

Community  
Housing  
Transport  
Policies Work  
Areas Strategy  
Sites Policies  
Review Ideas  
Health Issues Sites  
Energy Education Review  
Sustainability Health Issues  
Community Energy Education  
Housing Sustainability Health  
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Health Issues Sites Policies Work Housing



# Local Development Framework

## STATEMENT OF COMMUNITY INVOLVEMENT

### Consultation on Submission Document (Regulation 28)



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## 1 Introduction

**1.1** The purpose of this Statement of Community Involvement (SCI) is to set out Calderdale Council's policies and procedures for involving the local community in the preparation of planning documents to be prepared within the Calderdale Local Development Framework and in decisions on planning applications.

**1.2** The Council has prepared this SCI under the requirements of the Planning and Compulsory Purchase Act (2004). It has been subject to community involvement during its preparation and an independent examination by a Planning Inspector.

**1.3** Upon adoption, the requirements of the SCI will be binding upon the Council. The planning authority will need to demonstrate for every planning document produced under the new planning system, how it has complied with the requirements of the SCI.

### Contacts

**1.4** Any comments upon this SCI or requests to be added to the list of people or organisations to be kept informed of the planning process should be sent to:-

Table 1.1 Contact the Planning Policy Team

Type of Contact	Details
Mail Address	Philip Ratcliffe Planning Policy Manager Planning Policy Team Planning Services Northgate House HALIFAX HX1 1UN
Telephone (Direct Line)	01422 392255
Fax Number	01422 392076
e.mail address	<a href="mailto:planning.policy@calderdale.gov.uk">planning.policy@calderdale.gov.uk</a>

### ACRONYMS and ABBREVIATIONS

**1.5** The new planning system has given rise to new acronyms and abbreviations. To assist readers these are set out here for information.

- **AAP:** Area Action Plan;
- **AMR:** Annual Monitoring Report;
- **DCLG:** Department for Communities and Local Government;
- **DPD:** Development Plan Document;

- **GOYH:** Government Office for Yorkshire and Humber;
- **LDS:** Local Development Scheme;
- **LDD:** Local Development Document;
- **LDF:** Local Development Framework;
- **LSP:** Local Strategic Partnership;
- **MPG:** Minerals Planning Guidance;
- **MPS:** Minerals Planning Statement;
- **PPG:** Planning Policy Guidance;
- **PPS:** Planning Policy Statement;
- **RAYH:** Regional Assembly for Yorkshire and Humber;
- **RSS:** Regional Spatial Strategy - for Yorkshire and Humber;
- **SA:** Sustainability Appraisal;
- **SCI:** Statement of Community Involvement;
- **SCS:** Sustainable Community Strategy;
- **SEA:** Strategic Environmental Assessment;
- **SPD:** Supplementary Planning Document;

## 2 Background

**2.1** In September 2004 the Government introduced the Planning and Compulsory Purchase Act (2004) ("the Act"), which has had a number of important effects. The Act introduces a new system of Development Plans and a new approach for their preparation as part of the drive for creating sustainable communities. The Act also created a requirement for the Council to produce this Statement.

### Changes to the Planning System

**2.2** The major change to the Planning System affecting Calderdale is the replacement of the Calderdale Unitary Development Plan (UDP) by a

Local Development Framework (LDF). The new LDF is to be made up of a series of Local Development Documents (LDDs) which will include the following:-

- **Development Plan Documents (DPDs) (including a Core Strategy, Land Allocations, Green Belt Review, Waste Management DPD and an Adopted Proposals Map);**
- **Supplementary Planning Documents (SPDs);**
- **Statement of Community Involvement (SCI); and**
- **Local Development Scheme (LDS) (showing the programme of document preparation).**

