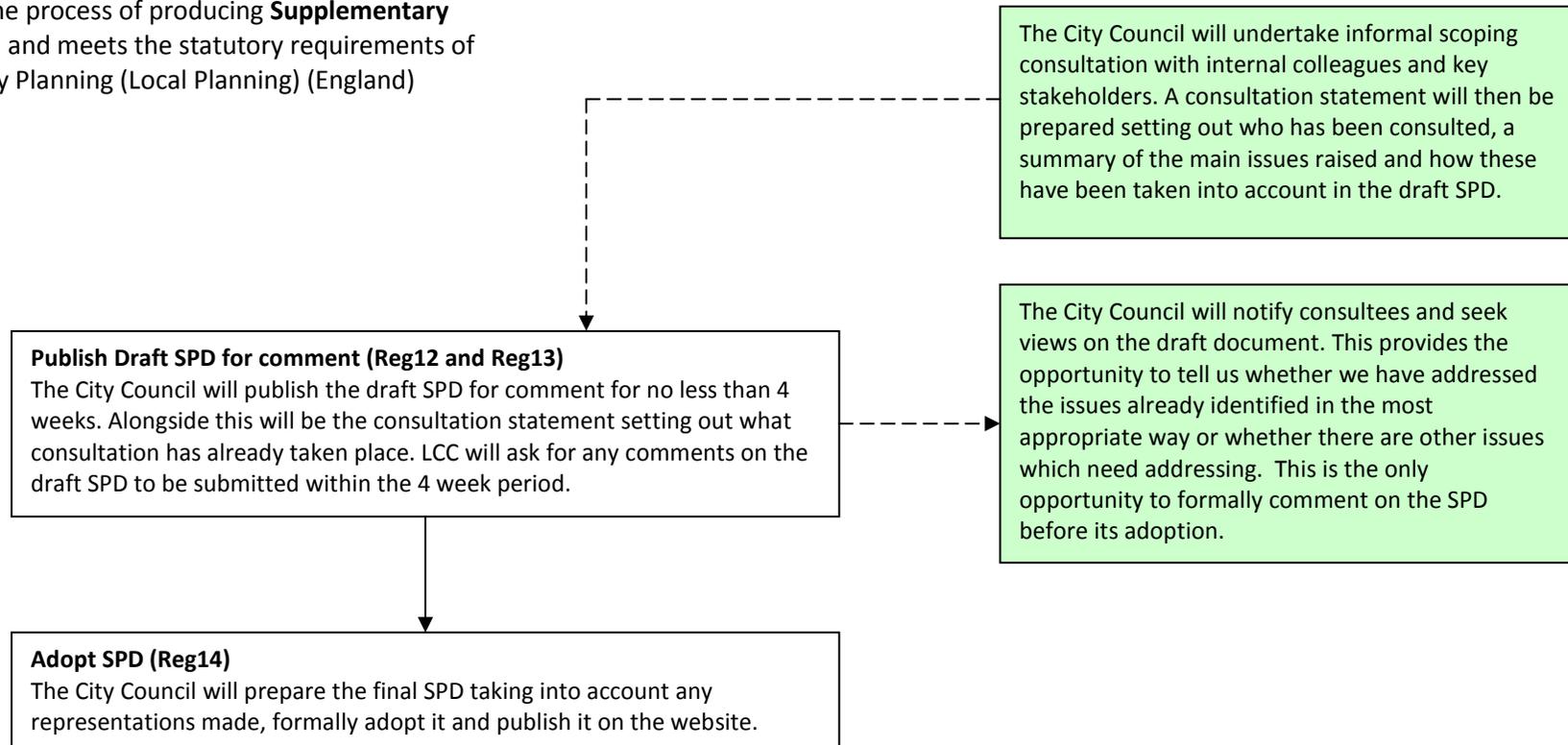
## **2. HOW WE CONSULT – LOCAL PLANNING POLICY**

- 2.1 The City Council is currently preparing the Liverpool Local Plan. It will include:
- strategic policies setting out broadly where new development will be located, and how the environment, open spaces and historic buildings will be managed;
  - detailed development management policies, which give specific guidance on all development issues such as design standards; and
  - site allocations – policies which allocate sites to help deliver the growth set out in strategic policies.
- 2.2 Once the Local Plan is adopted, it will replace the Unitary Development Plan adopted in 2002.
- 2.3 Supplementary Planning Documents may also be prepared but these are not included under the term 'Local Plan'. These should be prepared where they can help applicants make successful applications, e.g. providing guidance and clarification on Local Plan policies, or aid infrastructure delivery, but they should not add unnecessarily to the financial burdens on development.
- 2.4 The diagrams below set out the stages of Local Plan and Supplementary Planning Document preparation and highlight the opportunities for community consultation.

