

Subject: Local Plan, Statement of Community Involvement
Agenda No: Public item 10
Report No: 7
Meeting date: 15/10/2012
Report to: Board
Report of: Director of Planning Policy and Decisions

FOR DECISION

This report will be considered in public

1. SUMMARY

- 1.1. This report seeks Board approval to undertake public consultation on the Legacy Corporation's Draft Statement of Community Involvement (Draft SCI), which sets out how the community will be involved in the preparation of local planning policy documents and in the processing and consideration of planning applications. It describes how consultation can be carried out and when, what methods of consultation can be used and how comments received will be dealt with. It also identifies management, resource and monitoring issues. Once adopted by the Board, the Legacy Corporation is required to follow the procedures set out in the Statement of Community Involvement (SCI).

2. RECOMMENDATIONS

- 2.1 The Board/ are invited to:
- 2.2 **APPROVE** the SCI as attached at **Appendix 1** for the purposes of formal public consultation.
- 2.3 **DELEGATE** authority to the Director of Planning Policy and Decisions to make minor changes to the document if required.

3. TIMING

- 3.1. Agreement to proceed with formal consultation on the Draft SCI is considered **URGENT** as Board approval is required in order to proceed with preparation work and associated public consultation. Any delay in the progress with the SCI may impact on the Legacy Corporation's ability to meet the proposed timescales for production and adoption of a Local Plan, and could lead to uncertainty regarding public involvement in the planning process in the area covered by the Legacy Corporation.

4. BACKGROUND

- 4.1. On 1 October 2012 the Legacy Corporation became the Local Planning Authority (LPA) for its area, in place of the Olympic Delivery Authority (ODA), London Thames Gateway Development Corporation and the London Boroughs of

Hackney, Newham, Tower Hamlets and Waltham Forest. In addition to planning decisions functions, the Localism Act 2011 and the LLDC Planning Functions Order 2012, provide for the Legacy Corporation to be the plan making authority for its area.

- 4.2. When preparing local plans for the area, LPAs are required by Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended) to prepare a SCI. The SCI will essentially be the Legacy Corporation's policy as to how it will involve the community when exercising its planning functions – both in terms of plan making and decision taking.

Principles of consultation

- 4.3. Based on best practice guidance, the Draft SCI sets out a number of principles for consultation on planning:
 1. Frontloading - This relates to engaging the community from the early stages of document preparation, at a point where they can influence the content and focus of policies and where issues can be more easily addressed.
 2. Place shaping - the approach to engagement should ensure that key stakeholders and the community have an active role in shaping the place in which they live and can take more responsibility for finding their own solutions.
 3. Meaningful engagement - This refers to the shift from engagement as a tick box exercise to it being an integral part of the plan making process.
 4. Creating an integrated approach - this is essential to achieving consistency in the approach to engagement; helping the community to understand what they can expect and trust that getting involved is worthwhile.
 5. Appropriate and proportionate - engagement should be proportionate to the scale of issues involved and should be appropriate for each document, including which stakeholders are actively targeted and how many engagement opportunities there will be.
- 4.4. The Draft SCI also sets out a number of commitments to the community with regard to consultation on planning:
 - a) Use Plain English and avoid the use of planning jargon where possible.
 - b) Provide information in a range of easily accessible formats (e.g. in different languages, Braille, large print, electronic, paper copies).
 - c) Use a range of techniques to engage with different sectors of the community.
 - d) Make special arrangements to ensure that traditionally hard to reach groups have the opportunity to be involved in the planning process.
 - e) Make use of existing community and local interest groups and strive to achieve a more active role for them in the planning process.
 - f) Make use of existing partnership working arrangements, for example, with the London Boroughs.
 - g) Consider every response received.
 - h) Ensure fair and equal treatment of all sections of the community.
 - i) Provide feedback on consultation in a timely way.

These best practice principles and commitments will be applied in a way which ensures that consultation is undertaken when the proposals are still in a formative stage, that clear and adequate information is given to enable consultees to respond, that adequate time is provided in which to respond, and that the decision maker will give conscientious consideration to the response to the consultation.

Duty to Co-operate

- 4.5. Section 110 of the Localism Act 2011 inserts S33A into the Planning and Compulsory Purchase Act 2004, the 'duty to co-operate' in relation to planning of sustainable development. This duty includes a requirement for local planning authorities to co-operate with specified bodies when preparing local plans and other local development documents in order to maximise the effectiveness with which the documents are prepared and in particular, to 'engage constructively, actively and on an on-going basis' on strategic matters when preparing local plans and other local development documents. For the purpose of the Act, a 'strategic matter' is defined as: 'sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas'.
- 4.6. The Draft SCI states that the Legacy Corporation will work closely with the prescribed bodies¹ in order to ensure that the spirit of this statutory duty is met. It is likely that the detail of such agreements will be set out in the form of Memoranda of Understandings (MoU) with the Prescribed Bodies, and that any future statements of consultation prepared in support of the Local Plan will contain details of how the duty has been met.

The Community

- 4.7. The relevant area is home to a diverse community, and the Draft SCI sets out how the Legacy Corporation will seek to engage with different sections of the community in the plan making process and its development control functions.
- 4.8. In addition to the resident population, the local community is made up of a wide-range of other stakeholders, including: landowners; house builders; Registered Providers and other developers; local businesses, schools and other education institutions. The Draft SCI sets out a range of consultation methods which are flexible to ensure that the level of consultation is appropriate to the range of stakeholders, depending on the nature of their interest.
- 4.9. As well as the community itself, the Legacy Corporation must consult with a number of specific and general consultation bodies in our planning processes:
- **Specific consultation bodies** are statutory consultation groups that are often knowledgeable in certain subjects (for example the Environment Agency on flooding matters and utilities companies which operate in the area).
 - **General consultation bodies** include voluntary groups, business interests and hard-to-reach groups who may be interested to find out how the proposed changes may affect them.

Community involvement in the Local Plan

- 4.10. The Draft SCI sets out how the Legacy Corporation will involve the community in the preparation of the Local Plan and its supporting documents. The Draft SCI sets out a range of things that will be done at each stage of Local Plan preparation:
- Send letters² containing key information to specific and general consultation bodies, as well as to any member of the community who has requested to be directly informed.

¹ Specified in s33A and the 2004 Act and regulation 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and listed at Appendix 1 of the Draft Statement of Community Involvement

² Or email where there has been a stated preference for electronic communication

- Make all necessary documents available for inspection at the Legacy Corporation offices and in the local public libraries.
 - Make all necessary documents available for inspection on the Legacy Corporation website, including formal notices.
 - Inform the local media (television, press, radio and social networking where appropriate).
 - Place formal notices in the local press media where it is appropriate to do so (publication and adoption stages).
- 4.11. In addition to this, depending on the stage of preparation and the nature of the issue and sector of the community being consulted with, the Draft SCI also sets out a range of other consultation methods which may be used as appropriate, including workshops, seminars, one to one meetings and public displays/exhibitions, for example.

Public participation in decision taking

- 4.12. The Legacy Corporation's Planning Policy and Decisions Team (PPDT) are responsible for the processing of all planning applications within the area. Both publicity and consultation are a key part of the process. The Draft SCI therefore also sets out how the community and stakeholders can be involved in planning applications - at the pre-application stage, application stage and once a decision has been made.

Statement of Community Involvement Programme

- 4.13. The following programme is proposed for the production of the SCI:
- November/December 2012 – consultation on the Draft Statement of Community Involvement (six weeks).
 - January/ February 2013 – consideration of consultation responses.
 - February/ March 2013 – Adoption of the Statement of Community Involvement.