Table 2.1 Structure of the Local Development Framework

Local Development Framework	
The Development Plan	Regional Spatial Strategy (RSS for Yorkshire and the Humber)
	Replacement Calderdale Unitary Development Plan (Adopted August 2006) ("Saved Policies")
	New Style LDF Documents; Development Plan Documents (DPDs) - Required documents Area Action Plans - Project plans
Non-Development Plan Documents	Local Development Scheme (LDS) - Required document & Project plan
	Statement of Community Involvement (SCI) - Required document
	Supplementary Planning Documents (SPD) - Discretionary documents
	Annual Monitoring Report (AMR) - Required document

### The Current Development Plan for Calderdale

**2.3** The development plan for Calderdale is currently made up of two documents :-

1. Replacement Calderdale Unitary Development Plan : Adopted August 25, 2006;
2. Regional Spatial Strategy for Yorkshire & the Humber to 2016 based on Selective Review of RPG12: issued in December 2004.

**2.4** The **Replacement Calderdale UDP** has been 'saved' for a period of 3 years under the terms of the Planning and Compulsory Purchase Act 2004 and

remains fully in place until 25 August 2009. The purpose of the 'saved' plan period is to allow the Council to progress documents within the new LDF in order to ensure that the District is always covered by policies within a development plan. The Government has issued a protocol which the Council will have to follow for extending the 'saved' period of development plans. For Calderdale this protocol will come into effect in early 2009 at which point a statement will be submitted to the Government Office for Yorkshire and Humber setting out the policies in the Replacement UDP that the Council wishes to save beyond 25 August 2009 and the reasons for doing so.

**2.5** The **Regional Spatial Strategy (RSS)** is now part of the statutory development plan for Calderdale. Decisions on Planning Applications have to demonstrate how the RSS has been taken into account, and documents within the new LDF must conform to the strategy and policies of the RSS. The RSS is prepared by the Yorkshire and Humber Assembly, is subject to an Examination in Public and is finally approved and issued by the Secretary of State. A new RSS is under preparation and was subject to public examination during Autumn 2006. The Panel's Report on the Examination was published in May 2007. Final approval of the new RSS is expected in early 2008, at which time the new RSS will replace that dating from 2004. The documents within the LDF will be developed in line with the emerging RSS, rather than that dating from 2004.

## The New Planning System and Consultation

**2.6** Public engagement and consultation is a feature of the new planning system. The Government has set principles for community involvement to ensure that arrangements are clear and fit for purpose. These principles can be found in '[Community Involvement in Planning: the Government's Objectives](#)'. Each type of document contained within the LDF has to be produced with community consultation and engagement and the SCI sets out how the Council will undertake this work.

**2.7** The regulatory process involved in creating the SCI, DPDs and SPDs and how the Council intends to undertake engagement on each are shown in tables 6.1, 6.2 and 6.3 respectively.

## The Local Development Scheme

**2.8** As part of the requirements for the new planning system the Council has to prepare a Local Development Scheme (LDS). The LDS sets out the programme of work with indicative milestones against which project delivery can be assessed and has to be prepared in consultation with the Government Office for Yorkshire & Humber (GOYH). The Government has stated that revisions to the LDS must be put in place by April 2007, and that further changes will only be permitted in exceptional circumstances. The full [Local Development Scheme](#) is available on the Council's web-site.

**2.9** The LDS sets out a three-year programme for the preparation of individual documents that make up the LDF for Calderdale. Each year the Council will roll forward the LDS for another year and say what has happened to documents that are included within the existing LDS. Where the timetable has slipped, reasons will be given and a new timetable

established. Additional documents will be added to the lists of those to be prepared as the needs arise.

## 3 The Council's Approach to Consultation

**3.1** The Council has an 'External Communications Strategy' that supports its Customer Relations Policy. This Policy states that:-

*'The Council will develop and implement an external communications strategy that ensures that customer information about services is clear and accessible so that customers can have clear expectations of the level of service to which they are entitled.'*

**3.2** By improving communications with our external customers the strategy will contribute to the delivery of the Council's visions and corporate priorities.

