

# Eastbourne

## STATEMENT OF COMMUNITY INVOLVEMENT



July 2017

**EASTBOURNE**  
Borough Council



[www.eastbourne.gov.uk](http://www.eastbourne.gov.uk)



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## 1.0 Introduction

- 1.1 Every day, decisions are made about our surroundings: what homes, roads, offices, and shops are built and where, and what public spaces will be created and protected. These decisions affect us all, and the Town and Country Planning system seeks to ensure that the local community and other stakeholders are involved in them.
- 1.2 It is important that local people understand the planning process and are given the opportunity to get involved to contribute to planning decisions. In order to achieve this, Eastbourne Borough Council has produced this Statement of Community Involvement (SCI) to set out the standards and approaches that the Council will take to involve stakeholders and the community in the consulting on planning matters.

### What is a Statement of Community Involvement?

- 1.3 Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended) requires local planning authorities to produce a Statement of Community Involvement (SCI), which should explain how they will engage local communities and other interested parties in producing their Local Plan and determining planning applications.
- 1.4 Eastbourne Borough Council is the Local Planning Authority for the Eastbourne Borough area, excluding the area within the South Downs National Park. Within this area, the Local Planning Authority is the South Downs National Park Authority.
- 1.5 Eastbourne Borough Council's SCI sets standards and methods that will be followed for engaging residents, local groups, stakeholders and statutory consultees in:
  - The preparation of the plans (known as Local Development Documents) and policies that set out what the town requires and how it will change over a 15 to 20 year period (**Plan making**); and
  - The determination of planning applications for new development (**Development Management**).

- 
- 1.6 The Council's first SCI was adopted in 2006, with a technical amendment made in 2009. This SCI has been used to direct consultation on the production of planning policy documents such as the Core Strategy, the Town Centre Local Plan and the Employment Land Local Plan.
  - 1.7 The Council has reviewed and amended the previous SCI to take into account legislative changes since 2009 and to reflect on previous experience of consultation in order to make the consultation process more accessible, efficient and effective. This SCI was subject to public consultation between 24<sup>th</sup> March and 19<sup>th</sup> May 2017.

### Why get involved?

- 1.8 Most people have limited contact with the planning system. They may need to make a planning application for an extension to their home, or possibly their neighbour makes a planning application and the Council contacts them for their views.
- 1.9 However many people are interested in their town's future. They want their children to have a decent home and job and they value Eastbourne's environment. They have clear ideas as to the kind of place they would like Eastbourne to be but probably have not realised the important role of planning in helping to achieve these ideas.
- 1.10 The Council values these ideas and wants to hear from the local community both when it is considering planning applications and when it is preparing planning policies.

### Legislation and National Policy

- 1.11 The key pieces of legislation and national policy that are relevant to consultation on planning matters and the preparation of this SCI are outlined below.

#### *National Planning Policy Framework*

- 1.12 The National Planning Policy Framework (NPPF) sets out guidance for local planning authorities both in drawing up plans and making decisions about planning applications. Paragraph 17 of the NPPF set outs 12 core planning principles. One of the key principles states that planning should 'be genuinely

plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area.’ The NPPF also requires local planning authorities to demonstrate evidence of having effectively co-operated to plan for issues with cross boundary impacts when their local plans are submitted for examination.

- 1.13 In addition, the National Planning Practice Guidance (NPPG) adds further context to the NPPF and provides additional advice on a range of matters including on local plans, determining planning applications, and consultation and pre-decision matters. Regard must be had to national policies and advice contained in the NPPF and NPPG in plan making, and these are also ‘material considerations’ in the determination of planning applications.

#### *Localism Act 2011*

- 1.14 Section 110 of the Localism Act 2011 introduced a “Duty to Co- operate” for local planning authorities and other public bodies to work collaboratively on strategic, cross boundary issues. It requires Local Planning Authorities and other prescribed bodies to engage in the preparation of development plan documents and other activities relating to the sustainable development and use of land, in particular in connection with strategic matters, defined as matters affecting more than one planning area.

#### *Equalities Act 2010*

- 1.15 Under the Equalities Act 2010, local authorities must have regard to the Public Sector Equalities Duty in respect of engaging with people with ‘protective characteristics’: age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation. The Equalities Act requires that due regard should be given to:
- eliminate unlawful discrimination
  - advance equality of opportunity between people who share a protected characteristic and those who don’t
  - foster or encourage good relations between people who share a protected characteristic and those who don’t.

#### *Data Protection Act 1998 and Freedom of Information Act 2000*

- 1.16 Representations submitted on planning consultations cannot be treated in confidence under the Freedom of Information Act 2000. This means that copies of representations and the name of the person submitting the representation will be made publicly available, and by submitting



representations, consultees accept responsibility for their comments. However, under the Data Protection Act 1998, other personal information such as telephone numbers, email/private addresses and signatures will not be made publicly available.



## 2.0 Overview of the Planning System

- 2.1 The Planning System manages the use and development of land and buildings with the aim of achieving 'sustainable development'.
- 2.2 The Planning System has two main parts to it:
- **Plan making** – setting out a plan and policies for how an area will develop over time as a guide to future development.
  - **Development Management** – when proposals for development is assessed and granted or refused planning permission.
- 2.3 The planning system is a 'plan-led system', which means that applications for planning permission should be determined according to what the plan and policies for the area says about it, unless there are material considerations that would go against this. Therefore it is important that the local community get involved in the plan making stage as well as commenting on specific planning applications.
- 2.4 Planning officers prepare the local policy and assess applications, and provide advice to elected Councillors, who are responsible for approving planning policy documents and plans, and making decisions on whether planning permission should be granted.

### Plan-making

- 2.5 Plan-making is setting the strategy for the future of the area over a long period, typically 15/20 years, in the form of plans and policies. These plans and policies are contained within Local Development Documents, which is collective term used to describe Local Plans and Supplementary Planning Documents.
- 2.6 Plan-making can be undertaken by local communities through Neighbourhood Planning. Community-led plan-making is discussed in more detail in Section 6.
- 2.7 The legal requirements for the production of Local Development Documents are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012, which will subsequently be referred to as 'the Local Planning Regulations'.

- 2.8 The Council sets out its timetable for plan-making in the Local Development Scheme (LDS)<sup>1</sup>. The LDS specifies the Local Development Documents that are to be produced; the subject matter and geographical area to which each document relates; and the timetable for the preparation and revision of these documents.

## Local Plans

- 2.9 The Local Plans are formal plans that set out the strategic priorities for future development including the requirements for housing, the economy, community facilities and infrastructure, as well as a basis for safeguarding the environment, adapting to climate change and securing good design.
- 2.10 The Local Plan sets out what opportunities there are for development in the area, and what will and will not be permitted and where. Therefore Local Plans are critical in determining what will be developed, what will be protected and what will not be given permission to be built.
- 2.11 In preparing Local Plans, Local planning authorities will firstly assess the future needs and opportunities in the area. Options for addressing these issues will be presented, and a preferred approach will be identified. This process involves the gathering of evidence, carrying out of a Sustainability Appraisal to ensure that development is sustainable, and effective engagement and consultation with the local community and other stakeholders.

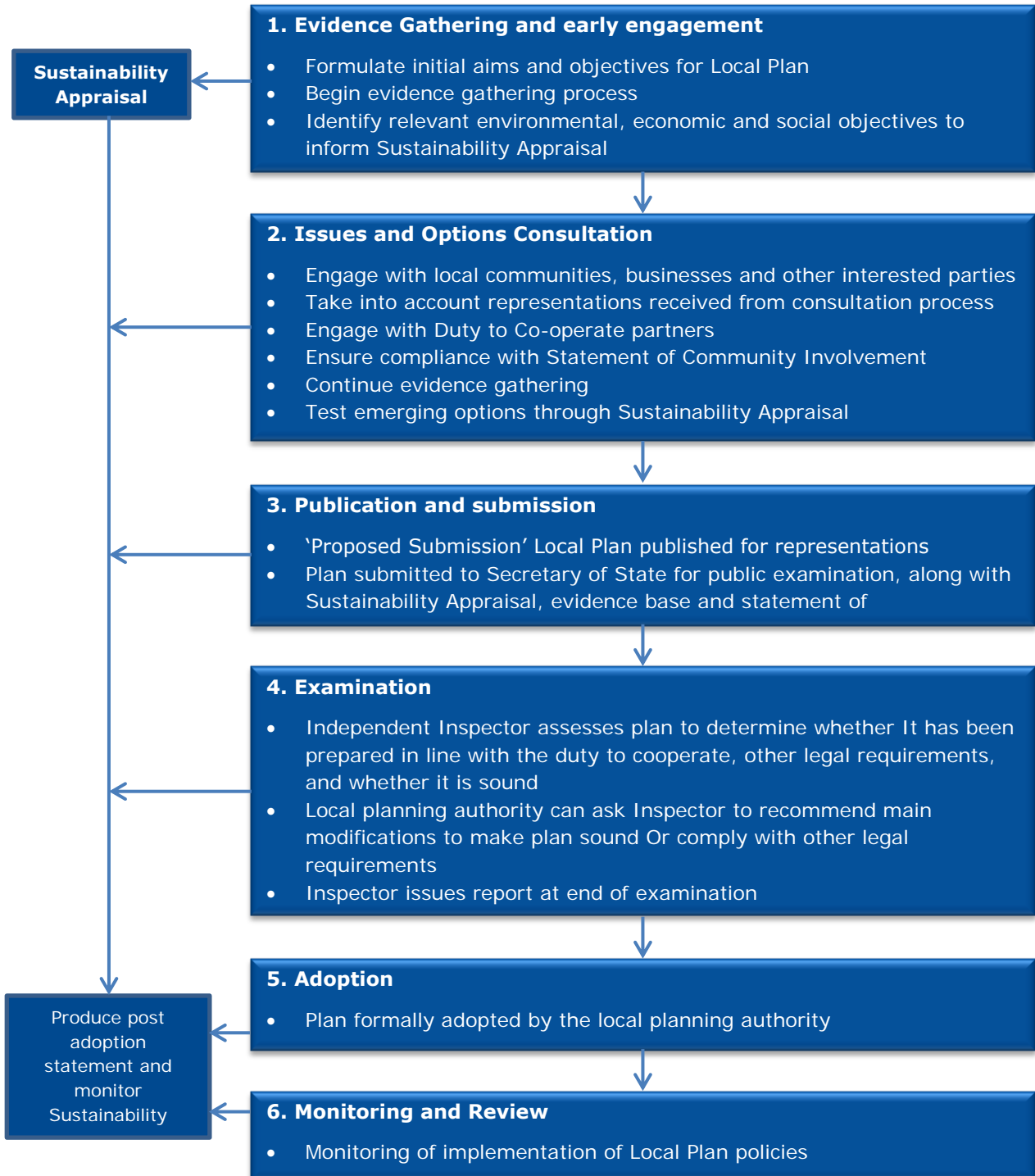
### *Key Stages of Production of a Local Plan*

- 2.12 The process of preparing a Local Plan involves several stages, which are identified in Figure 1.