Conclusion and recommendation

- 4.14. This report seeks Board approval of the Draft SCI for the purpose of public consultation. The Draft SCI sets out how the Legacy Corporation will carry out consultation on local plans and on planning decisions. The Draft SCI has been developed using best practice advice and using information from the four London Borough's as well as previous ODA consultation strategies. Once adopted, the Legacy Corporation will be required to follow the procedures set out in the SCI, providing clarity and certainty for both the Legacy Corporation and the community regarding public consultation on planning issues within the area.

5. FINANCIAL IMPLICATIONS

- 5.1. The costs associated with the preparation and adoption of the Statement of Community Involvement has been included within the Legacy Corporation's annual budget and business plan. Costs predominantly relate to the required consultation activity and document production. The work associated with the preparation of the Statement of Community Involvement will be carried out using existing staff resources.

6. LEGAL IMPLICATIONS

- 6.1. The preparation of a Statement of Community Involvement is required by the provisions of the Planning and Compulsory Purchase Act 2004 (as amended) and must be carried out in accordance with the Town and Country Planning (Local Planning)(England) Regulations 2012. Once adopted, the Legacy Corporation will be bound to follow the procedures set out in the document, and this will be a key test of compliance with the statutory requirements (under section 19(3) of the 2004 Act) at any future Local Plan Examination. The SCI will not, however, form part of the Development Plan for the area.
- 6.2. Where specialist legacy advice is sought in the course of preparation or implementation of the Statement of Community Involvement this will be sought in consultation with General Counsel.

7. PRIORITY THEMES

- 7.1. The priority themes of the Legacy Corporation are: Promoting convergence and community participation; Championing equalities and inclusion; Ensuring high quality design; Ensuring environmental sustainability. These themes will be taken into account in developing the Statement of Community Involvement, which will in turn inform the development of the spatial strategy and planning policy which will form the Legacy Corporation Local Plan and help to direct development and regeneration decisions and the determination of planning applications within its area. An Equalities Impact Assessment of the Draft SCI has been undertaken and accompanies this report, at **Appendix 2**.

8. Appendices

- Appendix 1 – Draft Legacy Corporation Statement of Community Involvement
- Appendix 2 – Draft Statement of Community Involvement Equalities Impact Assessment

List of Background Papers:

Localism Act 2011
Town and Country Planning (Local Development) (England) Regulations 2012
National Planning Policy Framework 2012

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Draft Statement of Community Involvement

October 2012



[Standard Legacy Corporation information on availability of the document in other languages and Braille]

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1. Introduction

1.1 What is the Statement of Community Involvement?

The Localism Act 2011 and the National Planning Policy Framework (NPPF)¹ place emphasis on working closely with local communities at the heart of the planning system.

Local planning authorities are required to prepare a Statement of Community Involvement (SCI) which sets out how the community will be involved in the preparation of local planning policy documents and in the processing and determination of planning applications.

Once adopted, the Legacy Corporation is required to follow the procedures set out in the SCI.

This document sets out how the Legacy Corporation intends to involve the local community and other key stakeholders in local planning issues. It describes how consultation can be carried out and when, what methods of consultation can be used and how comments received will be dealt with. It also identifies management, resource and monitoring issues.

1.2 What area is covered by this Statement of Community Involvement?

The area we are planning for is shown in map 1, overleaf².

The Legacy Corporation formally became a Local Planning Authority (LPA) on 1 October 2012. As part of its function as an LPA, the Legacy Corporation must prepare a Local Plan which sets out the planning policies that will guide future development within its administrative boundary, and will guide the determination of future planning applications.

The Legacy Corporation will continue to work in partnership with the London Boroughs of Newham, Tower Hamlets, Hackney and Waltham Forest on planning matters as they affect their administrative boundaries.

1.3 How has this document been prepared?

Until October 2012, the London Boroughs of Newham, Tower Hamlets, Hackney and Waltham Forest, the Olympic Delivery Authority and the London Thames Gateway Development Corporation were the LPAs for the area which

¹ DCLG, 27 March 2012

² The boundary is defined by the London Legacy Development Corporation (Establishment) Order 2012

is now within the Legacy Corporation boundary. The four boroughs have prepared local planning documents which provided policy for their areas, including an SCI. Each of the four LPAs had undertaken considerable community engagement on their planning documents and this Draft SCI has used the results of that engagement as part of its evidence base.

In addition to the existing Borough local planning documents, a substantial amount of community engagement has taken place as the Legacy Corporation has developed its Legacy Communities Scheme and subsequent planning application. This community engagement has also been taken into account in preparing this Draft SCI.

The Legacy Corporation's overall engagement strategy, good practice examples and advice from the Greater London Authority (GLA), other local planning authorities, as well as the Planning Advisory Service, have also been drawn upon³.

1.4 Legal requirements

The legal requirements for consultation and community involvement in plan-making and planning applications are set out in:

Plan-making: Planning and Compulsory Purchase Act 2004; Town and Country Planning (Local Development) (England) Regulations 2012.

Planning applications: Town and Country Planning General Development Procedure order 1995 as amended by the Town and Country Planning (Development Management) (England) Order 2010.

This Draft SCI demonstrates how these requirements will be met to ensure that the whole community has the opportunity to be fully involved in the planning process.

1.5 What is the status of this document?

This is the Legacy Corporation's Draft Statement of Community Involvement (SCI), which has been prepared for consultation purposes, and as such we welcome comments on the content of this document.

Comments should be sent in writing to:
The Planning Policy and Decisions Team
London Legacy Development Corporation
Level 10
1 Stratford Place
Montfichet Road
London
E20 1EJ

³ A reference list can be found at Appendix 3 of this document.

Or by email to: planningpolicy@londonlegacy.co.uk

Comments should be received no later than **5pm on Monday 17 December 2012**.

We regret that Legacy Corporation cannot accept confidential or anonymous consultation responses on local planning documents.

Get involved

To make sure you are kept informed of future consultations about the Local Plan, register your interest with us at planningpolicy@londonlegacy.co.uk

Following consideration of the responses received on this document, the Legacy Corporation intend to formally adopt the final form of the SCI in February/ March 2013.

2. Principles of consultation

A key aim of the new planning system is to strengthen community involvement in terms of improved opportunities to encourage public involvement in drafting planning policy documents and informing decisions on planning applications.

The Legacy Corporation aims to embrace best practice principles to underpin all consultation activities. Through an extensive review of best practice guidance, the following principles have been identified.

Frontloading

This relates to engaging the community from the early stages of document preparation, at a point where they can influence the content and focus of policies and where issues can be more easily addressed. The approach should provide opportunities for active community engagement in the scoping and pre-production stages of document preparation as well as in the subsequent stages. This will mean that decisions will need to be taken early in the process regarding the potential scope and themes to be addressed by a document to enable full and effective engagement and to build the understanding of the groups and individuals involved.

Place shaping

Place shaping refers to establishing a sense of identity within a local area, which can help in creating a local sense of pride and greater sense of community. The approach to engagement should ensure that key stakeholders and the community have an active role in shaping the place in which they live and can take more responsibility for finding their own solutions. Being able to demonstrate how community engagement has supported the identification and selection of options is important. In addition, there must be clear links between the plan and the four Sustainable Community Strategies which operate within the area. Mechanisms for building understanding and capacity to support community decision-making where possible should be demonstrated. Where this isn't possible, there must be a robust approach to feeding in and evaluating information collated to ensure community views can influence the options taken forward.

Meaningful engagement

This refers to the shift from engagement as a tick box exercise to it being an integral part of the plan making process. The approach will need to provide genuine opportunities for the community to contribute ideas (rather than simply being consulted on a draft document or a range of options). Effective mechanisms for documenting views and clear feed in and feedback loops should be in place to enable the demonstration of how community engagement has influenced and benefited the plan.