**3.3** In order to deliver the necessary improvements to the Council's external communications, this strategy identifies four key objectives: -

- *To increase the level of information provided about Council services and the benefits the Council provides;*
- *To improve consultation and customer feedback mechanisms including feeding back the results to customers;*
- *To promote the availability of information through a range of access channels including electronic, while ensuring parity of access across all user groups;*
- *To positively raise the profile of the Council's brand locally, regionally and nationally;*

**3.4** The Council also has developed a Compact with the voluntary, community, public and private sectors, which recognises the need for a framework to guide the way in which partners work together to ensure the maximum benefit for the people of Calderdale. The Compact was approved by the Council in 2004. It recognises that community leadership is a shared responsibility, and the main aim of the Compact is to improve the way that partners work together to contribute to improving social, economic and environmental well-being of everyone who lives in, works in and visits Calderdale.

**3.5** The [Calderdale Compact](#) may be found on the Council's web-site

The Compact:

- expresses our shared beliefs and principles
- recognises the different responsibilities of different sectors
- describes what we should expect from our partners in the public, voluntary, community and

private sectors, and what they can expect from us

- sets standards of good practice in key areas of activity: funding, volunteering, consultation and engaging with community groups.

By signing up to the Compact, partners endorse the shared beliefs and principles, agree to fulfil their commitments as partners and commit to strive towards achieving best practice.

**3.6** The SCI assists the Council in meeting its commitments under the Compact, and encourages partners and the voluntary sector to be involved in the planning process.

## 4 Community Involvement in Planning

**4.1** Effective community involvement in the planning system is a high priority for the Government and for Calderdale Council.

**4.2** “Community involvement... should enable the local community to say what sort of place they want to live in at a stage that they can make a difference. Effective community involvement requires an approach which:

- Tells communities about emerging policies and proposals in good time;
- Enables communities to put forward ideas and suggestions and participate in developing proposals and options. It is not sufficient to invite them simply to comment once these have been worked-up;
- Consults on formal proposals;
- Ensures that consultation takes place in locations that are widely accessible;
- Provides and seeks feedback.”

[\*\(PPS1 : Delivering Sustainable Development\)\*](#)

**4.3** This SCI sets out how Calderdale Council will ensure that these principles are put into effect within the planning system. It is anticipated that an approach to community involvement that is meaningful by having an impact on decision making and service delivery will benefit both the preparation and implementation of Local Development Documents (LDDs). This will be by ensuring that misunderstandings are addressed early on and through the “front-loading” of participation all the options and alternatives can be considered during preparation of the documents.

### Consultation and the Role of the SCI

**4.4** The SCI will seek to:

- offer clear guidance that enables the community to know, with confidence, when and how it can expect to be consulted;
- provides a point of reference for applicants for planning permission which outlines what is expected of them; and
- sets the standard for good practice in engaging those with an interest in development within the District.

**4.5** The SCI sets out the minimum standards that the Council will employ to meet its legal requirements. It also outlines an overall vision for wider public involvement in planning.

### The SCI and Community Strategy

**4.6** The SCI has been drawn up in the context of ongoing development of the Calderdale Futures Plan - the Sustainable Community Strategy (SCS). This SCS is prepared under the requirements of the Local Government Act (2000) in conjunction with other public, private and community sector organisations and promotes the economic, social and environmental well-being of Calderdale and helps to deliver sustainable development.

**4.7** The SCS sets a vision for Calderdale that amongst other things seeks to ensure “genuine community involvement.” The SCS has the following objectives for Community Engagement:-

- to give local communities capacity to influence their future and get involved in community life;
- to strengthen community cohesion, understanding and active cross community engagement; and
- to improve access to public services in an integrated way, including the exploitation of new electronic technologies.

The SCI helps to ensure that the vision and the objectives of the SCS become a reality.