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<sup>1</sup> [www.eastbourne.gov.uk/lids](http://www.eastbourne.gov.uk/lids)

**Figure 1 - Stages in the preparation of a Local Plan**



*Adapted from Planning Practice Guidance, Paragraph 005 Reference ID: 12-005-20140306*

2.13 Further details of the key stages in Local Plan preparation are identified below, along with the appropriate sections from the Local Planning Regulations where relevant:

### **1. Evidence Gathering and early engagement** (*Regulation 18*)

The first stage in Local Plan preparation is to establish a clear understanding of what the Local Plan should cover to address the critical issues in the area. This is achieved by preparing a robust and relevant evidence base, which will also be used to develop policies and proposals at later stages in plan preparation. Social, economic and environmental data will be collected and the scope of the Sustainability Appraisal established.

There may be informal engagement with stakeholders at this stage to consider specific issues arising from the evidence gathering process. This will normally involve informal meetings to discuss issues with relevant consultees and stakeholders, but may also involve wider public engagement. Statutory bodies will be consulted on the scope of the Sustainability Appraisal.

### **2. Issues and Options Consultation** (*Regulation 18*)

The issues and options arising from the evidence gathering and early engagement will be subject to public consultation, and comments will be invited as to what the Local Plan should contain.

Once the Issues and Option consultation has concluded, all comments received will be reviewed and considered alongside the evidence collected. All emerging options will be tested through the Sustainability Appraisal, and all of this information will be used to draft the Local Plan.

### **3. Publication and submission** (*Regulation 19, Regulation 20 and Regulation 22*)

The Local Plan, at this stage known as the 'Proposed Submission' version, will be published alongside the Sustainability Appraisal to allow representations to be made on the plan before it is submitted to Secretary of State for public examination. Representations made at this stage should relate to issues of 'soundness'.

Following this representation period, the Council will submit the Proposed Submission version of the Local Plan, together with all other relevant reports,

the representations received and a Statement of Representations, to the Secretary of State for public examination.

#### **4. Examination** (*Regulation 23 and Regulation 24*)

An independent Inspector will be appointed by the Secretary of State, who will conduct an Examination into the 'soundness' of the Local Plan. This is likely to include public hearing sessions. The Inspector will consider all of the information submitted alongside the Local Plan, including the evidence base and any representations submitted on the 'Proposed Submission' version. Anyone who submitted representations on the 'Proposed Submission' version will be invited to participate in the Examination, either through written representations or by appearing at public hearing session (it is important to note that both methods carry equal weight).

During the Examination, the Inspector may propose changes to address issues of soundness or legal compliance. These are known as 'Main Modifications'. Following the conclusion of the hearing sessions, the Main Modifications will be published for consultation.

#### **5. Adoption** (*Regulation 25 and Regulation 26*)

Following the hearing sessions and the conclusion of the Main Modification consultation, the Inspector will issue a report on the examination, including conclusions as to whether the Local Plan is sound and legally compliant.

If the Inspectors Report considers the Local Plan to be sound and legally compliant, the Council can decide if they wish to adopt the Local Plan, including any modifications that the Inspector decides are necessary.

If agreed, the Local Plan should be adopted by Full Council. Following this there is a six week period for legal challenges to the adoption of the Plan to be submitted.

#### **6. Monitoring and Review**

Once the Local Plan has been adopted, it will be monitored through the Authority Monitoring Report (AMR) which will be produced on an annual basis. This will inform when the Local Plan needs to be reviewed.

### *Sustainability Appraisal*

- 2.14 Sustainability Appraisal is a process that must be carried out during the preparation of a Local Plan. Its role is to promote sustainable development by assessing the social, economic and environmental impacts that would result from the implementation of the policies contained within Local Plans, as well as a means of identifying and mitigating any potential adverse effects that the plan might otherwise have.
- 2.15 The carrying out of a Sustainability Appraisal on Local Plans is a requirement of Section 19 of the Planning and Compulsory Purchase Act 2004. Sustainability Appraisal incorporates the requirement to prepare a 'Strategic Environmental Assessment' from the Environmental Assessment of Plans and Programmes Regulations 2004.

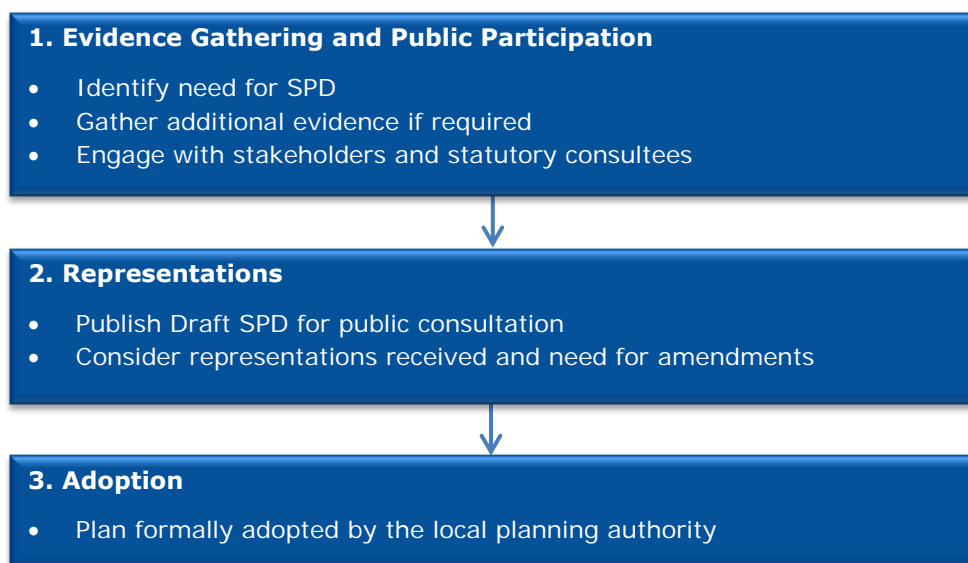
### **Supplementary Planning Documents**

- 2.16 A Supplementary Planning Document (SPD) is a planning policy document that builds upon and provides more detailed advice or guidance on the policies in a Local Plan. The purpose of a SPD is to help applicants make successful applications. Once adopted, SPDs become material planning considerations in the determination of planning applications.
- 2.17 SPDs are not required to go through the Sustainability Appraisal process; however in exceptional circumstances a Strategic Environmental Assessment may be required if they are likely to have significant environmental effects that have not already been assessed during the preparation of the Local Plan.

### *Key Stages of Production of a SPD*

- 2.18 There are fewer stages in the preparation of a SPD compared to a Local Plan, meaning the SPDs can be produced in a shorter timeframe. The process of preparing a SPD involves several stages, which are identified in Figure 2 below.

**Figure 2 - Stages in the preparation of a Supplementary Planning Document**



2.19 Further details of the key stages in SPD preparation are identified below, along with the appropriate sections from the Local Planning Regulations where relevant:

**1. Evidence Gathering and Public Participation** (*Regulation 12*)

The first stage in SPD preparation is to assess the existing policy to identify what additional detail is required to assist in its implementation. If there is need for evidence in addition to that which supported the development of the policy, this will be gathered. Early engagement should take place with stakeholders and statutory bodies to identify early issues and how they can be addressed.

**2. Representations** (*Regulation 13*)

The SPD will be drafted and published for public consultation with the local community and other stakeholders. Once the consultation has concluded, all comments received will be reviewed and considered, and where the recommendations are considered beneficial, the Supplementary Planning Document will be amended accordingly.

### **3. Adoption** (*Regulation 14*)

Once the consultation responses have been considered, the Council can adopt the SPD as there is no requirement for an independent examination of a SPD.

Once adopted by Full Council, there is a 12 week period for legal challenges to the adoption of the SPD to be submitted.

## **Community Infrastructure Levy**

2.20 The Community Infrastructure Levy (CIL) is a planning charge, introduced by the Planning Act 2008 as a tool for local authorities to help deliver infrastructure to support the development of their area. It came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010 (as amended), which will subsequently be referred to as 'the CIL Regulations'.

2.21 Eastbourne Borough Council adopted CIL on 1 April 2015. The charging rates are set out in the CIL Charging Schedule and are expressed as £ (pounds) per square metre.

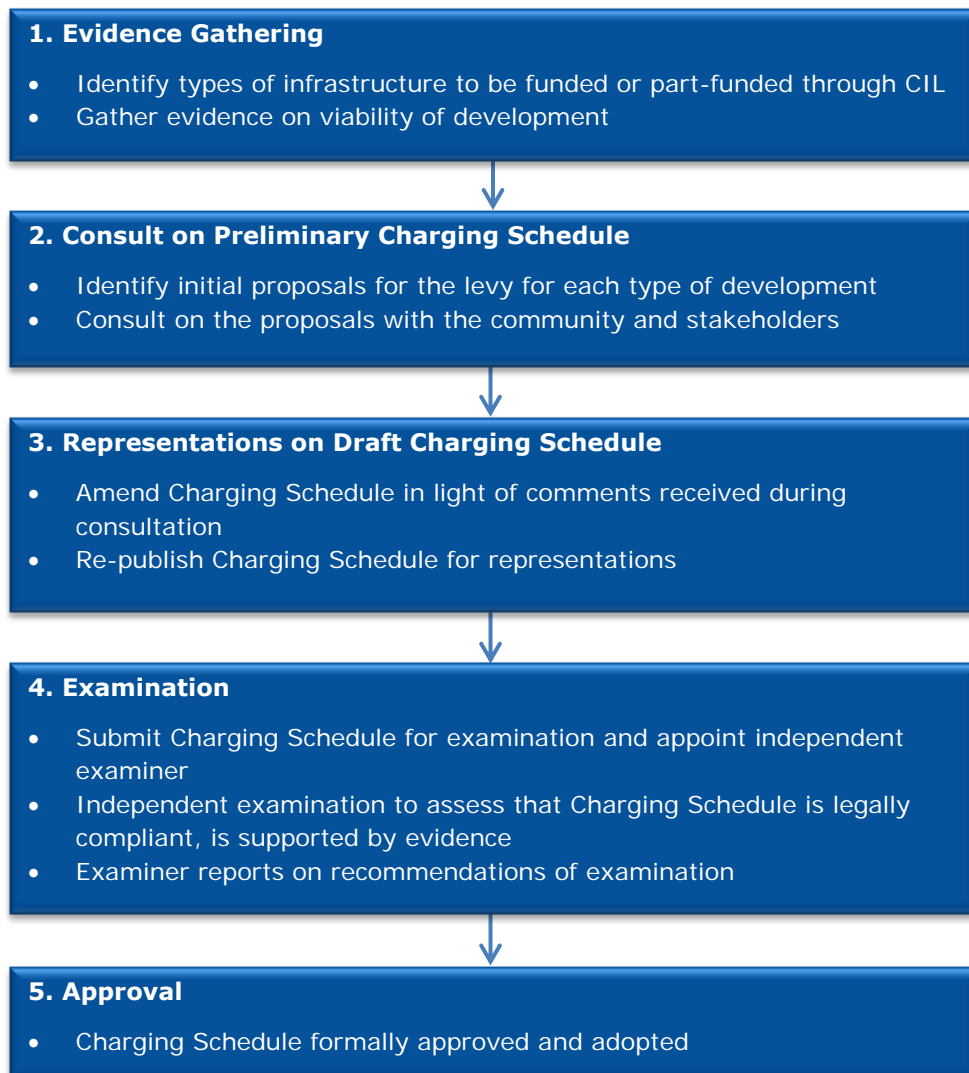
2.22 Charging schedules are not formally part of the Local Plan, but charging schedules should be consistent with, and support the implementation of, up-to-date Local Plans. Charging Schedules are not required to undergo Sustainability Appraisal.