Creating an integrated approach

An integrated approach is essential to achieving consistency in the approach to engagement; helping the community to understand what they can expect and trust that getting involved is worthwhile. How resources will be optimised and consultation fatigue, overcome by identifying existing engagement mechanisms and other local processes (the SCS in particular) and how they can be utilised, linked to or built upon (including opportunities for joint working), thereby streamlining processes.

Appropriate and proportionate

Effective engagement is not about delivering every engagement activity possible or seeking to involve everyone every time. Engagement should be 'proportionate to the scale of issues involved'. Similarly the approach taken should be appropriate for each document, including which stakeholders are actively targeted and how many engagement opportunities will be provided throughout the plan-making process.

This Draft SCI describes how the Legacy Corporation will carry out its planning functions with the community, in accordance with those key principles.

Do you agree with these principles of consultation?

2.1 Duty to co-operate

S110 Localism Act 2011 inserts S33A Duty to co-operate into the Planning and Compulsory Purchase Act 2004. This Duty requires local planning authorities and certain other 'prescribed bodies'⁴ to 'engage constructively, actively and on an on-going basis' on strategic matters⁵ when preparing local plans.

The Legacy Corporation will work closely with the prescribed bodies in order to ensure that this statutory duty is met. It is likely that the detail of such arrangements will be set out in the form of memoranda of understanding.

Do you have any comments to make on the way in which the Legacy Corporation may engage with partners on strategic issues in order to meet the Duty to Co-operate?

⁴ Listed in Appendix 1

⁵ 'strategic matter' means: sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas.

2.2 The Legacy Corporation's commitments to the community

In undertaking its functions as a Local Planning Authority, the Legacy Corporation will:

- a) Use Plain English and avoid the use of planning jargon where possible.
- b) Provide information in a range of easily accessible formats (e.g. in different languages, Braille, large print, electronic, paper copies).
- c) Use a range of techniques to engage with different sectors of the community.
- d) Make special arrangements to ensure that traditionally hard to reach groups have the opportunity to be involved in the planning process.
- e) Make use of existing community and local interest groups and strive to achieve a more active role for them in the planning process.
- f) Make use of existing partnership working arrangements, for example, with the London Boroughs.
- g) Consider every response received.
- h) Ensure fair and equal treatment of all sections of the community.
- i) Provide feedback on consultation in a timely way.

Is there anything else that the Legacy Corporation should do to ensure effective engagement with the community?

2.3 Data protection

The Legacy Corporation's planning functions will be undertaken in accordance with its corporate policies on data protection and freedom of information.

Details of the Legacy Corporation's policies on the Data Protection Act 1998, the Environmental Information Regulations 2004 and the Freedom of Information Act 2000 can be found online:

<http://www.londonlegacy.co.uk/>

The Legacy Corporation cannot consider representations made in response to local planning consultations or planning applications that are marked confidential or which are returned anonymously.

2.4 Who will be consulted?

2.4.1 Who are the community?

The population residing in the host boroughs represent perhaps the most diverse sub-region in the UK, possibly the world.

The six host borough sub-region has a younger and more transient population than both London and the UK, with a higher rate of in-migration, and some of the most ethnically diverse boroughs in the country. London's Black, Asian and minority ethnic (BAME) communities are particularly concentrated within the host boroughs, making up a significant proportion of the population.

This is an area with a unique and diverse cultural heritage where the old traditions of the East End mix with those of newly arrived communities.

This vibrancy will help to animate the future Queen Elizabeth Olympic Park and bring the neighbourhoods to life in the years after the Games, but the sub-region is still blighted by a history of deprivation.

The Legacy Corporation area is home to a diverse community, which raises particular challenges in terms of achieving effective consultation and engagement on planning issues, as set out in Table 1, below.

Nature of challenge	Solution
Language barriers may affect the community's ability to understand oral and written communications	Clear translation and interpretation will need to be made available
Poor literacy levels may reduce the effectiveness of written communications.	Visual displays and opportunities for face-to-face contact will need to be provided.
A relatively low uptake of online services due to low incomes	Documents will need to be made available offline as well as online, and arrangements will need to be made for the community to access online services, for example, by visiting the Planning Reception and local libraries.
Young people are less responsive to traditional forms of consultation (such as letters)	Innovative and interactive consultation methods will need to be employed to engage this section of the community
A relatively large number of residents present in the area during the day due to unemployment levels	Arrangements will need to be made to ensure opportunities for people to be involved during the working week, evenings and weekends to balance the needs of those who are and who are not in employment during 'normal' working hours.

Table 1: Challenges of consultation

In addition to the existing (and future) resident population, the local community is made up of a wide-range of other stakeholders, including: landowners; house builders; Registered Providers⁶ and other developers; local businesses, schools and other education institutions.

As well as the community itself, the Legacy Corporation must consult with a number of specific and general consultation bodies in our planning processes:

- **Specific consultation bodies** are statutory consultation groups that are often knowledgeable in certain subjects (for example the Environment Agency on flooding matters and utilities companies which operate in the area).
- **General consultation bodies** include voluntary groups, business interests and hard-to-reach groups who may be interested to find out how the proposed changes may affect them.

A full list of the specific and general consultation bodies can be found in Appendix 1.

Do you have any comments to make on our description of the local community?

Are you aware of any community groups that we should include on our consultation database for planning issues?

Are you a member of the community or a representative of a group or organisation that would like to be involved in the Local Plan? If so, please provide us with your details.

⁶ Housing Associations/ Registered Social Landlords

3. Plan-making

There are three main categories of plan or documents which may be prepared for an area:

1. Local Plan
2. Supplementary Planning Documents (SPD)
3. Neighbourhood Plan.

This section sets out the key features of each different type of plan or document, and describes the ways in which the community will be involved in each.

3.1 The Local Plan and supporting documents

3.1.1 What is the Local Plan?

The Legacy Corporation's Local Plan will include:

- An outline of the key issues facing the area (often referred to as a 'spatial portrait').
- A realistic vision for how the area should look in 2030, with strategic level supporting objectives.
- The strategic direction of future growth in the area, including the identification of strategic sites which are key to the delivery of the vision, and a suite of place-based policies which will describe how key locations will be expected to change over time.
- A set of issues-based policies which will be used in the determination of planning applications, covering issues such as design and affordable housing requirements.
- Site specific and land use designations and proposals.
- A delivery and monitoring strategy which will address implementation as well as the Legacy Corporation's approach to managing risks and contingencies.

When adopted, the Local Plan will form part of the Development Plan for the area⁷.

Legislation allows for the Local Plan to be one single document or it can comprise of a number of local development documents, which, in combination will make up the Local Plan⁸.

It is the Legacy Corporation's intention to prepare one single Local Plan rather than a suite of individual documents. The key stages of preparation are shown in Figure 2.

⁷ Alongside the London Plan

⁸ Local development documents which comprise the Local Plan may include: Core Strategy; Site Allocations; Development Management Policies; Area Action Plan. These are individually referred to as Development Plan Documents (DPD).

The timetable for the preparation of the Local Plan is set out in the Local Development Scheme (LDS):

www.londonlegacy.co.uk/planningpolicy

The planning system is highly regulated, and there are a number of often competing influences, as illustrated in Figure 1. It must therefore be noted that, although the Legacy Corporation is committed to community engagement in the planning process, limits exist in terms of some of the things that can or cannot be achieved and that limits also exist on the direct influence that the planning system can have on certain issues⁹.

Additionally, a significant amount of preparatory work has already been undertaken by the London Boroughs of Newham, Tower Hamlets, Hackney and Waltham Forest, as well as the Olympic Delivery Authority (ODA) and the Greater London Authority (GLA), for example. Where this is up-to-date it may form part of the evidence base for the Legacy Corporation's Local Plan, thus avoiding the need for duplication of work and reducing the risk of consultation fatigue. A full list of all available evidence will be made available on the Legacy Corporation website.