### Community Characteristics

**4.8** Calderdale lies within the southern Pennines between the conurbations of West Yorkshire and Greater Manchester. It is one of five metropolitan districts that make up the county of West Yorkshire and forms part of the Leeds City Region. Calderdale also has strong links with the North-West Region and the local planning authorities to the west of the Pennines.

**4.9** The population of Calderdale is about 195,000 and is projected to rise to 205,000 by 2014 and to 220,600 by 2029. In terms of the number of households these are projected to continue to rise to from 80,937 (2001 Census) to 92,000 by 2014 and over 100,000 by 2029.

**4.10** The area of the District is large (36,400 hectares) but, only about 13% of the area can be considered to be urban or within a built up area.

**4.11** The dominant physical features of the District are:-

- The valley of the River Calder and its tributaries, which flows from the high Pennines in the west towards the east.

- The high Pennine Moorlands in the west account for over 25% of the District and are generally uninhabited.
- The pasture and grazing land on the less extreme hills surrounding the towns in the eastern parts of the District.

(8.5%); Bangladeshi (2.8%); Others and Chinese (8.5%). Of the 'Others' there are a number of Ukrainian, Polish, and Eastern European groups. Calderdale's varied communities will form a challenge to successful community engagement.

**4.12** There is a very wide range of population density within the District which goes from well under 1 person per hectare in the rural areas and the Pennine Moorlands, to in excess of 64 persons per hectare in west central Halifax. This in itself causes some problems for community engagement, where different approaches and methodologies will be appropriate in different circumstances.

**4.13** In terms of age profile, west central Halifax has a particularly young population, mainly associated with it being the focus for Asian/Pakistani communities, whilst in other parts of Halifax, pensioners account for over 20% of the population. The distribution of pensioners and the young varies considerably across the District and this will have implications for the types of engagement used and the potential times for meetings, exhibitions or road shows.

**4.14** About 31% of households within the District have no car. Over 36% of households have no one in employment, although the unemployment rate generally is quite low at 5.5%, but this is just above the national average.

**4.15** Calderdale continues to have a significant manufacturing sector and this is reflected by the fact that about 23% of residents employed are employed in this sector. About one third of employed residents work in public services.

**4.16** A number of wards in the District suffer from relatively high deprivation. There is a clear pattern emerging between residents with no qualifications and wards with relatively high deprivation. In terms of Socio-Economic groupings as well, clear differences exist across the District. In Halifax about 17% of the adult population is Socio-Economic Grade A/B and 40% is Grades D or E. In Hebden Bridge, by comparison, 27% is A/B and 28% D or E. The varied skills of the resident population can often mean that different approaches may be necessary in order to engage public opinion, which will be a challenge for the SCI to deliver.

**4.17** Approximately 7% of the population of Calderdale as a whole is of ethnic minority origin, but this rises to 13% of the total population in Halifax. The community of Pakistani origin is dominant, making up about 70% of the overall ethnic population. The remainder of the ethnic groups include Indian (5.7%); Mixed Asian/White or White/Afro-Caribbean

## 5 Potential Methods of Community Involvement

**5.1** The Council must undertake a minimum level of community involvement as laid down by the Regulations. The Council intends to meet and exceed these minimum requirements to effectively involve the community and to encourage effective participation in the planning system.

**5.2** There are a wide range of techniques and methods available to engage the community, but the

Council must be realistic in recognising the limited resources that it has and as a result ensure that engagement is well managed, focused and effective. The Council's Chief Executive's Office has issued advice in a Consultation Toolkit which assists Departments and services to focus upon the fundamentals of consultation. This has been used as part of the basis for this SCI.