### *Key Stages of Production of a CIL Charging Schedule*

2.23 The process for preparing a CIL Charging Schedule is not too dissimilar to that of a Local Plan. The process of preparing a CIL Charging Schedule involves several stages, which are identified in Figure 3.




**Figure 3 - Stages in the preparation of a CIL Charging Schedule**



2.24 Further details of the key stages in CIL Charging Schedule preparation are identified below, along with the appropriate sections from the CIL Regulations where relevant:

**1. Evidence gathering**

The first stage in the preparation of a Charging Schedule is to identify the types of infrastructure that should be funded wholly or partly through CIL, drawn from the Infrastructure Delivery Plan produced to support the Local Plan.



Evidence should then be gathered to demonstrate the potential effects that any levy might have on the economic viability of development in the area, which is used to identify appropriate rates of different types of development.

## **2. Consult on Preliminary Charging Schedule** (*Regulation 15*)

A preliminary draft charging schedule, which sets out the charging authority's initial proposals for the levy, will be published for public consultation with the local community and other stakeholders.

Once the consultation has concluded, all comments received will be reviewed and considered, and taken into account when firming up its proposals in the form of the draft charging schedule.

## **3. Representations on Draft Charging Schedule** (*Regulation 16, Regulation 17 and Regulation 19*)

A Draft Charging Schedule is prepared in light of comments received on the preliminary draft and other updated evidence where applicable. It is published for further public consultation before going forward for a formal independent examination. During the consultation period, any person may comment on the draft charging schedule, and may ask to be heard by the examiner if they wish

Alongside the draft charging schedule, appropriate available evidence on infrastructure costs, other funding sources and economic viability must also be published.

## **4. Examination** (*Regulation 20 and Regulation 21*)

Once submitted, the charging schedule will be examined in public by an independent person appointed by the charging authority. Any person asking to be heard before the examiner at the examination must be heard in public. The examination could take the form of a public hearing, or if no-one has requested the right to be heard, through written representations.

## 5. Approval (*Regulation 23 and Regulation 25*)

Following Examination, the examiner will report their recommendations and may recommend that the draft charging schedule should be approved, rejected, or approved with specified modifications.

The charging schedule, incorporating any modifications specified by the examiner, must be formally approved by Full Council. The resolution should include an appropriate commencement date for the Charging Schedule.

### Development Management

- 2.25 Development Management is the process of managing the development of land and buildings through the granting of planning permission. Eastbourne Borough Council is responsible for deciding whether planning permission should be granted for a proposed development when a planning application is submitted.
- 2.26 Planning permission is generally required to carry out any form of 'development'. Development means constructing new buildings or significantly changing how land or buildings are being used. However, certain types of development do not require planning permission – this is called Permitted Development. This is because the effect of such developments on neighbours or the surrounding environment is likely to be small. Also, certain areas get additional special protection against particular types of development, particularly where it is within a Conservation Area or involves a Listed Building.
- 2.27 There are a number of different types of application that can be submitted, and these will be classed as either 'major' or 'minor'. Different applications have different timeframes for determination, for example the determination for a 'major' application should be within 13 weeks, whilst a 'minor' application should be determined within 8 weeks. By way of an agreement between the Council and the applicant/agent, an 'Extension of Time' can set a determination date outside of these parameters.
- 2.28 Whether planning permission is granted will depend on whether the application is in line with the policies and proposals within the Development

Plan, or if there are other strong planning reasons or 'material considerations'<sup>2</sup> that would influence a decision.

2.29 Decisions on whether planning permission should be granted will be taken via one of two mechanisms:

- Determination by elected Councillors on the Planning Committee
- Determination by the Senior Specialist Advisor in consultation with the Chair of Planning Committee through delegated powers

2.30 The criteria used to decide which applications should be determined by Planning Committee are covered at paragraph 47 of the Council's Scheme of Delegation<sup>3</sup>. The dates for Planning Committee can be found on the Council's website<sup>4</sup>.

2.31 Where an application is refused, either by Planning Committee or through delegated powers, the applicant has the right to appeal to the Planning Inspectorate, or to negotiate an amended scheme to overcome the areas of concern.

2.32 Eastbourne Borough Council makes decisions on around 800 applications per year, with approximately 90% being determined using delegated authority.

#### *Process for determining planning applications*

2.33 A summary of the process for the determination of planning applications is described in Figure 4.

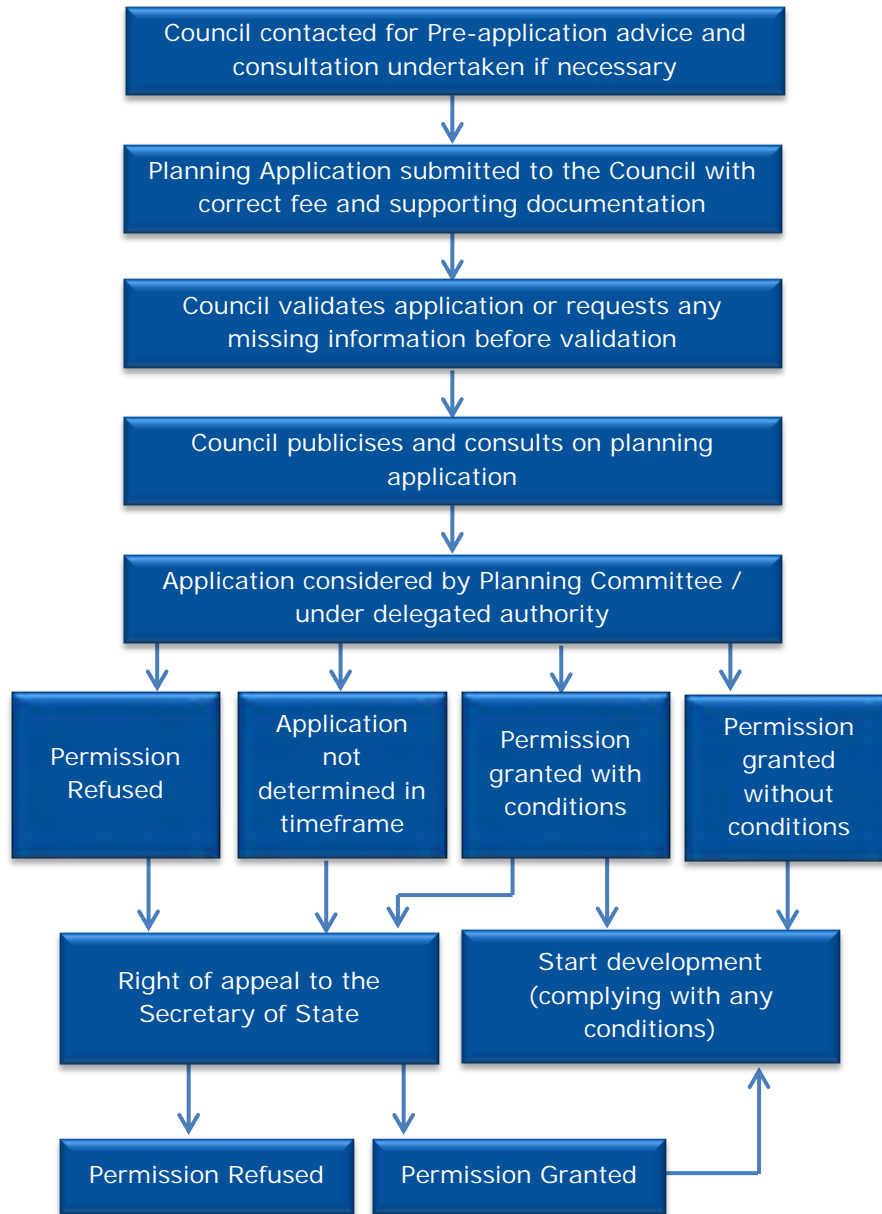
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<sup>2</sup> <http://www.rtpi.org.uk/media/686895/Material-Planning-Considerations.pdf>

<sup>3</sup> <http://www.eastbourne.gov.uk/about-the-council/the-constitution/>

<sup>4</sup> <http://democracy.eastbourne.gov.uk/ieListMeetings.aspx?CIId=144&Year=0>

**Figure 4 - Stages in the processing of a planning application**



*Adapted from the Planning Portal website (Applications – the Decision-making process)*

## 3.0 Background to Eastbourne

### Eastbourne and its residents

- 3.1 Eastbourne is a coastal borough located within the county of East Sussex in the South East of England. It is bordered by the district of Wealden and the English Channel.
- 3.2 Eastbourne Borough Council is responsible for planning within the Eastbourne Local Planning Authority area. This includes the Eastbourne Borough boundary with the exception of the area within the South Downs National Park, which is in the planning jurisdiction of the South Downs National Park Authority. However it is recognised that Eastbourne's area of influence extends further than the Borough boundary into Willingdon and Polegate, and Eastbourne Borough Council does work with Wealden District Council and the South Downs National Park Authority on cross-boundary strategic planning matters in accordance with the 'Duty to Co-operate'.
- 3.2 Eastbourne has a population of 102,465 (ONS Mid-2015 Population Estimates), an increase of 7.3% over the preceding 10 years. This rate of growth is broadly in line with that of East Sussex as a whole.
- 3.3 Eastbourne has a substantially older age profile than the region and nationally, although it is broadly in line with the county profile. 24.2% of Eastbourne's population is aged over 65, and there is a particularly high percentage of people aged over 85 in comparison to East Sussex, the South East region and nationally.
- 3.4 At the 2011 Census, Eastbourne has 45,102 households. 36.2% of these were single person households, a higher proportion than across the county, the region and nationally. Average household size across Eastbourne is projected to fall over the next 10 years from 2.14 to 2.02 people per household.
- 3.5 Eastbourne's population change since 2001/02 has mainly been driven by net migration. Internal migration (the exchange of people between Eastbourne and other parts of the UK) has had the most significant impact on population growth, although the levels of net migration have decreased since 2008.
- 3.6 Since 2001, internal in-migration has averaged 6,140 per year, with internal out-migration averaging 5,247 per year, resulting in an average annual population net increase of 893 people per year due to internal migration.

Eastbourne has net increases of population from Lewes, Brighton & Hove and Croydon, and a net decrease in population to Wealden.