Figure 1: Key influences on the Local Plan

3.1.2 What will the Local Plan supporting documents be?

⁹ For example, LPAs cannot directly influence things such as hospital waiting lists or the setting of Council Tax.

Proposals Map

The Local Plan must be accompanied by a Proposals Map¹⁰ which illustrates, on an Ordnance Survey base map, the adopted policies and designations within the LPA area. The Proposals Map will be available for comment at each key stage of the Local Plan preparation¹¹.

Figure 2: Local Plan preparation process

1. Pre-production evidence gathering
2. Regulation 18: Preparation of the Local Plan including on-going community engagement
3. Regulation 19: Publication of the draft Local Plan
4. Regulation 20: Consultation on the draft Local Plan (formal consultation)
5. Regulation 22: Submission of Local Plan to the Secretary of State with prescribed accompanying documents
6. Regulation 24: Independent Examination
7. Regulation 25: Publication of Inspector's Report
8. Regulation 26: Adoption of the Local Plan.

Evidence base

Local Plans must be based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. Evidence base documents should be proportionate to the scale of the area being planned for and the significance of the issues being addressed. Examples of evidence base documents may include: housing market assessments, land availability studies, infrastructure plans, affordable housing viability studies, population projections and retail needs assessments.

The Legacy Corporation will make all evidence base documents available to the community on the website and will involve specific community interest groups and statutory bodies as appropriate.

Sustainability Appraisal (SA)

The purpose of the planning system is to achieve sustainable development – that is, meeting the needs of the current population without compromising the

¹⁰ Sometimes referred to as an 'adopted policies map'.

¹¹ The first Proposals Map will be published alongside the Draft Local Plan in Summer 2013

needs of future generations. Sustainable development is about positive growth – making social, economic and environmental progress for communities of the present and in the future.

It is a statutory requirement to carry out a sustainability appraisal of local plans in order to assess its impacts on social, economic and environmental objectives and which meets the requirements for a strategic environmental assessment of the Local Plan. Sustainability appraisal is an integral part of the plan-making process. It must be an iterative process where outcomes are fed back to inform the policies and proposals of the Local Plan.

Sustainability appraisal is subject to public consultation and will be published alongside each key stage of Local Plan preparation, as a key supporting document.

Full details can be found on the Planning Advisory Service's website:
<http://www.pas.gov.uk/>

Habitats Regulations Assessment (HRA)

Habitats Regulations Assessment (also commonly referred to as an 'appropriate assessment') of plans and projects is required under the European Habitats Directive. It assesses whether a plan or project, 'in combination', could affect the 'integrity' of sites of international nature conservation importance in Europe. It takes a precautionary approach: plans or projects that could affect site integrity may not be adopted unless a series of stringent requirements – testing of alternatives, proof of overriding need, and provision of compensation - are met.

The Habitats Directive requires appropriate assessment for: Special Protection Areas (SPAs) for birds; Special Areas of Conservation (SACs) for habitats and species; candidate SACs; and European offshore marine sites.

Natural England – the public body responsible for protecting and enhancing the natural environment¹² – is a statutory consultee for HRA. Any HRA documents produced by the Legacy Corporation will also be made available alongside the Local Plan at key stages of the Local Plan process.

Community Infrastructure Levy (CIL)

The Legacy Corporation will prepare a Community Infrastructure Levy (CIL) charging schedule alongside the Local Plan. The CIL is a new levy on development which LPAs may introduce in their areas in order to fund the social, environmental and physical infrastructure that is required to meet the level of development proposed in the Local Plan. The draft CIL charging schedule will also be subject to community consultation.

Although not formally part of the Development Plan for the area, the CIL charging schedule will be a key delivery mechanism, by helping to ensure that

¹² Responsible to the Secretary of State for Environment, Food and Rural Affairs.

new infrastructure is provided in a timely way in order to support the level of growth that is being planned for. The CIL charging schedule (and Local Plan) will be supported by a comprehensive Infrastructure Delivery Plan, which will identify the infrastructure that is necessary to support new development and the mechanisms in place to ensure its delivery).

In London, the Mayor has already introduced a CIL which came into force on 1 April 2012, which will be used to finance around £300 million towards the delivery of Crossrail. The Legacy Corporation's CIL will be collected in addition to the Mayoral CIL.

3.1.3 How and when will consultation take place on the Local Plan?

At each key stage of plan preparation (see Figure 2), the Legacy Corporation will:

- Send letters¹³ containing key information to specific and general consultation bodies, as well as to any member of the community who has requested to be directly informed.
- Make all necessary documents available for inspection at the Legacy Corporation offices and in the local public libraries.
- Make all necessary documents available for inspection on the Legacy Corporation website, including formal notices.
- Inform the local media (television, press, radio and social networking where appropriate).
- Place formal notices in the local press media where it is appropriate to do so (publication and adoption stages).

Table 2 provides a summary of what consultation methods may be used at the various stages of plan preparation.

	Preparation (R.18)	Publication (R. 19)	Submission (R.22)	Examination (R.24)	Inspectors Report (R. 25)	Adoption (R.26)
Letter/ Email to all known consultees	✓	✓	✓	✓	✓	✓
Leaflet distribution to key locations in the area	✓	✓				
Legacy Corporation e-newsletter	✓	✓	✓	✓	✓	✓
Local Plan newsletter	✓	✓	✓	✓	✓	✓

¹³ Or email where there has been a stated preference for electronic communication

	Preparation (R.18)	Publication (R. 19)	Submission (R.22)	Examination (R.24)	Inspectors Report (R. 25)	Adoption (R.26)
One to one meetings	✓	✓				
Meetings with residents associations/ other interest groups	✓	✓				
Focus groups	✓	✓				
Public meetings	✓	✓				
Workshops, including Planning for Real	✓	✓				
Public displays/ exhibitions	✓	✓				
Hotline/ contact number/ dedicated email address	✓	✓	✓	✓	✓	✓

Table 2: Summary of consultation

Table 3 sets out where copies of the local plan documents will be made available.

	Legacy Corporation office	Legacy Corporation website	Local Press	Specific bodies	General bodies	Those wishing to be notified*
Local Plan (adopted)	✓	✓		✓		
SA Report	✓	✓		✓		
Proposals Map	✓	✓		✓		
Consultation	✓	✓		✓		
Consultation	✓	✓		✓		
Representations	✓	✓		✓		
Supporting documents	✓	✓		✓		
Statement of	✓	✓		✓	✓	✓

	Legacy Corporation office	Legacy Corporation website	Local Press	Specific bodies	General bodies	Those wishing to be notified*
matters						
Formal notice	✓	✓	✓	✓		

Table 3: How local plan documents will be made available.

* ‘Those wishing to be notified’ - refers to those persons who expressed a desire at the proposed submission stage to be contacted when the Local Plan is submitted to the Secretary of State for independent examination.

Do you have any comments to make about the consultation techniques that we intend to use to inform plan preparation?

Do you have any comments to make about how we intend to make documents available?

3.2 Supplementary Planning Documents

The Legacy Corporation may prepare Supplementary Planning Documents (SPD) for the area. SPD may be used to provide additional detail and guidance on the practical application of policies contained within the Local Plan.

SPDs that the Legacy Corporation could prepare may be issue based, for example, covering topics such as: affordable housing, design, parking standards and climate change. They may also be site or area specific, in the form of master plans or design codes, for example.

SPD are also subject to community consultation, however, they are not subject to the independent examination process, as shown in Figure 3.