Table 5.1 Potential Consultation Methods and their Effectiveness

METHOD	COMMENTARY	Potential Costs	Useful for:	Not Useful for:
<b>Documents available at 'Deposit Points'</b>	This is a minimum requirement of the Regulations, but the Council will also make available documents at ALL libraries and the Customer First Offices throughout the District.	Costs of document preparation, printing and distribution.	Ensuring interested persons have access to 'hard copy' of documents within their local community, and ensuring compliance with Regulations.	Reaching 'hard to reach' groups or persons who may never go to public libraries or Council Offices.
<b>Letters to Statutory Bodies listed in the Regulations</b>	This is a minimum requirement of the Regulations.	Costs of staff time in producing letters, postage and packing.	Making contact with stakeholders and raising awareness and ensuring compliance with Regulations.	Reaching people who are not already within the consultation database.
<b>Local Press, Radio and TV</b>	Minimum requirement of the Regulations for adverts in local newspaper(s), but additionally can be used to carry articles and stories of relevance. Radio and TV articles or programmes can be made to supplement road shows or be placed on the web-site to attract interest.	At least £4,000 per insertion in the local papers; Radio and/or TV is an expensive option, costing upwards of £10,000 per article.	Meeting Statutory Requirements.  Useful to reach groups and raise awareness where resources are limited in terms of staffing.  Adverts in papers achieve good coverage in a familiar format.	Reaching some groups who do not get local newspapers or listen to radio.
<b>Leaflets and Brochures</b>	Can publicise an outline of the proposed document or application and inform the public of further opportunities to get involved.	Fairly low cost depending upon quality, but can be in the order of £100-£150 per 100. Expensive option if wanting to have broad coverage.	Raising awareness in the community.	Reaching those whose first language may not be English, or disinterested persons.

# 10 Potential Methods of Community Involvement

METHOD	COMMENTARY	Potential Costs	Useful for:	Not Useful for:
<b>Public exhibitions/ displays/stalls and road shows</b>	A useful medium for disseminating information, allowing communities to air their views. Fairly resource-intensive and attendees are self-selecting. Can make use of media presentations that have been made specifically for the LDD under consideration.	Staff and materials time in preparing documents for exhibition. Staff time for attendance and room/venue hire.	Raising awareness and obtaining views on specific issues or projects. They will normally only provide feedback from a small number of people and may have to be used in conjunction with other methodologies.	Obtaining a large sample of service users views. Feedback may be limited to what is on display.
<b>Formal written consultation/ referenda/ community surveys/ questionnaires</b>	Good introduction to the main issues. Response can help identify key interests and groups.	Reasonable costs of publishing, printing and postage already in the budget.  For referenda high costs involved in administering and engaging.  Community surveys can be expensive particularly if undertaken by telephone.	Providing users with detailed, comprehensive information. Useful for targeted consultation or for random sampling to ensure unbiased responses.	Obtaining a large sample of views. Responses may be low and it may exclude people who have a poor command of English.
<b>Letters</b>	Letters to stakeholders within the database or other interested persons	Costs of paper and postage	Can reach a large cross-section of stakeholders with general information, as well as allowing more detailed debate on a one to one or specialist group basis.	Not useful for reaching people not already in the database.
<b>Hotline</b>	Information for people without access to the internet. Needs to be staffed rather than a recorded message.	Staff time and telecom set up. Dedicated staff means that other work cannot be undertaken unless extra resources brought in to cover this work.	Giving information and allowing first point of contact.	Wide ranging contact

