



Lewes District Statement of Community Involvement

Statement of Consultation

January 2020

1. Introduction

The Statement of Community Involvement (SCI) sets out the Council's approach to involving the local community and other stakeholders in planning issues. The production of an SCI is a requirement of the Planning & Compulsory Purchase Act 2004, and explains how the Council will engage local communities and other interested parties in producing its Local Plan and determining planning applications. It is a legal requirement that any consultation on a Local Plans is undertaken in accordance with the adopted SCI.

The current SCI for Lewes District was adopted in 2011. Since then, the Localism Act 2011 and the Neighbourhood Planning Act 2017 have been introduced. Amendments have also been made to the Town and Country Planning Regulations and a new National Planning Policy Framework has come into force. These legislative changes mean that there is a need to review and update our SCI. They also present an opportunity to review the most effective ways to consult the community based on recent experience.

A Draft Revised SCI was published for consultation in November 2019. This Statement of Consultation sets out:

- Who was consulted
- The issues raised in the responses
- How those issues have been addressed

The main stages in preparing the SCI are:

Information gathering	Winter 2018
Preparation of Draft SCI	Autumn 2019
Statutory Consultation	11 Nov 2019 – 5 Jan 2020
Adoption	Spring 2020

2. Early Engagement

Prior to drafting the revised SCI, we initially approached the Town and Parish Councils for their views. As a result of the feedback received, the consultation document included a more detailed explanation of the planning system, with descriptions of the different stages of plan-making and determining planning applications.

The Town and Parish Councils also underlined the importance of not relying exclusively on on-line information for the purposes of engagement and consultation. We recognise that not all sections of the community have access to a computer and

this issue was addressed accordingly in the Draft Revised SCI prior to formal consultation.

3. Statutory Consultation

The Draft Revised SCI was published for consultation between 11 November 2019 and 5 January 2020. The consultation was publicised on the Council's website and all people and organisations registered on the database were notified by email.

Comments on the Draft Revised SCI were received from 10 consultees. The comments on the Draft Revised SCI are summarised in Appendix 1, accompanied by an officer response.

The consultation was accompanied by a questionnaire including one general question on the draft document and specific questions on its individual sections.

Summary of the responses:

Question 1 asked whether the description of Plan Making, Neighbourhood Planning and Development Management was helpful in order to understand the planning system. In general this was agreed, although two respondents commented it could be more concise.

Question 2 asked whether the involvement of the community in plan making is sufficient. In general, it was considered clear and sufficient, although one respondent felt it was overwhelming.

We acknowledge that there is a lot of information, but this is necessary due the different requirements for all planning documents and the level of detail on consultation periods, consultation bodies, and consultation methods.

Another respondent flagged up an incorrect reference to an outdated version of the Country and Planning Regulations. This will be corrected.

Questions 3 and 4 referred to the section on how the Council will support Neighbourhood Planning. The majority of the respondents consider this is sufficient. One respondent raised the issue of how the Council will support a review of a Neighbourhood Plan.

We received one specific comment on Development Management, related to Planning Performance Agreements (PPAs). It was appreciated PPAs were included and the respondent hoped they will be enforceable. In the Officer's Response we refer to the Planning Practice Guidance on this matter, which states it is a shared responsibility to review the progress of a PPA.

The final question referred to the Draft Revised SCI in general. Not all comments were strictly related to the SCI; respondents made use of the opportunity to comment on other planning issues as well. There were comments related to the role of neighbourhood planning, the need for more regulation on industrialisation in the National Park, and a complaint on quality of the Council's planning portal.

There were two respondents who suggested additional organisations to be included on one of the lists of Consultation Bodies. One respondent underlined the importance of good communication skills of the Council's staff. Two respondents expressed appreciation of being invited to comment. One respondent stated that the document was difficult to follow.

One respondent highlighted errors in Appendix 3 of the document, which have now been corrected. Another respondent pointed to a repetition of a text in the Appendix, which was already set out in the main text. However, we consider that this format make it easier to reference the relevant information.

All the comments received, together with the Council's response, are set out in the Appendix overleaf.