Figure 3: SPD preparation process

1. Pre-production evidence gathering (including informal engagement with key stakeholders)
2. Regulation 12: Public Participation (formal consultation) on draft SPD
3. Regulation 14: Adoption of the SPD

(Sustainability Appraisal and Habitats Regulation Assessment will not usually be required for SPD, so long as the statutory bodies¹⁴ are satisfied that the parent policy has been subject to that process).

3.2.1 Who will be consulted on SPD, and how?

Both the general and specific consultation bodies will be consulted on any SPD which the Legacy Corporation may prepare. The SPD preparation process is designed to be streamlined in order to speed up their adoption, as their 'parent' Local Plan policy will have already been subject to considerable consultation, appraisal and Examination. The opportunities for public involvement are therefore less extensive for these documents, although the Legacy Corporation will ensure these stages will be sufficiently resourced to ensure that community aspirations are adequately addressed.

Consultation on SPDs will be targeted towards those with a specific interest in the policy area for which the document is being prepared. For example, if an SPD was to be prepared for a particular geographical area, those most likely to be affected by that SPD will be the focus of consultation.

The consultation techniques used in the preparation of SPD will vary dependent on the subject of that SPD. A summary of the techniques that may be used is set out in Table 2.

Do you have any comments to make about how we intend to consult with you on future SPDs?

3.3 Neighbourhood Plans

The Localism Act 2011 made provision for the preparation of Neighbourhood Plans by communities. These plans can set planning policies to guide future development in a defined neighbourhood area. Neighbourhood Plans must

¹⁴ Natural England, Environment Agency and English Heritage

be in conformity with national policy as well as the Development Plans (e.g. the Local Plan and the London Plan) that have been adopted by the LPA.

Neighbourhood Plans are be subject to a local referendum and examined by an independent inspector.

The Legacy Corporation will support communities in the preparation of Neighbourhood Plans by helping to define the geographical scope of neighbourhoods, providing advice on the preparation of the plans throughout their key stages and validating plans to ensure that they meet all the necessary requirements.

Further information about the neighbourhood planning process can be found on the Department for Communities and Local Government website:
<http://www.communities.gov.uk/planningandbuilding/planningsystem/neighbourhoodplanningvanguards/>

Do you have any comments to make about our intended approach to supporting communities in preparing Neighbourhood Plans?

Do you represent a group which intends to prepare a Neighbourhood Plan in the future? If so, please provide details.

4. Development Management

The Legacy Corporation's Planning Policy and Decisions Team (PPDT) is responsible for the processing of all planning applications within the Legacy Corporation area. Both publicity and consultation are a key part of the process. This section sets out how the community and stakeholders can be involved in planning applications - at the pre-application stage, application stage and once a decision has been made.

4.1 The pre-application stage

The PPDT will seek to ensure that all applications submitted are subject to pre-application discussions. While the PPDT cannot refuse to accept an application that has not been the subject of a pre-application discussion, the process is desirable. Early discussions will ensure that applications are submitted to the correct authority; the proposed development does not prohibit transformation of the Park, will ensure that planning issues are identified early on in the development process, and will assist in reducing costs by avoiding unacceptable submissions, clarifying prospective conditions and identifying legal matters as soon as possible.

Pre-application consultation with the community

Developers will be required to consult local communities before submitting planning applications for very large developments. This will give local people a chance to comment when there is still genuine scope to make changes to proposals. Proposals for consultation with the community should be discussed with the PPDT at an early stage.

Pre-application consultation by the applicant should provide all groups, statutory and non-statutory specialist interest groups, with an opportunity to participate in the evolution of proposals.

Applicants are especially encouraged to liaise early with infrastructure providers for new developments, and this would be most beneficial at the pre-application stage.

The cost and time involved in pre-application consultations are the responsibility of the applicant. However, the applicant is likely to benefit, as early input from the community may reduce delays when the application is submitted, as the applicant will already have the opportunity to incorporate the suggestions of the community, or explain why comments were not taken into account.

As the size of developments increase, the potential impacts, e.g. traffic, also increase. Therefore the level of consultation will be dependent on the type of development being proposed.

The PPDT relies on the applicant during the pre-application stage. This is to maintain impartiality. Applicants will need to provide the PPDT with reasonable access to all information relating to community involvement undertaken to ensure that procedures followed are in accordance with this SCI. When applicants have undertaken community consultation the PPDT would prefer that a full statement of community involvement is submitted with the planning application.

The PPDT will expect to be invited to attend pre-application consultation events; however it is essential that impartiality is maintained. Officers will be supportive but not influential at pre-application consultation events. Where Members of the Legacy Corporation's Planning Decisions Committee are interested in pre-application processes they will not give an opinion at community involvement events as this would prejudice them from taking part at the planning committee, in accordance with the [adopted Planning Decisions Code of Practice].

4.2 The application stage

The PPDT uses the following methods to inform the community that an application has been formally submitted:

- Details of relevant applications are advertised in local papers.
- Neighbours are notified by letter and are given 21 days to comment on the application.
- Site notices are erected for relevant applications.
- Planning applications can be viewed at the Legacy Corporation's offices or on the website.
- The PPDT is also required to consult statutory bodies on particular planning applications, for example, infrastructure providers, environmental interest, leisure and historical interest groups.
- People have the option to submit their comments via the website.
- PPDT will also consult the relevant borough council on specific planning applications, as agreed with the Boroughs.

The majority of planning applications need to be accompanied by a Design and Access Statement, which should be prepared in consultation with the community. The PPDT cannot validate a planning application without a Design and Access Statement.

The statement should clearly show which groups and people the applicant have been, or will be, discussing the scheme with. A statement will be expected to show that the applicant has spoken to local communities and (where appropriate) sought professional advice at the earliest possible stage of the scheme's development.

For more information, please see the Design Council's guidance 'Design and access statements: how to write, read and use them' which is available on the website: <http://www.designcouncil.org.uk/>

The PPDT can accept minor changes to applications. Where this happens neighbours will be re-notified if the application is amended to any significant extent. Any consultation resulting from re-notification may be for a shorter time period than the initial consultation.

4.2.1 Planning Decisions Committee

Agendas for the Planning Decisions Committee are available five working days before a meeting and can be viewed at the Legacy Corporation's Offices or on its website. Members of the public may be able to speak at Planning Committee meetings. This depends on the number of requests to speak received and the views of the Chair and the Committee.

Usual practice will be that objectors and supporters who have written in to comment on a planning application will be contacted by the PPDT no less than five working days before the committee meeting due to determine the application to ask whether they wish to speak at the meeting and to give details of how they may make such a request. The applicant will be similarly informed and told the recommendation. If anyone has requested to speak, applicants or their representatives will be asked whether they wish to speak. If the application is recommended for refusal and the applicant has requested to speak, supporters of the recommendation (that is, objectors to the application) will be notified. If committee members are minded to overturn an officers recommendation to refuse i.e. to approve the application, and the supporters of the recommendation (that is objectors to the application) have been unable to attend the meeting to give their views, then the application will be deferred to the first available meeting to allow the objectors to the application the opportunity to address the committee. Applicants or their representatives will not normally be asked to speak where the application is recommended for approval and there are no requests from objectors to speak, though the Committee Chair has discretion.

Unless otherwise agreed by the Committee Chair, the maximum total times allowed for speakers will be five minutes for objectors and five minutes for supporters. If several objectors wish to speak they will share the five minute period and be encouraged to nominate one speaker where possible. The same process will apply to supporters.

4.3 The decision stage

The majority of applications are dealt with in eight weeks (or 13 for major applications). The results of any consultation will be reported and taken into account in decisions made by, and on behalf of, the Legacy Corporation. The PPDT provides notification of decisions using the following methods.