METHOD	COMMENTARY	Potential Costs	Useful for:	Not Useful for:
<b>One-to-one meetings with selected stakeholders</b>	A useful way of identifying key issues and getting key people involved and achieving alignment with other strategies and initiatives. Can lead to high expectations that commitments will be made and fulfilled.	Resource intensive requiring senior staff involvement.	Getting to grips with specific issues relevant to stakeholders.	Assessing broad views as limited involvement.
<b>Public meetings/ area, town or village meeting</b>	Particularly relevant to Core Strategies, Area Action Plans and planning applications. An open and inclusive way for people to engage in robust debate on the issues, although attendees are self-selecting. Meetings must be carefully prepared and effectively chaired. These can be resource intensive.	Staff time and venue hire. Ongoing costs of preparing display materials. Use of existing area groups (Town Teams etc) will mean limited costs to the LDF.	Informing the public as well as for consultation.  Reaching groups already interested in the future of their community.  Controversial issues may encourage a high turnout, but may generate antagonism or bad feeling.	Not useful for achieving consensus or ensuring 'hard to reach' groups or less confident persons have their say.
<b>Focus groups or Citizens Panels</b>	Useful for area based discussions and presentation of options. These can help authorities to gain more understanding of public concerns. Provides an opportunity to explore issues in depth but may need to be complemented by other methods.	Low costs if handled internally. Costs would rise rapidly if external consultants undertake the work. Agency costs at least £1,000 per group session.	Gaining views from a cross section of citizens, but these may be self-selecting and unrepresentative.	Ensuring representative views from across the community.
<b>Pre-existing panels, forums and design teams</b>	Developer panels comprising 'regular applicants' can provide a forum for authorities to disseminate information and canvas professional opinion on proposed documents or applications. The Council's "Talkback Panel" has been used on a number of occasions for the development of the Replacement UDP as an additional consultation base.	Low costs if handled internally. Costs will increase if external facilitators are used.	Gaining views from a cross section of citizens, but these may be self-selecting and unrepresentative.	Ensuring representative views from across the community.
<b>Workshops/ Planning for Real Exercises</b>	Means of engaging local communities on planning applications and developing "ownership" of the proposals. Need to involve the right people and require significant preparation to allow structured	Need facilitators and venue hire. Can be expensive at least £5,000 per session.	Environmental issues such as planning the environment, housing and development. Good for complex issues,	Not appropriate for non-physical issues, or for engaging with young people or children or

# 12 Potential Methods of Community Involvement

METHOD	COMMENTARY	Potential Costs	Useful for:	Not Useful for:
	<p>approach and report back. Useful for identifying and focusing discussion around difficult issues and key themes. Resource intensive in terms of staffing and potential needs to bring in outside professional assistance.</p>		<p>for getting fresh ideas and getting people together in a non-confrontational way.</p>	<p>those whose first language is not English. Will not provide a large sample of views if a statistically representative sample is needed.</p>
<b>Planning Aid</b>	<p>Planning Aid is a network of planning volunteers providing free and independent advice to community groups and individuals who are unable to afford a consultant. The service operates through a small team and network of professionally qualified volunteers. In Calderdale, Yorkshire Planning Aid are the relevant body and their address is as follows:-</p> <p>Yorkshire Planning Aid RTPI Yorkshire Branch Office 8 Woodhouse Square LEEDS LS3 1AD (Tel :0870 850 9808)</p> <p>The Yorkshire Planning Aid telephone advice line operates three days a week (Tuesday, Wednesdays and Fridays) between 9.00am and 4.00pm.</p>	<p>Awareness raising and attendance at exhibitions etc cost the Council approx £13,000 for the Replacement UDP (in 2002). Costs will have risen.</p>	<p>Awareness raising; focusing attention on issues and helping residents engage within the planning process.</p>	
<b>Steering/Advisory Group</b>	<p>A mechanism for getting key organisations involved in overseeing or acting as a sounding board for the production of LDD's.</p>	<p>Costs of secretariat for group together with staff time in servicing the sessions. Assume members fund their own attendance and inputs.</p>	<p>Ensuring buy-in from stakeholders. This approach may be appropriate for Area Action Plans or topic based policies.</p>	<p>Reaching wider community.</p>
<b>Use of Council's website/ internet</b>	<p>Minimum requirement of the Regulations.</p>	<p>Minimal additional costs. Document preparation already in HTML compliant format.</p>	<p>All stakeholders and disseminating information to the widest audience.</p>	<p>Reaching people without access to the internet.</p>

**5.3** Arising from these potential methods of consultation and engagement the Council will consider the use of these as appropriate to the circumstances and to the type of document under consideration. This is demonstrated in the following table.