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Appendix

Rep ID	Respondent	Question 1: Section 2 describes Plan Making, Neighbourhood Planning and Development Management. Does it help you to understand the planning system?	Comments
764953	Nicola Shefras	<p>Yes it gives a good broad overview - could be more concise</p> <p>How often are both the local and neighbourhood plans updated? - This is not mentioned in the document and should be.</p>	<p>Information on updating of local plans is contained in the Local Development Scheme, which is published on the Council's website. Decisions on whether and when to update neighbourhood plans are the responsibility of the respective Town and Parish Councils, not the District Council.</p> <p>No amendment needed.</p>
769291	Cllr Wendy Hickens / Newick Parish Council	Yes it is very clear	Noted
771069	Dr Wendy Maples	The detailed document makes sense, but it is a bit overwhelming. It would be far more helpful to have a short overview that clearly identified the key points of the section, and their purpose.	<p>The level of detail in SCI is considered necessary in view of its role in highlighting the precise regulations governing future consultations.</p> <p>No amendment needed.</p>
4 respondents		Yes	Noted

Rep ID	Respondent	Question 2: Section 3 of the SCI describes how the Council wants to involve the community in plan making. Do you think this is sufficient?	Officer Response
764953	Nicola Shefras	It is purely a basic requirement.	National legislation prescribes when and how the Council will involve the community. However, the Council may go beyond the minimum statutory requirements, depending upon the stage of plan making or the need to consult

			difficult to reach groups. The SCI explains and clarifies this in one single document.
			No amendment needed
769291	Cllr Cathy Wickens	Yes. Again it is very clear and concise	Noted.
771069	Dr Wendy Maples	<p>Again, the way this is set out here is a bit overwhelming. It seems to me that what you are trying to say is that:</p> <ol style="list-style-type: none"> 1. People who register to be consulted will be consulted, mainly by email. 2. Other forms of consultation will take place, depending on the issues raised by a given plan, and whether some members of the communities affected are considered to be 'difficult to reach'. 3. Other forms of consultation include online forums, public meetings, leafleting, notices in the local papers, etc. <p>Is that right?</p> <p>That sounds OK to me, but I would be more convinced there was a good approach to consultation in general if THIS consultation were a bit more streamlined.</p> <p>Personally, I think it is important to have early opportunities for active mapping and to be able to look at the 'big picture', even when smaller scale developments are being considered.</p>	<p>The SCI, once adopted, will guide all consultations and needs to be legally precise. The benefits of active mapping are acknowledged but the introduction of this technology is not included in the Council's current budget.</p> <p>No amendment needed.</p>
776000	Elizabeth Cleaver Highways England	Chapter 3 "Community Involvement in Plan Making" which sets out who, when and how you will consult on Development Plan documents, refers to The Town and Country Planning (Local Planning) (England) Regulations 2012. However Appendix 3 "List of Specific Consultation Bodies" refers to the superseded 2004 regulations and so this should be updated.	<p>Noted, this will be corrected.</p> <p>Amendment: correct reference in Appendix 3.</p>
	4 respondents	Yes	Noted

Rep ID	Respondent	Question 3: Section 4 of the SCI describes how the Council will support Neighbourhood Planning. Do you think this is sufficient?	Officer Response
769291	Cathy Wickens, Newick Parish Council	No as it doesn't explain how a review of a Neighbourhood Plan works or how you will support it and this is the stage that we are embarking on.	There is no difference in the Council's approach towards a providing support for a new Neighbourhood Plan or the review of an existing Neighbourhood Plan. The Council's support will be tailored to the Town or Parish Council's needs so far as is consistent with the availability of resources, as detailed in paragraph 4.7. No amendment needed.
5 respondents		Yes	Noted.

Rep ID	Respondent	Question 4: Section 4 of the SCI describes how the Council will support Neighbourhood Planning. Do you think this is sufficient?	Officer Response
764953	Nicola Shefras	Questions 3 and 4 here appear to be the same?	Noted.
766816	Dennis Matthews	As above!	
769291	Cathy Wickens, Newick Parish Council	As above - same question?	
771060	Penelope Lower	Repeat?	
771069	Dr Wendy Maples	Should this be about Section 5? In which case, the best part of Section 5 is the suggestion that PPAs will be entered into. I hope that these are strict and enforceable.	Planning Performance Agreements (PPAs) SCI p.41 PPAs can be useful in setting out an efficient and transparent process for determining large and/or complex planning applications. They are voluntarily agreements and are not intended to be a legally binding contract, unless the parties wish to approach it in this way. All parties will need to regularly review progress on the implementation of the PPA and take shared responsibility

		for addressing any problems or slippage. (See: 'Before submitting an application' on: https://www.gov.uk/government/collections/planning-practice-guidance).
		No amendment needed
2 respondents	Yes	Noted.