- Minutes of the Planning Committee are placed on the website.

- Decisions on individual applications can also be viewed through the Planning Register on the website.

4.4 The post application stage

If a planning application is refused, the applicant is unhappy with a planning condition, or if the PPDT does not determine it within the statutory time period, the applicant has the right to appeal against the decision or non-determination. Only the applicant has the right to appeal. The Planning Inspectorate deal with appeals and make the final decision. Appeal decisions will be placed on the website.

Everyone who was consulted and gave their views on the original application will be advised that an appeal has been received and told how they can make their views on the appeal known directly to the Planning Inspectorate. Objectors can submit new views to the Inspectorate. All views are considered during the appeal. The Planning Inspectorate will inform the Legacy Corporation and objectors of the outcome.

Public consultation on planning applications

How do I make my views known?

Any comments you wish to make must be in writing (via post or electronically) otherwise they cannot be considered. Please note that the PPDT can only take into account issues which are relevant to planning and can only refuse applications where there are sound and clear-cut planning reasons to do so. Local opposition or support for a proposal is not in itself a ground for refusing or granting planning permission unless it relates to valid planning reasons which can be substantiated. Further guidance about relevant issues is provided below.

If you make your opinions known they cannot be kept confidential. They will be put on a public file and published on the Internet where they can be seen by anyone, including the applicant. This is a legal requirement.

Details of applications, including plans, are available for viewing and printing online, or can be viewed on a public terminal at the Legacy Corporation's Offices between 9am - 4.45pm, Mondays to Fridays (Bank Holidays excluded). Advice and information on a particular application may also be obtained over the telephone from the Case Officer.

Specific or detailed enquiries will normally require an appointment.

To view an application online go to:

www.londonlegacy.co.uk/planning/publicaccess

What if my comments are received late?

Failure to meet the deadline could mean your comments are not considered. However, the PPDT endeavours to take into account all comments received before an application is decided. Comments received late will be addressed within the Officer report where possible, or will be reported orally to Committee, in the case of a Committee decision.

What happens if the application is changed (amended) before it is decided by the Legacy Corporation?

On occasion, changes (known as amendments) to schemes are sought by an applicant following an initial assessment of a proposal and/ or following an assessment of comments or objections made but before the Legacy Corporation has determined the application. Where changes are significant it is the PPDT's policy to re-consult the neighbours and other parties who have made representations. A period of 14 days is usually allowed for comment to be made. Neighbours or other parties will not be re-notified of minor changes unless they are likely to have an impact which is considered to be different to the original plans.

What happens to my comments?

Comments are passed to the Case Officer for consideration. Where appropriate, amendments may be sought to address issues raised. Unfortunately, due to the volume of comments made on applications PPDT is not able to reply to these letters although they will be formally acknowledged. You will also be advised of the decision taken.

All matters raised in letters are taken into account and are summarised in an Officer's report to the **Planning Decisions Committee** (or to the Director of Planning Policy and Decisions or the Chief Planner who have delegated authority to deal with minor applications). The Committee meets approximately once a month. The applicant has a right to appeal to the Secretary of State against refusal of planning permission. In such cases correspondence received from objectors will be passed to the Inspector dealing with the matter. Objectors will be notified of the appeal and invited to comment again direct to the Inspector.

Should I involve my Ward Councillor?

Your Ward Councillor is your local elected representative on your Council. Each Council has nominated a representative to the Planning Decisions Committee. Your Ward Councillor could speak to the Borough Councillor on the Planning Decisions Committee and request to speak at the committee meeting on your behalf. The Councillor on the Planning Decisions Committee also has the power to ask for delegated applications to be referred to the Planning Decisions Committee for determination.

What matters can the Committee take into account?

The PPDT's powers to determine planning applications are governed by a range of legislation and Government guidance. The PPDT can only take comments which raise planning matters into account when determining a planning application. This includes a very wide range of issues including the following:

- √ Planning Policy and Government Guidance.
- √ External design, appearance and layout.
- √ Existing use rights and previous planning decisions relating to the land.
- √ Highway safety and parking.
- √ Loss of light to habitable rooms or overshadowing.
- √ Loss of privacy.
- √ A loss of amenity e.g. landscape, trees, environmental matters, noise.
- √ Energy use, flooding and climate change.
- √ Impact on the environment and biodiversity.

Matters which the Legacy Corporation as local planning authority cannot take into account include:

- x Loss of property value.
- x The applicant's morals or motives (e.g. profit).

- x Loss of a view over third party land.
- x Matters covered by other legislation or by other laws (e.g. covenants, bylaws and Building Regulations).
- x Structural stability of property and capacity of the drains.
- x The applicant's personal circumstances (e.g. financial status, size of family, illness, age or other 'needs').
- x Construction period of development.
- x Market competition between businesses.
- x Private disputes regarding land ownership or boundaries (e.g. fences, private rights of way, rights to light, etc.).

Following the above guidance will assist you in making your case in the most effective way.

What is the relevance of the development plan?

This is the starting point for considering an application. The PPDT is bound by law to determine all valid planning applications and to ensure that where a statutory development plan contains relevant policies, applications should be determined in accordance with the plan unless other material considerations indicate otherwise. What this means is that applications are approved if they generally comply with up-to-date plan policies unless there are material considerations which outweigh the benefits of doing so. Any such material considerations will need to be weighed in reaching a decision. These may include factors such as adverse environmental impacts or effects on local green space or cultural heritage. Where a proposal is not acceptable, clear and sound reasons for refusal are required and must be given.

Copies of the current Development Plan for the area and other local policy guidance can be inspected at the Legacy Corporation's Offices during normal office hours or on the website (which include links to other useful sites providing a range of advice and information on planning applications).

The London Plan: [Greater London Authority](#)

[London Borough of Newham](#)

[London Borough of Hackney](#)

[London Borough of Tower Hamlets](#)

[London Borough of Waltham Forest](#)

5. Monitoring and implementation

5.1 Annual monitoring

LPAs are required to produce monitoring reports which inform the community on the performance of local planning policies and the progress made against LDS timescales and targets. Through these reports, the Legacy Corporation will also report on the performance of the SCI against the principles of consultation and the commitments made. It will report on whether a high level of community involvement has been maintained in the production of local planning documents, and confirm that no less has been carried out than the stated level of engagement set out in this SCI.

In addition to the monitoring reports, LPAs are required to publish a statement of consultation alongside the submitted/ adopted local planning documents. These statements will set out evidence of what consultation was undertaken, when, and how on each stage of the plan-making process. It will also contain a summary of the main issues raised and how the Legacy Corporation has taken account of representations received during consultation.

5.2 Review

The Legacy Corporation will review the form and content of the SCI as and when it is required, for example, as a result of new legislative obligations, the publication of new best practice advice or if there are any material changes in local circumstances, including comments from the local community.

5.3 Resources

The primary resource for managing community involvement in local planning documents is the Legacy Corporation's Planning Decisions Team (PPDT). In addition, the Legacy Corporation has a Communications and Business Engagement Team, which will also be available to assist in the implementation of the SCI. The Legacy Corporation will employ consultants where there is a need for additional expertise or capacity to supplement in-house provision for specific projects.

The cost of meeting the community engagement requirements of the LPA set out in this Draft SCI will be met from within existing Legacy Corporation budgets. Full details of resourcing implications for the Local Plan are set out in the Legacy Corporation's Local Development Scheme (LDS).

5.4 What are the scrutiny and approval processes?

This Draft SCI and all local planning documents are subject to the scrutiny of:

- Local Plan steering group (key representatives from the London Boroughs, GLA and the Legacy Corporation)

- Local Plan Ward Members Working Group (elected ward members from each of the four London Boroughs)
- Other working groups as appropriate

This Draft SCI and all local planning documents are subject to the approval of:

- The Legacy Corporation Board – This will take the final decision.