- 3.7 The age profile of migration reveals that Eastbourne has experienced a net inflow in all age-groups with the exception of 20–24 year-olds.
- 3.8 International migration has had a less significant impact upon Eastbourne's population growth.
- 3.9 Natural change has resulted in a population decline (i.e. more deaths than births), which is a reflection of the older age profile to Eastbourne's population.
- 3.10 According to the Census 2011, 68% of Eastbourne's workforce is economically active, with 4.1% of the workforce being unemployed. The most common industries of work are 'Human health and social work activities' and 'Wholesale and retail trade'. Average weekly earnings in 2016 were £392 compared to a regional average of £460.
- 3.11 There is a broadly similar number of jobs in Eastbourne and the resident workforce. At the 2011 Census, there were 44,449 workers aged 16–74 living within Eastbourne and 43,888 workers aged 16–74 working within Eastbourne.
- 3.12 Of Eastbourne working age residents, approximately 71% work within the Borough. The most popular workplace destination for out-commuters is Wealden (9.5%), whilst 10% travel out of East Sussex for work. In terms of in-commuting, the most popular origin is also Wealden (14.9%).
- 3.13 6.1% of Eastbourne's population described themselves as having bad or very bad health at the 2011 census, compared to 4.4% across the South East region. There are over 20,000 people with a limiting long-term illness, and 10.6% of Eastbourne's population provides unpaid care for others. The rate of teenage pregnancy is 22.2 per 1,000 females aged 15-17, and the mortality rate of circulatory diseases for persons aged 0-74 is higher than the average for East Sussex.

### *Geo-demographic classification*

- 3.13 A profile of the types of people who live in Eastbourne, including expected behaviours and beliefs, is provided by the Experian 'Mosaic' geo-demographic population classification tool. 'Mosaic' divides Eastbourne's population into 15

groups which are defined by individual characteristics gathered from a range of data sources including the Census, consumer behaviour and lifestyle factors.

3.14 It shows that the most common types of household in Eastbourne are within the following group classifications:

- **Rental Hubs:** Educated young people privately renting in urban neighbourhoods (15.40%)
- **Vintage Value:** Elderly people reliant on support to meet financial or practical needs (14.21%)
- **Senior Security:** Elderly people with assets who are enjoying a comfortable retirement (12.68%)

3.15 Figure 5 provides a breakdown of Eastbourne's households by 'Mosaic Group'.

3.16 This classification tool indicates the behaviours of people within each group. This allows an analysis of how people of Eastbourne are most likely to behave in relation to consultation.

3.17 One of the behaviours analysed is the preference for contacting organisations. It is considered that this could be relevant for how residents would like to respond to consultation.

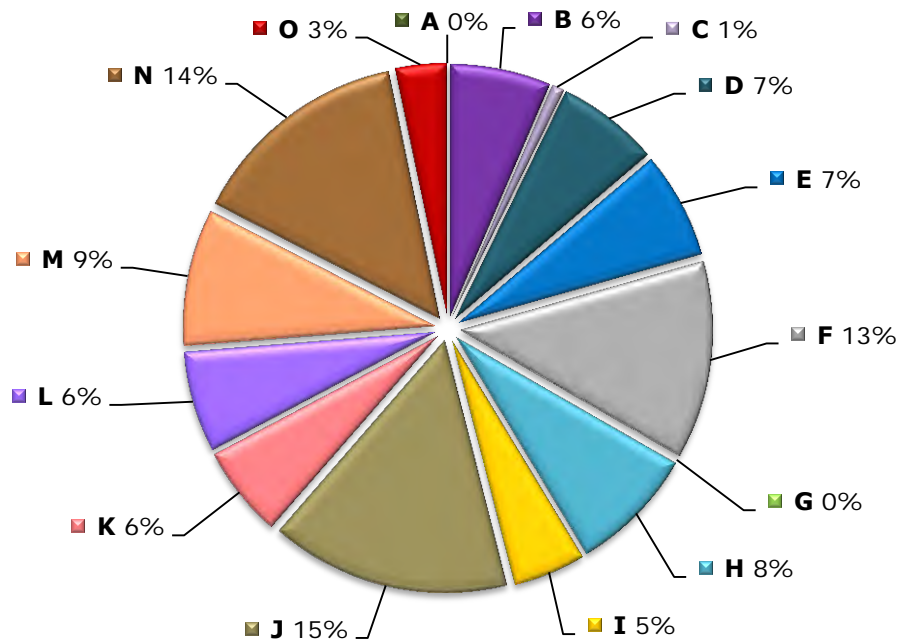
3.18 The data identifies that residents of Eastbourne are most likely to prefer using email to contact organisations, and slightly more likely to prefer using the phone. Residents are also significantly less likely to prefer contacting organisations via the internet.

3.19 Another behaviour identified by Mosaic is the preference for being notified of offers and promotions. This is relevant for how residents could prefer to be notified on consultation.

3.20 The data identified that residents of Eastbourne are most likely to prefer not being contacted about offers and promotions. However, there is also a small preference for email.



**Figure 5 – Households in Eastbourne by 'Mosaic Group'**



- A** – Country Living – *Well-off owners in rural locations enjoying the benefits of country life (0.0%)*
- B** – Prestige Positions – *Established families in large detached homes living upmarket lifestyles (6.4%)*
- C** – City Prosperity – *High status city dwellers living in central locations and pursuing careers (0.8%)*
- D** – Domestic Success – *Thriving families who are busy bringing up children and following careers (6.6%)*
- E** – Suburban Stability – *Mature suburban owners living settled lives in mid-range housing (6.8%)*
- F** – Senior Security – *Elderly people with assets who are enjoying a comfortable retirement (12.7%)*
- G** – Rural Reality – *Householders living in inexpensive homes in village communities (0.0%)*
- H** – Aspiring Homemakers – *Younger households settling down in housing priced within their means (8.1%)*
- I** – Urban Cohesion – *Residents of settled urban communities with a strong sense of identity (4.6%)*
- J** – Rental Hubs – *Educated young people privately renting in urban neighbourhoods (15.6%)*
- K** – Modest Traditions – *Mature homeowners of value homes enjoying stable lifestyles (5.8%)*
- L** – Transient Renters – *Single people privately renting low cost homes for the short term (6.5%)*
- M** – Family Basics – *Families with limited resources who have to budget to make ends meet (8.8%)*
- N** – Vintage Value – *Elderly people reliant on support to meet financial or practical needs (14.2%)*
- O** – Municipal Challenge – *Urban renters of social housing facing an array of challenges (3.3%)*

## Residents Consultation Survey 2015


- 3.21 In 2015, Eastbourne Borough Council commissioned a Resident Consultation survey to help inform the priorities for the Corporate Plan for 2015-2020. As part of this, residents were asked to evaluate how well informed they feel about local public services and decision making, which is relevant to public engagement in planning.
- 3.22 71% of residents completing the survey agreed that they can influence decisions affecting their local area. However, when this broken down by age group, it is clear that younger residents are also less likely to feel they can influence local decision making.
- 3.23 91% of respondents would generally like to be more involved in decisions affecting their area, although for 60% only on the basis that the issue is one that concerns them. 31% said outright that they would like to be more involved in all decisions affecting their local area. Just 9% would not be prepared to be more involved, regardless of the issue.
- 3.24 By age, those aged 65+ are least likely to express an interest in becoming more involved, although even amongst this group 85% said they might wish to be more involved, either outright or on particular issues.

## Community Survey on Participation in Planning Consultation 2016

- 3.25 In November 2016, Eastbourne Borough Council published a community survey to ask the local community about their previous experiences of participating in planning consultation, and their interest and expectations of participating in future consultations.
- 3.26 Based on the times that responses were submitted, it is believed that the majority of responses came as a result of a direct email that went out to subscribers. This highlights the importance of encouraging people to sign-up for email notifications as an efficient and effective method of disseminating information to the community.
- 3.27 The majority of the survey responses came from people over the age of 50, with 40% of the responses specifically coming from people aged between 51 and 70 years old. Just 8% of responses came from people aged under 40. The age profile of the respondents suggests that the results of the survey are not

representative of the wider community. However the responses do identify important issues that should be considered in future planning consultation.

- 3.28 According to the Residents Consultation Survey 2015, those aged 65+ are least likely to express an interest in becoming more involved in local decision making, yet this age group was the most represented in the responses to the community survey. This suggests that other methods of publicising consultation may need to be considered in order to promote consultation to make people across the whole community aware.
- 3.29 There was particularly high representation from the Town Centre, Upperton Meads and Sovereign Harbour neighbourhoods. However areas such as Hampden Park, Langney and Shinewater & North Langney had low response rates when compared to their populations.
- 3.30 Just over half of respondents have not been aware of Local Plan consultations being undertaken in the past. Of those that were aware, 51% did not participate in the consultation despite being aware of it. The most commonly cited reason for not participating was that they did not feel that their comments would make any difference.
- 3.31 Despite this, 90% of people responding to the survey would be interested in participating in Local Plan consultations in the future, with the majority preferring to be notified of consultations by email.
- 3.32 One of the main reasons identified for not engaging in consultations is that there is a perception that comments submitted will not make a difference. This is further drawn out by comments made by respondents, many of whom commented that their views were 'overruled' or ignored. Therefore, it is also important that improved feedback processes are considered so that people can identify their comment and an appropriate response to their comment, and that they can identify what happens as a result.
- 3.33 In terms of responding to consultation, the most preferred methods were completing an electronic form to be returned by email, and responding directly via a website. Interestingly, this facility is already available through the on-line Consultation Portal, and is rarely used. This suggests that consultees are not aware of this facility and additional steps should be taken to promote it as the main way of accessing consultations.
- 3.34 It is also important that the community are provided with simple and clear information about the background to the consultation. This can be used to better inform local communities about planning issues and help people to



understand what they are being consulted on and therefore make for a more efficient and effective consultation.

- 3.35 A number of comments suggested that information on the consultation should be made easier to understand, and should be in formats that will help engage people, including animation through pictures and maps.
- 3.36 Whilst the majority of people responding were keen to visit an exhibition, there is no particular time that would be most suitable. Therefore future exhibitions should be held at various points across town with a number of events in the town centre at different times. Comments also suggested making better use of existing community groups such as neighbourhood panels.
- 3.37 A number of people also commented that they have not been aware of planning applications and decisions on development taking place near them until building starts, and would like to be better informed about this.