The diagram shows the process of producing the **Local Plan**, and it meets the statutory requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012



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### **Who We Will Consult**

- 2.5 Government regulations<sup>1</sup> set out the types of consultation bodies that we are required to consult in preparing **Local Plans**. These are:
1. “specific” consultation bodies who may have an interest in the Local Plan document;
  2. “general” consultation bodies who the City Council consider appropriate; and
  3. residents or those carrying out business in the area.
- 2.6 There are no requirements to consult any particular bodies, organisations or individuals for **Supplementary Planning Documents**, but the City Council will take a similar approach to that for consultation on Local Plans.
- 2.7 We have more than 2000 consultees on our database including residents, land owners, developers, LCC partners, infrastructure providers, neighbouring local authorities and town/parish councils. Please visit our website or contact the Planning Service if you wish to be added to our database.

### **How We Will Consult**

- 2.8 The City Council is required to undertake consultation in line with the 2012 Regulations<sup>2</sup>. The statutory obligations are to make the documents available for inspection at key locations and on the internet, and to receive comments for a period of at least six weeks. We are also required to notify the consultees set out in Paragraph 2.5 – this will be done electronically where possible.
- 2.9 The City Council may also follow best practice where appropriate for the Local Plan/SPD document that is subject to consultation. This will be determined taking into account the nature of the document, the geographical area affected, and the stage of the Local Plan preparation process. This could include:.
- Consultation portal – an online facility for viewing and responding to consultation documents.
  - Meetings and stakeholder events
  - Member briefings
  - Local media and press releases
  - Questionnaires or response forms
  - Public exhibitions, displays, road shows

### **Duty to Cooperate**

- 2.10 The National Planning Policy Framework introduced the requirement for local authorities to work with neighbouring authorities and statutory bodies when preparing Local Plans. This is termed the ‘Duty to Cooperate’. This is to ensure that strategic priorities across local boundaries are addressed and reflected in Local Plans.
- 2.11 The City Council will set out how it has cooperated with the ‘Duty to Cooperate’ bodies in the Authority Monitoring Report.

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<sup>1</sup> The Town and Country Planning (Local Development) (England) Regulations 2004, as amended in 2008, and 2011

<sup>2</sup> The Town and Country Planning (Local Planning) (England) Regulations 2012

### **What Happens After a Consultation Event?**

2.12 After the consultation period has closed, officers will consider each comment received. When the document reaches the next stage of preparation is published for consultation, it will be accompanied by a statement detailing consultation undertaken at the previous stage. More specifically it will set out:

- who was consulted,
- how they were invited to submit comments,
- a summary of the main issues raised and
- how these have been taken into account in preparing the consultation document.

Where possible, a full schedule of individual comments and planning officer responses will be published on the City Council's website. When a development plan document is submitted for formal examination a final consultation statement summarising the previous consultation will also be prepared.

### **3. HOW WE CONSULT – PLANNING APPLICATIONS**

3.1 The City Council deals with approximately 3000 planning applications each year. These range from simple house extensions to large retail or office developments. The Council also determines applications requiring conservation area consent, Listed Building consent and for work to protected trees. All these types of applications require similar levels of public consultation.

#### **Pre-application Process**

3.2 The Council, in accordance with the National Planning Policy Framework, places a strong emphasis on early engagement and aims to work with applicants in a positive and pro-active manner.

3.3 Therefore the Council welcomes and encourages pre-application discussions between applicants, their agents, developers or interested parties. The pre-application service for commercial applications is subject to a fee. The schedule of charges can be downloaded from the Planning section on the Council's website.