Table 5.2 Potential Consultation and Information methods for different Stages of Document Preparation

Consultation Methods	DPD PRODUCTION						SPD PRODUCTION			
	Evidence gathering	Issues and Options/ Preferred Options	Production - Submission DPD	Sites Consultation - Counter - Objections	Independent Examination	Adoption of DPD	Evidence gathering	Public Participation of Draft SPD	Adoption of SPD	
Consultation Document		YES	YES	YES				YES		
Statutory Notice		YES	YES	YES	YES	YES		YES	YES	
Council Website		YES	YES	YES	YES	YES		YES	YES	
Councillors	Possibly	YES	YES	YES	YES	YES	Possibly	YES	YES	
Letters/ email		YES	YES	YES	YES	YES		YES	YES	
Press		Possibly	YES	YES	YES			YES	YES	
Libraries		YES	YES	YES	YES	YES		YES	YES	
Calderdale Call		Possibly	Possibly	Possibly		YES	Possibly	Possibly	YES	
Stakeholder / Public Meetings	Possibly	Possibly	Possibly	Possibly			Possibly	Possibly		
Survey/ Questionnaire	Possibly	Possibly	Possibly	Possibly			Possibly	Possibly		
Exhibition	Possibly	Possibly	Possibly	Possibly			Possibly	Possibly		
Leaflets	Possibly	Possibly	Possibly	Possibly			Possibly	Possibly		

## Engaging Hard to Reach or Seldom Heard Groups

**5.4** The Council is conscious that there are sectors of the community which are difficult to engage and whose views are often under represented. It is important for the future of the District and for planning in the context of the LDF, that efforts are made to seek views from these under represented or “seldom heard” groups.

**5.5** An argument often made against consultation is that it gives too much of a say to an unrepresentative vocal minority. There is some truth in this view and, this can be demonstrated by the fact that some groups are easier to consult than others. Barriers such as age, culture, language, geographical isolation, time and a general indifference need to be overcome through careful use of methods and approaches. The varied communities identified in Paragraph 4.23 will form a challenge to effective community engagement.

**5.6** It takes considerably more initiative, imagination and effort to consult effectively and inclusively with certain sections of the community. However, the term “hard to reach” can perhaps imply that the fault lies within these communities. This is misleading. The term describes a situation that is characterised by a lack of understanding, and it is this that must be overcome. A better phrase may be “seldom-heard” groups. It is unlikely that whole sections of the population do not want to express their views and wishes. If difficulties are encountered it is more likely that we are either consulting them on issues that they have little knowledge or interest or that we are conducting consultation in an inappropriate manner.

**5.7** The following is a list of the common “hard-to-reach” or “seldom heard” groups. It is neither inclusive nor exclusive, but reflects commonly recognised groups within the community as a whole:

- young people;
- elderly;
- disabled people;
- minority ethnic groups;
- people with caring responsibilities;
- gay, lesbian, bisexual and trans-gender community;
- socially-excluded groups;
- asylum seekers / refugees;
- homeless people;
- gypsy and traveller community;
- people from deprived areas; and
- non-users of council services.

**5.8** The reasons why these groups may be difficult to engage and as a result “seldom heard” can arise

from a wide range of conditions:

- some groups of people, such as working single parents, have less spare time than others, such as retired people;
- some people have difficulty understanding written or spoken English;
- some people cannot see or hear;
- some people have mobility difficulties;
- some groups feel culturally isolated from the mainstream of society’s activity;
- some groups feel alienated from, or even suspicious of, the organisation that is consulting them;
- some communities are geographically isolated;
- some people have no permanent address;
- some people are living with a long-term illness;
- some people are out at work all day; and
- some people may just not be interested in being consulted by public bodies.