## 4.0 Community Involvement in Plan Making

- 4.1 Eastbourne Borough Council has adopted a number of Local Plans and Supplementary Planning Documents following extensive community and stakeholder consultation. The public consultation activities undertaken during the preparation of these documents has been effective in engaging a wide variety of individuals and organisations and has had a positive impact on the creation of these plans.
- 4.2 The Council is embarking on the next round of plan making to replace existing planning policies and ensure that the Local Plan is up to date. The programme for preparing Local Plans, Supplementary Planning Documents and CIL Charging Schedule is contained in the Local Development Scheme, which is available on the Council's website<sup>5</sup>. The stages in the production of these planning policy documents are summarised in Section 2 of this document.
- 4.3 The Council wants to ensure that the next round of plan making involves extensive consultation and provides opportunities for the local community and other stakeholders to put their views across. The Council's approach to consultation in plan making has been influenced by past experience, best practice and the results of recent surveys. This approach will be used in the preparation of all Local Plans, including revisions to plans and preparation of joint plans.
- 4.4 The main issues that should be addressed through the proposed approach to consultation on plan making are:
- Promoting consultation across all sectors of the community, particularly amongst age groups and neighbourhoods that do not usually participate, with additional effort to engage 'hard to reach' groups.
  - Creating new approaches to the use of email as data suggests that people prefer to be contacted and respond via this method.
  - Being clearer about how plan making will affect local residents as they mainly want to be involved in local decision making when the issue is one that concerns them.

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<sup>5</sup> <http://www.eastbourne.gov.uk/lds>

- The provision of feedback on consultation and showing how comments have been taken on-board.
- Using consultation and engagement as a means to inform residents about planning issues as well as to seek their views.
- Ensuring that consultation material is easily understandable and accessible.

### What will we consult on?

4.5 In the preparation of the Local Plan, engagement and formal consultation will be undertaken at the following stages:

- **Evidence gathering and early engagement** – In the initial stages of the production of the Local Plan, there will be engagement with stakeholders to identify locally relevant visions and objectives for the area and identify what the Local Plan must cover to address the critical issues in the area. This stage is likely to be informal consultation, with the Council approaching organisations and consultation bodies for their input. There may be elements of public consultation with communities within this stage.
- **Issues and Options** – Evidence collected during the initial stages in plan preparation will be presented for a formal consultation period. This will include an identification of the issues that need to be addressed, and initial options for doing this. Local communities and other stakeholders will be able to comment on whether there are any other issues that need to be considered, and which of the options they would prefer to see brought forward as the basis for the Local Plan. This is the stage that the majority of people will be able to have their say of how they would like the town to develop.
- **Proposed Submission** – Once the Local Plan has been drafted using the information collected at the Issues and Options Stage, a Proposed Submission version will be published for formal consultation. At this stage, the Council is only able to accept representations on the 'soundness'<sup>6</sup> of the policies and proposals in the Plan. Consultees submitting representations at this stage will be given the opportunity to raise their objections at Public Examination.

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<sup>6</sup> National Planning Policy Framework, para 182.


- **Main Modifications** – During the Examination of a Local Plan, the Planning Inspector may require modifications to be made to the Local Plan in order for it to be considered 'sound'. These modifications should be subject to a formal period of consultation to allow the Inspector to consider any representations on the modifications.
- 4.6 In the preparation of Supplementary Planning Documents, engagement and formal consultation will be undertaken at the following stages:
- **Evidence gathering and public participation** – In the initial stages of the preparation of a SPD, there will be public engagement to identify issues relating to the interpretation of policy through the SPD. This stage is likely to be informal consultation, with the Council approaching organisations and consultation bodies for their input.
  - **Representations on Draft SPD** – Once the SPD has been drafted, it will be published for formal consultation with the local community and other stakeholders. Consultees can raise any issues or changes that they think the Council should consider, and the Council will provide a response to these representations before the SPD is adopted.
- 4.7 In the preparation of the CIL Charging Schedule, engagement and formal consultation will be undertaken at the following stages:
- **Preliminary Charging Schedule** – The Preliminary Charging Schedule will identify initial proposals for the levy for each type of development and provide the opportunity for the local community and other stakeholders to comment
  - **Draft Charging Schedule** – The Draft Charging Schedule will be published following revision and amendments resulting from comments made of the Preliminary Charging Schedule.
- 4.8 It is recognised that residents who want to get involved in consultation might not be familiar with the planning system and the issues that should be taken into consideration in plan making. Consultation, particularly at the Issues and Options stage, presents an opportunity to inform and update residents as well as seek their views. Therefore it is proposed that where possible consultation material should include sufficient information to provide a background on the consultation and the framework within which decisions on plan making issues should be made.

- 4.9 The nature of plan making to address issues over a long period of time means that it is not always obvious for local people to understand how they might be affected, and where this is the case they may not get involved in the consultation. Survey responses suggest that people do want to get involved when an issue that affects them, so consultation should attempt to identify what might change in their area. Where possible, it is proposed that a neighbourhood approach to consultation material be taken to help identify how plan making may result in changes to a local area.

### Who will we consult?

- 4.10 Eastbourne Borough Council would like to engage anyone who may have a role or interest in the development of the town in the plan-making process, including residents, businesses, community groups, landowners, developers, public sector organisations and national agencies.
- 4.11 The 'Local Planning' Regulations 2012 set out the minimum legal requirements for consultation and public participation in relation to Local Development Documents. These are known as 'specific consultation bodies', and must be consulted at formal consultation stages in the production of a plan.
- 4.12 In addition to this, the Local Planning Regulations 2012 also require the Council to consult with 'general consultation bodies'. These include organisations and bodies that have an interest in the Borough, to ensure that a wide range of stakeholders have the opportunity to get involved.
- 4.13 The Council is committed to ensuring that local residents get an opportunity to have their say, and local people are encouraged to take part in consultations and input into the production of planning policy documents. The Council maintains a database of people and organisations who want to be kept informed or have previously responded to consultation. This database is used to inform consultees about consultation.
- 4.14 If you would like to be added to the consultation database, you can register yourself at <http://planningpolicyconsult.eastbourne.gov.uk> or contact the Regeneration and Planning Policy team. In addition, consultees are encouraged to inform us of changes of details, or if they no longer want to be on the consultation database.



- 4.15 In addition, the Council sends out email newsletters to everyone who has signed up for Planning Policy notifications via the Council's website. These newsletters will inform recipients about when consultation on Local Development Documents will take place. Residents can subscribe to notifications by clicking on the 'Keep me posted' icon on the Council's website.
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- 4.16 It has been identified through surveys that younger people are less likely to respond to consultation, and that certain areas of town are less likely to respond. Additional measures will be taken to engage with these and other 'hard to reach' groups to ensure that all sections of the community are engaged and consulted.

### How will we consult?

#### *Basic Consultation Standards*

- 4.17 The Local Planning Regulations 2012 sets out some minimum requirements for consultation, however there is considerable flexibility open to the Council in how consultees are engaged in plan-making, provided they comply with the legislative requirements and are consistent with commitments in the Statement of Community Involvement.
- 4.18 Through this SCI, the basic consultation standards that Eastbourne Borough Council will apply as a minimum in all consultation on planning policy documents are set out below:
- **Consultation Portal** – All consultations on planning policy issues will be hosted on the Council's on-line Consultation Portal. Each consultation on the Consultation Portal will include the opportunity to read and comment on the document in question. The Consultation Portal will also contain other documentation relevant to the consultation. People can respond to consultation via the on-line consultation portal in the following ways:
    - Submit comments directly using the website
    - Download a representation form and submit comments by uploading the completed form to the website
    - Download a representation form and submit comments by returning the completed form by email
    - Download a representation form and submit comments by returning the completed form by post

The Consultation Portal can be accessed via <http://planningpolicyconsult.eastbourne.gov.uk>.

**Residents and other stakeholders are encouraged to use the on-line Consultation Portal to view consultation material and submit comments and representations.**

- **Direct notifications to organisations and individuals** – All organisations and individuals on the consultation database will receive direct notification of the publication of a planning policy document for consultation. This will either be by email or by post, depending on the consultees stated preference. If no preference is stated, the default method will be by email.



**Residents are encouraged to sign up to the Planning Policy Consultation Database and email notifications to ensure that they are kept up to date with progress in plan making.**

- **Deposit** – Planning policy documents published for consultation will be made available in paper copy for consultees to view at Eastbourne Borough Council's Customer Contact Centre, 1 Grove Road, Eastbourne, BN21 4TW.
- **Local Media** – A public notice will be placed in a local newspaper to advertise formal periods of consultation. These will include details of the consultation, including where to view the consultation and the deadline for submission of representations. Press releases will also be issued to publicise the consultation more widely.
- **Local Councillors** – Local Councillors know their local areas and have many contacts within their communities. Local Councillors will help to promote consultation within their wards and encourage all residents to get involved. This is especially important in areas where engagement in



consultation has previously been at low levels, such as Hampden Park and Langney.

- **Website** - The consultation will be advertised on the Eastbourne Borough Council website, particularly under the 'Consultations' heading.

4.19 In addition, an email newsletter will be sent out on a quarterly basis to everyone on the consultation database and to anyone who has subscribed to email notifications on Planning Policy topics via 'Keep me posted' on the Council's website. This will provide updates on preparation of Local Development Documents and when consultation is expected to be undertaken.

#### *Additional consultation methods*

4.20 In most instances, other consultation methods in addition to the basic standards will be employed. The use of additional consultation methods will be determined on a case by case basis depending on the type of planning policy document that is being consulted on. The additional consultation methods that may be employed include:

- **Social media** – Social media may be used to promote consultation through updates on the Council's Facebook<sup>7</sup> and Twitter<sup>8</sup> pages. However it should be noted that social media posts will only be used to promote consultation and comments made on these posts will not be taken as formal representations on consultations and will not be considered to be 'duly made'. The social media posts will include links to opportunities for comments to be submitted officially.



- **Public exhibitions** – Evidence from the Community Survey on Planning Consultation (2016) suggested that the people responding to consultation would be interested in attending public exhibitions on consultation. Where exhibitions are put on, these will initially be located within Eastbourne Town Centre, usually



<sup>7</sup> <https://www.facebook.com/EastbourneC/>

<sup>8</sup> <https://twitter.com/eastbournebc>

the Town Hall as a central and accessible location, and will be available across a range of times to enable attendance by a wide range of people. This approach has been informed by the results of the survey. However, where there is a request from a local community group such as a Neighbourhood Panel or Residents Association, a public exhibition may be put on at a specific time within a local neighbourhood outside of the Town Centre.

- **Discussion Forum** – Where it is appropriate for the stage of consultation, a discussion forum could be made available through the on-line Consultation Portal to allow the community to debate and discuss issues and proposals related to the consultation and to ask questions of the Council. However it is recognised that this consultation method will only be appropriate for certain types of consultation.
- **Younger People** – Students at Brighton University, Sussex Downs College, and those in Years 10 and 11 of local Secondary Schools will be engaged in consultation through invitations to existing groups that have already been set up. This consultation is likely to take the form of meetings, presentations and forums to allow feedback and discussion.
- **Presentations and forums** – Presentations and forums may be arranged to enable discussion with appropriate groups, organisations or stakeholders, or to target particular sectors of the community who may be interested in certain topics or may be under-represented. Examples of such groups may be the Eastbourne Disability Involvement Group or the Eastbourne Cultural Communities Network.
- **Leaflets and posters** – Leaflets and posters may be produced and distributed to promote consultation events or to summarise information on consultations. These could be delivered to community venues or places of interest within the neighbourhood, e.g. doctors' surgeries, libraries, community centres.
- **Surveys and questionnaires** – Surveys and questionnaires may be used to gather information and canvass views on key issues, options and proposals. These surveys and questionnaires will be hosted on-line via the



Consultation Portal; however paper copies of the forms will also be made available.