Rep ID	Respondent	Question 5: Please add any comments you have about the Draft Revised Statement of Community Involvement.	Officer Response
764953	Nicola Shefras	I would like to understand what the point of having a neighbourhood plan agreed and in place is when this can be overridden by the LDC? It therefore seems superfluous to have one if it is not going to be respected and upheld.	Section 35(5) of the Planning and Compulsory Purchase Act 2004 requires any policy conflict to be resolved by the decision maker favouring the policy which is contained in the last document to become part of the development plan. No amendment needed.
766086	Steve Hitchcock	Appendix 2 is repetitive of paras 5.14 & 5.15 and appears superfluous.	It is considered easier to reference this information when it is in an appendix. No amendment needed.
766816	Dennis Matthews	None	
767352	Robert Cheesman, Friends of Lewes	Whilst Friends of Lewes is essentially only interested in that part of the District Council area that lies within the National Park it wishes to keep abreast of planning policy issues in the remaining part.	Noted
767940	Robert Cheesman, Friends of Lewes	Although we are primarily interested in planning issues affecting Lewes where the South Downs National Park Authority is the planning authority we wish to maintain a watching brief on planning issues in Lewes District outside	

		that area.	
769291	Cllr Cathy Wickens / Newick Parish Council	The point that I wish to make on behalf of Newick PC is that the Council's planning portal is frequently down, slow or documents haven't been uploaded. Similarly we don't always hear about for example appeals and leaving a saved search using the portal is not user friendly. Otherwise no other comments about the CSI.	Noted. The Council will regularly amend the website where appropriate in the light of customer feedback. No amendment needed.
771060	Penelope Lower	All procedures may be well-planned and appear thorough, but they depend on staff having excellent communication skills and fully informed personnel being available at public events.	Noted. The Council's staff do aim to explain all issues openly and clearly. No amendment needed.
771069	Dr Wendy Maples	I hope there are lots of responses to this, but I fear there won't be. I am a Town Councillor and have some familiarity with the terms noted and structures described, but I found this difficult to follow.	We have tried to reach a balance between the necessary legal terminology and the accessibility of the text for the reader. For instance, we included Section 2 to give an overview of the planning system. Although this overview might be helpful for some it might put off others because of the use of the many planning terms. No amendment needed.
776000	Elizabeth Cleaver Highways England	The list in Appendix 3 should include Highways England as the highway authority for the A27 and A26 trunk roads.	Noted. This will be corrected. Amendment: insert correct reference in Appendix 3.
776000	Elizabeth Cleaver Highways England	We are content that Highways England will continue to receive information on publicised planning permission applications that will have an impact on the SRN (A26 and A27 trunk roads) as per statutory requirements. We also encourage early engagement with developers and do not charge for pre-application advice.	Noted.
776151	Alan Byrne Historic England	The consultation process detailed in the SCI should be adequate in meeting the requirements of the Local Development Regulations 2004. It will be important to ensure that stakeholder organisations with interests and responsibilities in the	The Gardens Trust and the Theatres Trust are both included in Table 2 of the Government's Guidance on Consultation and pre-decision matters and therefore will be consulted in case of application affecting listed gardens or theatres. (See para 5.4 of the SCI.).

		<p>historic environment, at national and local levels, are fully involved throughout the consultation process. To this end, it is important to consult with both the Council's own conservation officer or team and local amenity societies. In terms of the general requirement of consultation in relation to the historic environment, I attach a Note on Consultation with the heritage Sector and a list of national amenity bodies.</p>	No amendment needed.
776147	Derek Blackhall Rodmell Parish Council	<p>Rodmell Parish Council is based wholly within the South Downs National Park and its councillors would like to make the following suggestions to help regulate the increasing industrialisation of the Park;</p> <p>1: A guide to the Permitted Development Regulations is produced in plain English.</p> <p>2: Farmers and landowners are reminded of the specific requirements of being in a National Park.</p> <p>3: An on-site audit of industrial and commercial developments on farms is carried out to compare what is happening with the permits in place and enforcement action is taken when necessary. This will help clarify what the requirements are and hopefully help stop further infringements taking place.</p> <p>4: The current local planning infrastructure and system is reviewed, so that all changes of use in the Park are assessed against the permitted development regulations and where appropriate are formally considered by the community and planning authorities, before developments take place eg;</p> <ul style="list-style-type: none"> i. Planning Officers are given caseloads of farms/agricultural areas so they can familiarise themselves with particular areas. ii. Farmers are asked to draw up their own development plans and involve their local communities and neighbours in the process. iii. South Downs Rangers or 'friends' of the 	<p>Noted. However, Lewes District Council is not the Local Planning Authority for the South Downs National Park.</p> <p>No amendment needed.</p>

- South Downs National Parks are used to monitor or report on developments on the ground in order to reduce reliance on neighbours making complaints after the development has already taken place.
- iv. Permitted developments in the South Downs National Parks are suspended in the meantime.