Full details of the Legacy Corporation's scrutiny and approval processes are included within the Legacy Corporation's Local Development Scheme.

Do you have any comments to make about how we intend to monitor and review this SCI?

A1 – Consultees

Local Plan

Duty to Co-operate – prescribed bodies:

In addition to local planning authorities, the following bodies are prescribed for the purpose of the duty to co-operate under s33A of the Planning and Compulsory Purchase Act 2004 by regulation 4 of Town and Country Planning (Local Planning) (England) Regulations 2012

- (a) The Environment Agency;
- (b) The Historic Buildings and Monuments Commission for England (known as English Heritage);
- (c) Natural England;
- (d) The Mayor of London;
- (e) The Civil Aviation Authority;
- (f) The Homes and Communities Agency;
- (g) Each Primary Care Trust established under section 18 of the National Health Service Act 2006 or continued in existence by virtue of that section;
- (h) The Office of Rail Regulation;
- (i) Transport for London;
- (j) Each Integrated Transport Authority;
- (k) Each highway authority within the meaning of section 1 of the Highways Act 1980 (including the Secretary of State, where the Secretary of State is the highways authority); and
- (l) The Marine Management Organisation.
- (m) The Local Enterprise Partnership.

These bodies must co-operate with one another and with Local Enterprise Partnerships. The Legacy Corporation must also have regard to the activities of each Local Enterprise Partnership. (The NPPF encourages local planning authorities to work with LEPs to prepare a robust business evidence base and understanding of existing and likely future business needs.)

Specific consultation bodies

The following bodies are ‘specific consultation bodies’ (or ‘consultation bodies’ in the case of a Neighbourhood Plan) that must be invited to make representations about what the plan ought to contain, in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 if the Legacy Corporation considers that they may have an interest in the subject matter of the plan. Please note, this list is subject to change and also relates to successor bodies where reorganisations occur.

“specific consultation bodies” means the following—

- (a) the Coal Authority,
- (b) the Environment Agency,

- (c) the Historic Buildings and Monuments Commission for England (known as English Heritage),
- (d) the Marine Management Organisation,
- (e) Natural England,
- (f) Network Rail Infrastructure Limited (company number 2904587),
- (g) the Highways Agency,
- (h) a relevant authority any part of whose area is in or adjoins the local planning authority's area,
- (i) any person—
 - (i) to whom the electronic communications code applies by virtue of a direction given under section 106(3)(a) of the Communications Act 2003, and
 - (ii) who owns or controls electronic communications apparatus situated in any part of the local planning authority's area,
- (j) if it exercises functions in any part of the local planning authority's area—
 - (i) a Primary Care Trust established under section 18 of the National Health Service Act 2006 or continued in existence by virtue of that section;
 - (ii) a person to whom a licence has been granted under section 6(1)(b) or (c) of the Electricity Act 1989;
 - (iii) a person to whom a licence has been granted under section 7(2) of the Gas Act 1986;
 - (iv) a sewerage undertaker; and
 - (v) a water undertaker;
- (k) the Homes and Communities Agency; and
- (l) where the local planning authority are a London borough council, the Mayor of London;

General consultation bodies

The Legacy Corporation must invite such of the following general consultation bodies as it considers appropriate to make representations about what the local plan ought to contain, in accordance with regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

“general consultation bodies” means the following—

- (a) voluntary bodies some or all of whose activities benefit any part of the local planning authority's area,
- (b) bodies which represent the interests of different racial, ethnic or national groups in the local planning authority's area,
- (c) bodies which represent the interests of different religious groups in the local planning authority's area,
- (d) bodies which represent the interests of disabled persons in the local planning authority's area,
- (e) bodies which represent the interests of persons carrying on business in the local planning authority's area;

Residents and businesses

The Legacy Corporation must invite such residents and other persons carrying on business in its area as it considers appropriate to make representations about what the local plan ought to contain, in accordance with regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

This is not an exhaustive list and it is not necessary to consult all these bodies for every application. The list will be periodically reviewed. Please contact the Planning Decisions Team for the most up-to-date information.

DRAFT

A2 – Glossary of key terms

Adopted Proposals Map: The Adopted Proposals Map illustrates all the policies contained in local plan documents, together with any policies for the areas. It is revised as each new Development Plan Document is adopted, and it should always reflect the up-to-date planning strategy for an area. Suggested changes to the adopted proposals map should accompany submitted development plan documents.

Adoption: The formal approval or acceptance of local planning documents by the Legacy Corporation.

Annual Monitoring Report (AMR): A report published by the Legacy Corporation assessing progress on - and the effectiveness of - the Local Plan.

Area Action Plans (AAPs): Document for key areas of change or conservation which focuses on proposals for the area and their implementation.

Community: Usually refers to those living within a specific area but can be any group with shared needs or interests living in the Legacy Corporation boundary, as well as those with business interests and the working population.

Community Infrastructure Levy (CIL): standard charge determined by the local planning authority and levied on new development (an amount per square metre). The monies raised will be used to pay for infrastructure.

(Sustainable) Community Strategy (CS): Councils are required by the Local Government Act 2000 to prepare such strategies, with the aim of improving the social, environmental and economic well-being of their areas.

Departure Applications: An application for planning permission for a development which breaches policies of the development plan.

Development: Development, as defined under the 1990 Town and Country Planning Act is “the carrying out of building, engineering, mining or other operation in, on, over or under land, or the making of any material change in the use of any building or other land.” Most forms of development require planning permission.

Development Control: The process whereby the local planning authority receives, and considers the merits of, planning applications - and whether they should be given permission – having regard to the development plan policies and all other material considerations. More recently known as ‘**Development Management**’ which advocates a more positive and proactive approach to planning decisions.

Development Plan Documents (DPDs): Development Plan Documents are prepared by local planning authorities to outline the key development goals of their Local Development Frameworks. They can be presented in several different forms – such as diagrams, maps and text – and should include: Core Strategy; Site Specific Allocations; Adopted Proposals Map; Area Action Plans and other documents. All DPDs must be subject to rigorous community involvement, consultation and independent examination- and adopted only after receipt of an inspector's report. Once adopted, development control decisions must be made in accordance with them – unless there is good reason (material considerations) for them not to. DPDs will form part of the Local Plan for the area.

Examination: Formal examination of the Local Plan by an independent inspector appointed by the Secretary of State.

Hard to reach groups: May include: Groups representing those with disabilities; Gypsies, Travellers and Travelling Showpeople; Minority ethnic groups; Socially excluded elderly people; Under 45s with families – often under-represented as they have little spare time to get involved; Young people – under 18s; Those who work full-time, particularly those who work outside the area.

Inspector's Report: A report issued by a planning inspector regarding the planning issues debated at independent examinations held into development plans or planning inquiries.

Local Development Documents (LDDs) – also referred to as Local Plan documents: These include Development Plan Documents (DPDs) and the Statement of Community Involvement (SCI) - which are legal requirements – along with Supplementary Planning Documents (SPDs), which do not form part of the legally required development plan.

Local Development Framework (LDF): An LDF is comprised of: Development Plan Documents; Supplementary Planning Documents; Statement of Community Involvement; Local Development Scheme; Annual Monitoring Report; Any Local Development Orders or Simplified Planning Zones that may be added. The term LDF has recently been replaced with the term '**Local Plan**'.

Local Development Scheme (LDS): The Legacy Corporation's three-year timetable for the preparation, production, adoption and revision of the Local Plan. The Local Development Scheme was brought into effect in October 2012. It will be monitored on an annual basis and reviewed as required.