- Summary Documentation** – Non-technical summaries of consultation documents will be produced in order to provide a more accessible way to access and understand the consultation. These documents will be sense checked for 'Plain English'. Depending on the scale of the consultation, different versions of consultation documents that clearly set out the expected amount of time that it would take to read, based on:

  - the full plan (1 hour read)
  - a shorter version of the plan (10 min read)
  - key questions from the plan (5 mins to answer)
- On-line Videos/Presentations** – Videos and presentations may be published on-line as an easy visual way of presenting the consultation material. It is envisaged that they would present the background to the consultation, and highlight opportunities for people to comment using other methods identified. Where relevant, British Sign Language (BSL) will be incorporated in any online consultation videos that are produced.
- Community Organisations/Groups** – It is recognised that there are some well represented and supported community organisations and groups in Eastbourne such as Neighbourhood Panels and Community/Residents Associations. They could be used to get members of communities involved and may be asked to help promote consultation within their local area through the use of email notifications, newsletters and social media posts. These community organisations and groups can also request exhibitions and meetings to discuss consultation in more detail.
- Eastbourne Review** – Where possible, the Council will use the Eastbourne Review to inform residents about and summarise the consultation. The Eastbourne Review is a free newspaper produced by the Council and delivered to every home in the Borough usually around twice a year.



## When will we consult?

- 4.21 The Local Planning Regulations 2012 describe the statutory consultation period for a Local Plan to be 6 weeks. The Regulations also require that the formal consultation period on a Supplementary Planning Document should be not less than 4 weeks.
- 4.22 In terms of the CIL Charging Schedule, there are no regulations governing the length of consultation on a Preliminary Charging Schedule; however regulations do require at least 4 weeks consultation on a Draft Charging Schedule.
- 4.23 Eastbourne Borough Council is committed to full and proper consultation on planning policy issues and has signed up to the East Sussex 'Compact' Agreement<sup>9</sup>, which sets out best practice on consultation with the voluntary and community sector in East Sussex. One of the principles of the Compact is allow sufficient time for voluntary/community organisations to involve their service users, beneficiaries, members, volunteers and trustees in preparing responses.
- 4.24 Consultations should last for a proportionate amount of time: consulting for too long will unnecessarily delay policy development, whilst consulting too quickly will not give enough time for consideration and will reduce the quality of responses. Taking this into account, this SCI proposes that formal consultation periods on planning policy documents will be determined by the type and stage of plan being consulted on. These are described in Table 1.

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<sup>9</sup> <http://www.essp.org.uk/What-we-do/Pride-of-Place/Community/East-Sussex-Compact.aspx>

**Table 1 - Consultation Periods**

Type of Document	Stage in Preparation	Consultation Period
<b>Local Plan</b>	Issues and Options Stage	Minimum of <b>8</b> weeks
	Proposed Submission version	Minimum of <b>6</b> weeks
	Main Modifications following Examination	Minimum of <b>6</b> weeks
<b>Supplementary Planning Documents</b>	Representation Stage	Minimum of <b>8</b> weeks
<b>CIL Charging Schedule</b>	Preliminary Charging Schedule	Minimum of <b>6</b> weeks
	Draft Charging Schedule	Minimum of <b>6</b> weeks

- 4.25 The publication of a quarterly newsletter containing updates on progress and expected dates of consultation will mean that consultation periods can be announced ahead of time, allowing voluntary and community organisations to plan their response in advance.
- 4.26 Where possible, consultation over holiday periods will be avoided. If this is unavoidable, the consultation period will be extended to compensate for this.
- 4.27 In the event that a consultee requests additional time to submit a representation, this will only be accepted with the agreement of the Lead Member for Planning.
- 4.28 The tables below outline the possible consultation methods that may be used during each consultation stage in the preparation of Local Plans (Table 2), Supplementary Planning Documents (Table 3) and CIL Charging Schedules (Table 4).

**Table 2 - Consultation on Local Plans**

<b>Stage</b>	<b>Consultation Period</b>	<b>Potential Additional Consultation Methods</b>
<b>Evidence Gathering and early engagement</b>	On-going engagement (no formal period)	Surveys/questionnaires Presentations/Forums Community Orgs/Groups
<b>Issues and Option Consultation</b>	Min. 8 weeks	Social Media Public Exhibitions Presentations/Forums Leaflets/Posters Summary Documentation On-line Videos/Presentations Community Orgs/Groups Eastbourne Review
<b>Proposed Submission</b>	Min. 6 weeks	Social Media Public Exhibitions Presentations/Forums Leaflets/Posters Summary Documentation On-line Videos/Presentations Community Orgs/Group
<b>Main Modifications</b>	Min. 6 weeks	Social Media Summary Documentation On-line Videos/Presentations



**Table 3 - Consultation on Supplementary Planning Documents**


Stage	Consultation Period	Potential Additional Consultation Methods
<b>Evidence Gathering and Public Participation</b>	On-going engagement (no formal period)	Surveys/questionnaires Presentations/Forums Community Orgs/Groups
<b>Representations</b>	Min. 8 weeks	Social Media Public Exhibitions Presentations/Forums Leaflets/Posters Summary Documentation On-line Videos/Presentations Community Orgs/Groups Eastbourne Review

**Table 4 - Consultation on CIL Charging Schedules**

Stage	Consultation Period	Potential Additional Consultation Methods
<b>Consult on Preliminary Charging Schedule</b>	Min. 6 weeks	Social Media Presentations/Forums Summary Documentation On-line Videos/Presentations Community Orgs/Groups
<b>Representations on Draft Charging Schedule</b>	Min. 6 weeks	Social Media Presentations/Forums Summary Documentation On-line Videos/Presentations Community Orgs/Groups

## What will we do with consultation responses?

- 4.29 Representations made during formal consultation periods will be recorded through the on-line Consultation Portal and published. Please note that the Council is not able to acknowledge receipt of comments, other than through automated responses to emails or comments submitted through the on-line Consultation Portal. Individual responses to representations submitted are unlikely to be provided.
- 4.30 In accordance with the Data Protection Act 1998 and Freedom of Information Act 2000, representations cannot be treated in confidence and by submitting a representation, the consultee accepts responsibility for their comments. Copies of all representations will be made publicly available, including the name of the person submitting the representation, however personal information such as telephone numbers, emails or private addresses will not be published.
- 4.31 All 'duly-made' responses will be carefully considered and used alongside other evidence, government legislation and national planning policy to inform the preparation or amendments to the relevant planning policy document being consulted upon. To be 'duly made', representations should:
- Be received before the deadline of the consultation period;
  - Relate to the document, its content, or its preparation;
  - Not be anonymous; and
  - Not be offensive, libellous or otherwise breach the law.
- 4.32 Confidential or anonymous comments, including those submitted using avatars or web-names, cannot be accepted. In addition, any comments that are offensive, obscene, racist or illegal in any way will be rejected.
- 4.33 It should be noted that representations submitted at the 'Proposed Submission' stage in Local Plan preparation can only be taken into account where they address issues of soundness or legal compliance.
- 4.34 Following consultation, all representations received will be documented within a Statement of Consultation and Representations, which will identify what consultation has been undertaken, the main issues that have been raised, and how these issues have been addressed.
- 4.35 Feedback on the consultation, including responses to the representations received and how they will be addressed in the next stage of plan making,



will be published on the website and promoted via the quarterly email newsletter.

- 4.36 It is important for local residents and other stakeholders to understand that comments submitted as part of consultation will be fully considered and are part of the evidence informing plan making, but they are not necessarily the only or determining factor. National policy or other evidence may provide good reasons why consultation comments cannot be implemented.

## 5.0 Community Involvement in Development Management

- 5.1 Eastbourne Borough Council is committed to informing and engaging with the community on planning applications. It is important that a balance is struck between providing the community with a genuine opportunity to comment and determining applications within the statutory determination period.
- 5.2 Opportunities exist for the community and or stakeholders to be informed and consulted on development proposals at each of the following stages:
- Pre-application consultation
  - Planning applications
  - Planning appeals.
- 5.3 Community involvement in Development Management not only involves the local community, but also statutory and non-statutory consultees, depending on the nature and location of the proposals.

### *Statutory Consultees*

- 5.4 Planning law prescribes circumstances where consultation must be undertaken with statutory bodies on a planning application. These organisations are under a duty to respond to consultations within 21 days (article 22 of the Development Management Procedure Order), or such longer period as may be specified in other legislation, and must provide a substantive response to the application.
- 5.5 A list of statutory consultees on applications for planning permission is available via the National Planning Practice Guidance<sup>10</sup> (Table 2, Paragraph: 030 Reference ID: 15-030-20140612).

### *Non-Statutory Consultees*

- 5.6 Where there are planning reasons, other non-statutory consultees who may have an interest in a proposed development may be consulted on planning applications, even though they are not designated in law. Non-statutory consultees should respond within 21 days of being notified of the application.

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<sup>10</sup> <https://www.gov.uk/guidance/consultation-and-pre-decision-matters#Statutory-consultees-on-applications>

- 5.7 A list of the organisations identified in national policy and guidance who may have an interest in development and may be consulted as non-statutory consultees are identified in the National Planning Practice Guidance<sup>11</sup> (Table 3, Paragraph: 031 Reference ID: 15-031-20140306).

### Pre-application stage

- 5.8 Prior to submission of an application for development, the Council encourages the applicant to engage with the local community, statutory consultees and service providers on their proposal. For very large-scale development, pre-application consultation is a requirement under the Localism Act 2011.
- 5.9 Effective pre-application consultation provides an opportunity for applicants and developers to find out the views of local residents about their development proposals, and allows the local community to make suggestions which can then be taken into account by the developer in finalising their planning application. This process can help to reduce local opposition, help resolve early design and development problems and ensure that high quality planning applications are received.
- 5.10 The Council expects applicants to carry out their own pre-application consultation. The level of community consultation at the pre-application stage should be appropriate/proportionate to the scale of the application.. Potential methods of pre-application on proposals for major development could include public meetings and exhibitions, workshops, websites, leaflets and other media. On significant applications that are likely to be controversial the Council may choose to inform the Ward Councillors and also the Councillors of planning committee of the proposal
- 5.11 It would be expected that this consultation will be documented in a 'Statement of Community Involvement' for the proposal, which should describe in detail the pre-application consultation that has been undertaken by the applicant and how the comments have been addressed in progressing the proposal. This document should be submitted with the application.