3.4 Where appropriate, we offer a development team approach which outlines our commitment to prospective developers and is designed to:

- Encourage pre-application discussions as a crucial element in delivering major regeneration projects.
- Provide an established timetable identifying key dates and timescales in the handling of major planning proposals.
- Involve relevant council departments and key external consultees.
- Set out the responsibilities of both the council and the developer.
- Encourage consultation with the community and Members at an early stage in the development process.
- Establish a process for the case officer to manage the development project and resolve any potential problem areas.

3.5 Pre-application advice is also available for householder applications.

#### **Pre Application Consultation**

3.6 The Localism Act 2011 introduced requirements for developers to engage with local communities prior to the submission of certain planning applications. This requirement is placed on the developer and not the City Council.

3.5 The requirement covers 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.

### **Publicising and Consulting on Planning Application**

- 3.6 Once a planning application has been submitted, the City Council has a number of statutory obligations in terms of publicising and consulting on it. These are:
- Displaying site notices. For certain planning applications, a notice will be placed as close as possible to the proposed development site.
  - Placing notices in the local press. The City Council is required to advertise certain types of applications in the local press. Details of applications submitted are also available on the City Council website, and anyone can request to receive a list of applications submitted to the Council by email.
  - Send out neighbour notification letters. Residents in the area adjacent to the proposed development site will be notified by letter to the planning application.
  - Making information available online. The Planning Explorer interactive website allows a search of planning applications based on a number of fields, such as street, ward, development type etc, or by dates received, or by the individual planning application number.
  - Allow for the inspection of applications. Planning application material to be made available for inspection by a member of the public.

### **How to Submit Comments on a Planning Application**

- 3.7 Anyone is able to comment on a planning application, regardless of whether they are directly affected by the proposal or not.
- Comments must be submitted in writing
  - Comments can be submitted by email, letter or online
  - Late comments will be considered where circumstances allow

- 3.8 The determination of planning applications is a transparent process. All comments submitted to the Council will be published alongside all other material associated with the planning application on the Council's website and will be included in the Planning Officer's report on the application.

### **The Planning Committee**

- 3.9 If the application is straightforward and meets Council policies, the Head of Planning has the delegated authority to determine most applications even if objections are received. Approximately 90% of applications are delegated to officers under the Scheme of Delegation.
- 3.10 The Planning Committee is made up of elected Councillors. Applications are decided by the Planning Committee in the following circumstances:
- The proposal is a major scheme where objections have been received.
  - The proposal is a major scheme where support has been received and where officers are recommending refusal.
  - The application raises issues of planning importance or significant local concern.
  - The proposal has received two or more objections from ward Councillors.
  - An objection has been received to a proposal where the applicant is an elected Member, an employee of the City Council, or a relative of either of the former.

- 3.11 The Planning Committee meets roughly every 3 weeks. Planning Officers prepare an agenda for each meeting. The agenda is available 5 working days before the meeting and can be viewed online at the Planning pages of the LCC website.
- 3.12 Anyone can attend the Planning Committee to listen to the discussion, and supporters or objectors of the application can request to speak.

## **4. HOW WE CONSULT – NEIGHBOURHOOD PLANNING**

- 4.1 In 2011, the Localism Act introduced new powers for local communities to have a bigger say in what local planning policies operate in their area. The Government intends that communities can choose where new homes, shops and offices should be built; have a say on what those new buildings should look like; or grant planning permission for the new buildings communities want to see go ahead.
- 4.2 Neighbourhood planning gives communities power to develop a shared vision for, and deliver new sustainable development in their area. Neighbourhood Plans should help not hinder development.
- 4.3 The Act introduced a number of actions that the Council will be required to undertake in supporting local communities in the Neighbourhood Planning process.
- Publish the Neighbourhood Forum and Neighbourhood Area application for consultation
  - Publish the draft Neighbourhood Plan for consultation
  - Appoint the independent examiner and if necessary, arrange the referendum
  - If the Plan is successful at the referendum, The Council will 'make' (adopt) it and publish it on its website.
- 4.4 The community is responsible for undertaking informal engagement and consultation before the draft Plan is prepared. It is essential to consult the wider community in the early stages to increase the likelihood of the Plan being successful at Referendum. The Council will give advice or assistance to the community throughout the preparation of the Neighbourhood Plan.