Material Considerations: These are any issues that should be taken into account in deciding a planning application, or an appeal against a planning decision.

National Planning Policy Framework (NPPF): Published on 27 March 2012. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so. It provides a framework within which local people and their accountable local planning authorities can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.

Department of Communities and Local Government (DCLG): Government Department responsible for policy on housing, planning, local government and the fire service.

Planning Inspectorate (PINS): The Planning Inspectorate holds independent examinations to determine whether or not Local Plans are 'sound'. The Planning Inspectorate also handles planning and enforcement appeals.

Planning Permission: Formal approval given by the planning authority, allowing a proposed development to proceed. Permission may be sought in principle through outline planning applications, or in detail through full planning applications.

Referable Application: Planned developments that are of strategic importance are referred to the Mayor.

Regional Spatial Strategy (RSS): Produced by the Greater London Authority, it is a strategy for how London should look in 15 to 20 years time and possibly longer. The Regional Spatial Strategy identifies the scale and distribution of new housing in London, indicates areas for regeneration, expansion or sub-regional planning and specifies priorities for the environment, transport, infrastructure, economic development, and waste treatment and disposal.

Representations: Comments or responses to a consultation which support or object proposals.

Strategic Environment Assessment (SEA): is a system of incorporating environmental considerations into policies, plans and programmes. The specific term Strategic Environmental Assessment relates to European Union policy. In the UK, this requirement has been incorporated into the **Sustainability Appraisal** process.

Site Specific Allocations: Allocation of particular sites for specific or mixed uses or development, for example residential or commercial, which the local planning authority believes they are particularly suitable for.

Sound/soundness: describes where a Local Plan is considered to 'show good judgement' and also to fulfil the expectations of legislation, as well as conforming to national and regional planning policy.

Statement of Community Involvement (SCI): This describes the way the Legacy Corporation plans to involve the local community in the preparation, alteration and continuing review of all local planning documents and Development Control decisions.

Statement of Proposals Matters/Statement of Representations Procedure: The Regulations set out that the Council must produce a Statement of Matters which sets out the title of the document, subject matter of and area covered, period for representations, address where representations should be sent and list of places at which the document is available for inspection and the times at which it can be inspected.

Sustainability Appraisal (SA): A tool used to ensure that planning policies reflect efforts to bring lasting, 'sustainable' improvements to an area - including social, environmental and economic improvements. SA is required by law for Local Plans.

Sustainable Development: The core principle underpinning the planning system. "Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs" (World Commission on Environment and Development (WCED). *Our common future*, 1987).

Supplementary Planning Documents (SPDs): A Local Development Document that may cover a range of issues either focusing on a specific area or theme, and provides further details of policies and proposals in a 'parent' document.

A3 – References

The following publications have influenced the content of this Draft SCI.

1. National Planning Policy Framework (DCLG, March 2012)
2. Plan Making Manual (DCLG, hosted by the Planning Advisory Service, updated regularly online)
3. Listening to London: good practice guidance for the GLA group (GLA, 2002)
4. Draft Policy: Code of Consultation (OPLC, April 2011)
5. Planning Decisions Team: Code of Consultation (ODA)
6. Planning Decisions Code of Practice and Scheme of Delegations (Legacy Corporation, October 2012)
7. Statement of Community Involvement (LB Waltham Forest, June 2007)
8. Statement of Community Involvement (LB Tower Hamlets, November 2009)
9. Draft Revised Statement of Community Involvement consultation document (LB Tower Hamlets, April 2012)
10. Statement of Community Involvement (LB Hackney, November 2006)
11. Statement of Community Involvement (revised) (LB Newham, February 2011)
12. Legacy Communities Scheme: Statement of Participation (OPLC/ Legacy Corporation, June 2011)
13. Code of Practice on Consultation (BERR, 2008)
14. Good Practice Note 1: Guidelines on effective community involvement and consultation (RTPI, 2005)

A4 – Representation form

[FORM SUBJECT TO FINAL DESIGN]

Your contact details:

Name

Organisation (if applicable)

Address

Telephone number

Email

Contact preference: mail/ email

Do you have an agent acting on your behalf? Y/N. If Y, please provide:

Agent contact details:

Name

Organisation (if applicable)

Address

Telephone number

Email

Contact preference: mail/ email

[Each question identified in main text to be listed with room for a response].

[Any other comments box to be included:]

Monitoring information:

To ensure we are reaching all sections of our community, please provide us with the following information about yourself:

Gender

Age

Ethnicity

Disability (Y/N)

Your contact details will be automatically added to the Local Plan consultation database in order that we can keep you informed on our progress. Please **tick this box** if you do not wish to be added to this database.

Thank you for your time.

Please return completed forms to:

The Planning Decisions Team

London Legacy Development Corporation

Level 10

1 Stratford Place

Montfichet Road

London

E20 1EJ

Or by email to: planningpolicy@londonlegacy.co.uk

Comments should be received no later than **5pm on Monday 17 December 2012.**

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Report 7 – Appendix 2: Draft Legacy Corporation Statement of Community Involvement - Equalities Impact Assessment

1. GATHER RELEVANT EVIDENCE

Section 2.4 of the Draft SCI sets out who the ‘community’ is for the purpose of the planning process in the Legacy Corporation area. This includes ‘specific consultation bodies’, ‘general consultation bodies’, as well as landowners; house builders; Registered Providers and other developers; local businesses, and schools.

Information on the sections of the community who have traditionally been considered ‘hard to reach’ is provided, along with a description of the nature of the challenge in terms of engagement in the planning process.

2. ASSESS NEGATIVE IMPACT

The achievement of sustainable development is at the heart of the planning system. Local development documents are subject to rigorous assessment in order to determine the impacts of proposals. This includes a formal Sustainability Appraisal, which will include an assessment of any negative impacts on minority and excluded groups and community cohesion issues, for example.

The purpose of the SCI is to set out how the community will be involved in the planning process, and seeks to reduce any negative impacts at an early stage in the planning process.

3. ASSESS POSITIVE IMPACT

As above, the planning system seeks to achieve sustainable development. Local development documents, including the Local Plan, will set out how this will be achieved in the Legacy Corporation area, in terms of spatial planning. All planning applications will be determined in accordance with the development plan for the area, which will comprise the Local Plan and the London Plan.

When adopted, the SCI will represent the Legacy Corporation’s agreement with the community regarding how it will engage on planning issues. The purpose of the SCI is to ensure that there is equality of opportunity to engage in planning issues and it particularly addresses how the Legacy Corporation will engage the traditionally ‘hard to reach’ groups.

4. CONSULTATION

The role of the SCI is to set out how the Legacy Corporation will engage the community in the planning process. The Draft SCI seeks the communities views on the Legacy Corporation’s intended approach to carry out its planning functions. Following consultation on the Draft SCI, a statement will be prepared which will set out the responses received and the changes made to the SCI as a result. This statement will be provided as a background document to the SCI when it is presented to Board for adoption in February/ March 2013.

5. RECORD CHANGE and PLAN ACTION

Given your answers to the previous questions, how will the policy/project/function be revised to reduce or eliminate negative and enhance positive impacts? What (if any) new action is necessary (identify timelines in an brief action plan).

Following consultation on the Draft SCI, representations received will be considered and the SCI will be amended as appropriate. Once adopted, the Legacy Corporation will be required to follow the procedures set out in the SCI.

6. MONITOR IMPACT

The Legacy Corporation is required to report back on consultation which has taken place on local development documents, at key stages of preparing local development documents (i.e. the Local Plan and any future supplementary planning documents). Compliance with the SCI and the submission of a consultation statement is a key test of a local plans 'soundness' at Independent Examination.

It will be possible to revise the SCI in the future if the need arises.