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<sup>11</sup> <https://www.gov.uk/guidance/consultation-and-pre-decision-matters#table-3-Non-statutory-consultees>

## Planning application stage

- 5.12 It is important that all relevant planning issues associated with a proposed development are identified and considered in the determination of a planning application. The Council is required to undertake a formal period of consultation, so therefore publicises applications that are submitted and invites comments from the local community and other consultees and stakeholders. Anyone can respond to a planning consultation.
- 5.13 Consultees may be able to offer particular insights or detailed information which is relevant to the consideration of the application, and comments made that are addressing 'material considerations' will be taken into account in the determination of the application.
- 5.14 There are significant amounts of information relating to planning applications on the Council's website and residents are encouraged to find out information on proposals using this method where possible.
- 5.15 It is important that residents and other stakeholders understand that whilst comments addressing 'material considerations' will be taken into account in determining the application, they are not necessarily the only or determining factor. Local or national policy, or other material considerations, may lead to a decision that is contrary to views expressed during consultation.
- 5.16 Article 15 of the Town & Country Planning (Development Management Procedures) (England) Order 2010 sets out the minimum requirements for publicising and consulting on planning applications. The requirements vary according to the type of development proposed, and are set out in National Planning Practice Guidance<sup>12</sup> (Table 1, Paragraph: 029 Reference ID: 15-029-20140306).
- 5.17 The methods that the Council uses to publicise application and consult the community, which exceed these minimum requirements, are as follows:
- **Neighbour Notification Letters**  
The Council will notify any neighbours immediately adjoining a development proposal by letter or email. The letter provides details of the planning application, where to view plans, how to make comments and by

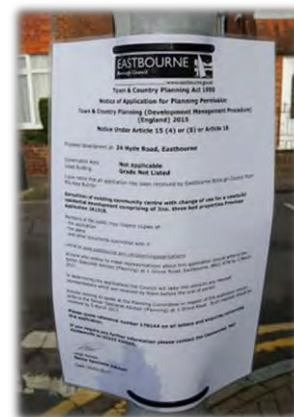
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<sup>12</sup> <https://www.gov.uk/guidance/consultation-and-pre-decision-matters#statutory-publicity-requirements>

what date. Any consultation wider than this will be on a case by case basis and at the discretion of the case officer.

- **Site Notice**

Site notices are displayed on or near to the application site. Site notices provide details of the planning application, where to view plans, how to make comments and by what date.

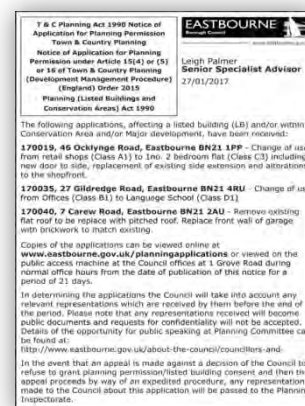


- **Publication on the Council's website**

Weekly lists of applications received and decisions made are available on the Council's website. All planning applications that have been or are being processed, including appeals, are also available to view on the Council's website.

- **Public Notice**

A Public Notice is placed in a local newspaper for certain types of planning applications. For example, major or significant development proposals, departures from local policy or where there is a statutory requirement such as for Listed Building Consent.



- 5.18 The deadline for submitting comments on a planning application will be set out in the publicity accompanying the planning application. This will be not less than 21 days. The Council is under no obligation to consider comments submitted after the deadline.

#### *Re-consultation following amendments to an application*

- 5.19 Where an application is amended after it has been submitted, further consultation may be undertaken if the proposed changes are significant. Any representations received subject to any round of consultation will be taken into account in evaluating the merits of the application. Any representation received outside of the consultation period may not be fully considered. The timeframe for responses to re-consultation will be decided on a case-by-case basis.

- 5.20 If a new planning application is required, this will be subject to new public consultation.

### *Planning Committee*

- 5.21 Where an application is due to be determined by planning committee, members of the public can request to address the committee. This request should only be an amplification of their representations received during the consultation period and should not raise new/unrelated issues.
- 5.22 Anyone wishing to address the committee on a planning application will need to register their interest, outlining the points they wish to raise, by the end of the consultation period. Should the application be referred to planning committee, **normally** only one objector is allowed to address the Committee on a 'first come, first served basis' or a spokesperson can be nominated , although the Committee (at the discretion of The Chair) may allow more than one objector to speak in certain circumstances. A time limit of 3 minutes shall apply to each speaker.
- 5.23 Details of meeting dates and times are publicised on the Council's website, and also outside the Town Hall and at the Central Library. Meetings of the Planning Committee take place in the Town Hall, Grove Road, Eastbourne at 6.00pm. Agendas are published a week before the meeting.

### Appeals

- 5.24 When a planning application is refused, the applicant may lodge an appeal against the decision with the Planning Inspectorate. An appeal may also be submitted when the applicant considers any conditions of approval to be unacceptable, or in the event that an application is not determined by the relevant deadline.
- 5.25 Only the applicant can appeal against a planning decision. There is no 'third party'<sup>13</sup> right of appeal for other people who disagree with the Council's decision. However, anyone can challenge a planning decision in the courts if they have evidence that the decision was not made following the proper procedures. Legal challenges cannot take into account whether the decision

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<sup>13</sup> The 'first party' in planning is the applicant for planning permission and the 'second party' is the local authority. 'Third parties' are anyone else with a view on a planning application, whether they have a direct interest (e.g. as owner of the land on which the application is submitted) or a personal interest (e.g. as a neighbour) or a wider interest (e.g. as a parish council or interest group).



was right or not in planning terms, only whether regulations and conventions about making decisions were properly followed.

- 5.25 All those who were notified of the original application or submitted comments will be informed if an appeal is made. There is then an opportunity for additional comments to be submitted directly to the Planning Inspectorate, who will determine the appeal, either through written representations, an informal hearing or a public inquiry, depending on the nature and scale of the application. Where it is decided that the appeal should be determined by informal hearing or public inquiry, interested parties are also given the opportunity to appear before the Inspector at the hearing or inquiry.
- 5.26 The Inspector will consider the evidence and decide whether the Council's decision was correct. The Inspector's decision is binding on the Council, although it can be challenged by anyone on a point of law in the High Court.

#### Planning performance agreements

- 5.27 A planning performance agreement (PPA) is a project management tool which the Council may enter into with applicants to agree timescales, actions and resources for handling particular applications, in order to determine an application in advance of the determination target. The Council may make an additional charge for the administrative work associated with this.
- 5.28 PPAs can assist in identifying an approach to community engagement, including the identification of the communities to involve, the process of engagement and the best approach to incorporating their views. Any consultation on an application with a PPA should be consistent with this Statement of Community Involvement.

#### Customer Satisfaction Survey

- 5.29 Since June 2015, Eastbourne Borough Council has been undertaking regular Customer Satisfaction Surveys on the Development Management service. This survey is sent to applicants and agents following the decision on a planning application, and also to those who made representations. The survey requests views on how well the application was dealt with. The results of this survey are used to identify improvements to the service.

## 6.0 Community-Led Planning

### Introduction to Community-Led Planning

6.1 The Localism Act 2011 introduced new rights and powers for communities to enable them to get more involved in planning for their areas through the production of Neighbourhood Plans or Orders, or Community Right to Build Orders:

- A **Neighbourhood Plan** is a planning document which establishes general policies for development and use of land in a neighbourhood, including the location of new homes and offices, and what they should look like.
- A **Neighbourhood Development Order** means that Town and Parish Councils can grant permission for certain types of development without the need for people to apply to Eastbourne Borough Council. These could include, for example, all house extensions in a defined area, changes of use, or development on a particular site. Certain types of development are excluded, such as minerals and waste developments, certain public and private environmental projects, and nationally significant infrastructure.
- A **Community Right to Build Order** enables small scale development in neighbourhoods, such as housing or community facilities, but can be prepared by any local community organisation rather than just Town and Parish Councils. As above, certain types of development are excluded.

6.2 Community-led planning is undertaken by a Town or Parish Councils within a 'parished' area, or by a Neighbourhood Forum in 'non-parished' areas. Once a Plan or Order has been agreed by a local referendum, it attains the same legal status as the Local Plan, and becomes part of it.

6.3 Community-led planning should be used positively to plan for future development and support growth, reflect and build on the strategic needs set out in the Local Plan, and be in conformity with the National Planning Policy Framework.

6.4 A Neighbourhood Plan or Order is not a process that can be used to prevent development or promote a lower level of development than is set out in a Local Plan.

- 6.5 Detailed information and guidance on Neighbourhood Planning and the required processes can be found in the Neighbourhood planning section of the national Planning Practice Guidance<sup>14</sup>.

### Who can prepare a Neighbourhood Plan or Order?

- 6.5 As Eastbourne Borough is not a 'parished' area, (i.e. it does not have Town or Parish Councils), Neighbourhood Plans or Orders can only be prepared by a Neighbourhood Forum.
- 6.6 A group or organisation can apply to the Borough Council to be designated as a Neighbourhood Forum. A proposed forum group will need a minimum of 21 people who live in the neighbourhood area, or work there, and/or who are elected members for any ward of Eastbourne Borough Council. Only one body can be designated for a chosen area.
- 6.7 An application to the Council to form a Neighbourhood Forum must include the following<sup>15</sup>:
- The name of the proposed neighbourhood forum
  - A copy of the written constitution of the proposed neighbourhood forum
  - The name of the neighbourhood area to which the application relates and a map which identifies the area
  - The contact details of at least one member of the proposed neighbourhood forum (to be made public)
  - A statement which explains how the proposed neighbourhood forum meets the conditions contained in Section 61F(5) of the Localism Act 2011
- 6.7 Once an application for designating a Neighbourhood Forum has been received, Eastbourne Borough Council will publicise the application and invite comments from the public on the designation. Eastbourne Borough Council will take any comments into account in deciding whether or not to agree the application and designate the forum.

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<sup>14</sup> <https://www.gov.uk/guidance/neighbourhood-planning--2>

<sup>15</sup> For further information about submitting an application for a Neighbourhood Forum, please contact the Council's Planning Policy team.

## Neighbourhood Plans and Neighbourhood Development Orders

6.8 Once a Neighbourhood Forum is ready to proceed, the key steps to prepare a Neighbourhood Plan or Order are:

1. **Designation of a neighbourhood area** - the neighbourhood area that the Plan or Order will cover will be the area that the Neighbourhood Forum decided on during its application for designation.
2. **Production of the Neighbourhood Plan or Order** – the group will prepare the plan or order, and can ask for advice and support of other organisations including Eastbourne Borough Council. The group should agree a timeline and budget, review existing plans and policies, and engage with local people, businesses, and other stakeholders within their area.
3. **Pre-submission consultation and publicity** – before a neighbourhood plan is submitted it should be publicised in a manner that is likely to bring it to the attention of people who live and/or work in the neighbourhood and provide the opportunity for the local community and other stakeholders, including the statutory consultation bodies that are identified in the Neighbourhood Planning Regulations.
4. **Submission of the Plan or Order to Eastbourne Borough Council** – once a draft plan or order has been subject to consultation, it can be submitted to Eastbourne Borough Council. The Council will check that the submitted plan to ensure that it is consistent with the Neighbourhood Planning Regulations, and then arrange for examination.
5. **Independent examination** - Once the Neighbourhood Plan or Order has been submitted it will be subjected to an independent examination. This will make sure that the proper legal process has been followed and that the plan meets the basic conditions, including general conformity with the Borough Council's Local Plan.
6. **Public referendum and adoption** - The examiner may suggest modifications to make sure the legal requirements are met. When this has been done, a public referendum is held in the Neighbourhood Area covered by the Plan or Order. If more than 50% of those voting in the referendum vote 'yes' then the Plan or Order will be adopted by the Council as part of its Local Plan.

## Community Right to Build

- 6.9 A Community Right to Build Order is a type of Neighbourhood Development Order which enables small scale developments such as community facilities or housing for local needs. It can be used to grant outline or full planning permission for specific development which complies with the order.
- 6.10 A Community Right to Build Order may be prepared by local community organisations in addition to parish and town councils, but only where they meet certain legal requirements. The prescribed conditions for community right to build organisations are set out in in Section 13 of the Neighbourhood Planning Regulations 2012.
- 6.11 The steps to producing a Community Right to Build Order are very similar to those for a Neighbourhood Plan or Order.
- 6.12 However, when producing a Community Right to Build Order, additional information is needed to accompany the submission of the Order to the Borough Council. This includes: a map of the area the proposal relates to, a statement explaining how the proposed Order meets planning regulations, and a statement of those consulted and a summary of the main issues raised.
- 6.13 In addition to being in conformity with the National Planning Policy Framework and the Local Plan, the organisation must also show that the Order:
- Would not breach or is not incompatible with EU Regulations
  - Is consistent with human rights law
  - Has special regard to the desirability of preserving any listed building or its setting and to enhancing the character or appearance of a conservation area, including an archaeology statement if appropriate
  - The extent of the area for the referendum.



## 7.0 Monitoring and Review

- 7.1 The SCI will be monitored regularly. It is not proposed to establish a formal review period; however a review may be undertaken if it is considered that the SCI becomes out of date or if there is a significant level of dissatisfaction from the local community and stakeholders about how they are being involved in the preparation of Local Plans.
  
- 7.2 It is considered that the SCI is sufficiently flexible to allow for appropriate changes in the approach to community involvement as a result of changes in national policy, or to make improvements to the process as a result of new or different approaches to consultation.

## Appendices

### Appendix 1: Glossary

Term	Definition
<b>Adoption</b>	The final confirmation of a Development Plan / Local Plan or Supplementary Planning Document status by a Local Planning Authority.
<b>Authority Monitoring Report (AMR)</b>	Local Planning Authorities are required to prepare and publish an Authority Monitoring Report containing information on the implementation of the Local Development Scheme (LDS) and the extent to which the policies set out in the Local Plan documents are being achieved. Also known as <i>Annual Monitoring Report</i> or <i>Local Monitoring Report</i> .
<b>Charging Schedule</b>	The types of development that are liable to pay the Community Infrastructure Levy (CIL) and the amount that is required to be paid (expressed as pounds (£) per square metre is set out in a local authority's Charging Schedule.
<b>CIL Regulations</b>	See Community Infrastructure Levy Regulations 2010.
<b>Community Infrastructure Levy (CIL)</b>	The Community Infrastructure Levy is a charge which local authorities in England and Wales are empowered, but not required, to charge on types of new development in their area. The proceeds of the levy will be spent on local and sub-regional infrastructure to support the development of the area.
<b>Community Infrastructure Levy Regulations 2010</b>	Regulations that govern the Community Infrastructure Levy and the process of preparing the Charging Schedule.
<b>Community Right to Build</b>	A Community Right to Build Order is a specific type of Neighbourhood Development Order that can be prepared by any local community organisation rather than just a parish council or neighbourhood forum.
<b>Community Strategy</b>	A strategy developed by the local community, focusing on what is important to people who live, work and visit the town and to make positive changes.

Term	Definition
<b>Conservation Area</b>	An area of special architectural or historic interest, the character or appearance of which is desirable to preserve or enhance.
<b>Core Strategy</b>	The main planning policy document for Eastbourne that sets out the long term strategic planning vision between 2006 and 2027.
<b>Corporate Plan</b>	Sets out the major place-shaping initiatives crucial to the future success of Eastbourne. Examples of these initiatives are the Town Centre Regeneration and the development of a Business Park at Sovereign Harbour.
<b>Development Plan</b>	The set of documents that provide the Local Planning Authority's policies and proposals for the development and use of land and buildings in the authority's area. This includes adopted Local Plans, any Neighbourhood Plans and the Waste & Minerals Local Plan.
<b>Development Plan Document</b>	Statutory documents which are subject to specified consultation periods and are subject to independent examination. Also known as Local Plans.
<b>Eastbourne Strategic Partnership (ESP)</b>	A non-statutory body made up of a wide range of representatives from the public, private and voluntary sector. The ESP is responsible for producing, monitoring and reviewing the Eastbourne Community Strategy, reducing duplication in the provision of services and developing joint projects.
<b>Evidence Base</b>	The information and data gathered by local authorities to justify the "soundness" of the policy approach set out in the Local Plan, including physical, economic, and social characteristics of an area.
<b>Examination / Examination in Public</b>	The process by which a Planning Inspector may publicly examine a Local Plan for legal compliance and 'soundness' before issuing a binding report.
<b>Infrastructure Delivery Plan (IDP)</b>	Detailed assessment of the infrastructure required to deliver the spatial development strategy and how this will be delivered.
<b>Inspectors Report</b>	A report issued by a Planning Inspector regarding the planning issues debated at an Independent Examination of



Term	Definition
	a Development Plan or a Planning Inquiry.
<b>Local Development Document (LDD)</b>	A generic term for documents prepared by Local Planning Authorities for the use and development of land or containing environmental, social and economic objectives relevant to the development and use of land which are intended to guide the determination of applications for planning permission.
<b>Local Development Scheme (LDS)</b>	The LDS sets out the programme for the preparation of the Local Development Documents. All plan making authorities must maintain an up to date LDS.
<b>Local Plan (LP)</b>	The plan for the future development of the local area, drawn up by the Local Planning Authority in consultation with the community
<b>Local Planning Regulations</b>	See Town & Country Planning (Local Planning) (England) Regulations 2012
<b>National Planning Policy Framework (NPPF)</b>	The NPPF sets out the Government’s planning policies and how these are expected to be applied. It was published on 27 March 2012.
<b>National Planning Practice Guidance (NPPG)</b>	A web-based resource which brings together planning guidance on various topics linked to the NPPF into one place. It was launched in March 2014.
<b>Neighbourhood Plan</b>	A Neighbourhood Plan is a plan prepared by a Parish Council or Neighbourhood Forum, that once adopted becomes part of the Local Plan and the policies contained within them are then used in the determination of planning applications.
<b>Neighbourhood Development Order</b>	A Neighbourhood Development Order is an order prepared by a Parish Council or Neighbourhood Forum that automatically grants planning permission for a particular type of development in a particular area.
<b>Planning and Compulsory Purchase Act 2004</b>	The legislation that introduced a new development planning system, based on the preparation of Local Development Frameworks. The Act commenced 28th September 2004.
<b>Soundness</b>	<p>In order to be sound, a Local Plan must be:</p> <ul style="list-style-type: none"> <li>Positively prepared – the Plan should be prepared based</li> </ul>

Term	Definition
	<p>on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;</p> <ul style="list-style-type: none"> <li>• Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;</li> <li>• Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and</li> <li>• Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.</li> </ul>
<b>South Downs National Park (SDNP)</b>	England's newest National Park, covering the South Downs and Western Weald, situated in the counties of Hampshire, and West and East Sussex. Planning responsibility within this area falls to the South Downs National Park Authority.
<b>Statement of Community Involvement (SCI)</b>	Document explaining to stakeholders and the community how they can be involved in the preparation of Local Development Documents, and the steps that will be taken to facilitate their involvement.
<b>Strategic Environmental Assessment (SEA)</b>	The term used internationally to describe the environmental integration of policies, plans and programmes. The SEA Directive (2001/42/EC) requires a formal 'environmental assessment' of plans and programmes that are to be adopted by a public authority including those in spatial planning. This assessment is often combined with the Sustainability Appraisal.
<b>Supplementary Planning Document (SPD)</b>	These provide additional planning policy guidance to the policies and proposals in the Local Plan. They do not need to be subject to independent examination
<b>Sustainability Appraisal (SA)</b>	Assessment of the social, economic and environmental impacts of proposals in Local Development Documents.
<b>Town &amp; Country Planning (Local Planning) (England) Regulations 2012</b>	Regulations that govern the process for preparing Local Plans and Supplementary Planning Documents. Also known as 'Local Planning Regulations'.

## Appendix 2: Further advice and information sources

Further information and advice on planning matters is available from Eastbourne Borough Council. Please contact the Customer Contact Centre at:

Eastbourne Borough Council Offices, 1 Grove Road, Eastbourne, BN21 4TW  
(01323) 410000

[customerfirst@eastbourne.gov.uk](mailto:customerfirst@eastbourne.gov.uk)

[www.eastbourne.gov.uk](http://www.eastbourne.gov.uk)

Independent advice is available from the following sources:

### The Planning Portal

The Planning Portal is the Government's online 'one-stop-shop' for planning and building services. It provides information on the planning system, allows you to submit a planning application, find out about development in your area, appeal against a decision and research government policy.

Website: [www.planningportal.gov.uk](http://www.planningportal.gov.uk)

Email: [support@planningportal.gsi.gov.uk](mailto:support@planningportal.gsi.gov.uk)

### Department of Communities and Local Government (DCLG)

The DCLG provides general information on the planning system including the latest national planning policy, decisions on planning appeals, research and statistics and reform of the planning systems.

Website: [www.communities.gov.uk](http://www.communities.gov.uk)

Email: [contactus@communities.gsi.gov.uk](mailto:contactus@communities.gsi.gov.uk)

Postal Address: Fry Building, 2 Marsham Street, London SW1P 4DF

Telephone Number: 030 3444 0000

### Planning Aid England (PAE)

Planning Aid England provides free, independent and professional planning advice to communities and individuals who cannot afford to pay professional fees. It is provided by the Royal Town Planning Institute.

Website: [www.rtpi.org.uk/planningaid](http://www.rtpi.org.uk/planningaid)



Email: [advice@planningaid.rtpi.org.uk](mailto:advice@planningaid.rtpi.org.uk)

Postal Address: The Royal Town Planning Institute, 41 Botolph Lane, London EC3R 8DL

Telephone: 020 7929 9494

### The Planning Inspectorate

The Planning Inspectorate processes planning appeals and holds examinations into statutory planning policy documents and the Community Infrastructure Levy (CIL).

Website: [www.planningportal.gov.uk/planning/planninginspectorate](http://www.planningportal.gov.uk/planning/planninginspectorate)

Email: [enquiries@pins.gsi.gov.uk](mailto:enquiries@pins.gsi.gov.uk)

Postal Address: The Planning Inspectorate, Room 3/13, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN

Telephone: 0303 444 5000