**5.9** Whilst it is important to recognise that there are groups within society that are difficult to engage, it is also important to recognise that the Council has limited resources. However, the Council will attempt to engage and facilitate participation by (for example):-

- Holding events during the day, at weekends, during the evening or both, dependent upon the circumstances of those whose opinions are sought.
- Providing crèche facilities at events.
- Ensuring venues are accessible by people with disabilities (transport, wheelchair access etc.).
- Providing facilities such as an induction loop systems for use with hearing aids, signers and interpreters.
- Providing materials in different versions, such as large print size, on tape and in translation.
- Undertaking “awareness raising” at appropriate stages of plan preparation. This may be through

- public meetings, groups sessions, community forums, targeted information sessions.
- Holding focused consultation/participation sessions in the community e.g. women only sessions.
  - Mail shots to communities rather than those on the database.
  - Ensuring events are inclusive but respect the culture and sensibilities of the communities whose views are being sought.
  - Offering translation services for people whose first language is not English, or providing British sign language interpreters where these have been requested.
  - Writing documents in plain English.

## 6 Consultation on the LDF

**6.1** Calderdale Council has a good record of consultation and participation in planning matters, both for the UDP and for Development Control. However, it is clear that more must be done to ensure that the community is fully aware of plans, policies and proposals and has a full input to the preparation and decision making involved in developing planning documents.

**6.2** The following sections of the SCI describe how and when the Council will build upon the consultations that it has undertaken in the past in preparing the various types of document within the LDF and on major planning applications.

### Consultation on the SCI

**6.3** The SCI is the type of document that is most appropriate for formal written consultations to be undertaken. This is because it is mainly concerned with procedural matters. The Council has an obligation to engage with relevant bodies and organisations regarding how they consider that engagement should be undertaken. However, it is also important to find out how the community and local residents also wish to be consulted.

**6.4** The stages in the following tables relate to those identified within the LDS.

Table 6.1 Process Involved in Creating the Statement of Community Involvement : Community Engagement and Public Participation

STAGE	Step No	PROCESS INVOLVED IN PREPARING THE SCI	WHAT WE WILL DO
PRE-PRODUCTION	1	<b>Commencement</b> of Document Preparation	Announce on Council's web-site that Document Preparation has commenced.
	2	<b>Identify all relevant stakeholders</b> that need to be consulted	Stakeholders selected from the list of organisations in Sections 10, 11 and 12.
EARLY COMMUNITY ENGAGEMENT  REGULATION 25	3	<b>Initial Consultation and Engagement</b> with relevant stakeholders to address the issues and options that may need to be covered by the SCI and ensure that potential solutions are identified. Likely to include a non-statutory consultation period of 6 weeks duration.	<ul style="list-style-type: none"> <li>Notification by letter or email to consultees/stakeholders as stipulated in PPS12 and shown in Sections 10, 11 and 12;</li> <li>Internal consultation with other Council Department and services;</li> <li>Notices within Planning Services Reception and Customer First Offices;</li> <li>Notices within 'Deposit Points';</li> </ul>
	4	<b>Analyse and consider findings</b> of early community engagement	
	5	<b>Produce and publish report</b> of early community engagement	<i>Report to LDF Working Party, feedback given on the Council's web-site</i>
PRE-SUBMISSION CONSULTATION ON PARTICIPATION DRAFT SCI  (REGULATION 26)  (REGULATION 27)	6	<b>Undertake consultation</b> on pre-submission draft during a 6 week period	<ul style="list-style-type: none"> <li>Adverts in all local Newspapers (Halifax Courier, Todmorden News, Brighouse Echo, Hebden Bridge Times and Huddersfield Examiner);</li> <li>Placing documents within 'Deposit Points', libraries, Council Planning Office and Customer First shops.</li> <li>Placing document within the Council's web-site;</li> <li>Notices within Planning Service Reception and Customer First Offices;</li> <li>Notification by letter or email to consultees as stipulated in PPS12 and shown in Sections 10, 11 and 12;</li> <li>Internal consultation with other Council departments and services;</li> <li>Article in "Calderdale Call" if possible;</li> <li>Possible use of media productions to raise awareness and public engagement;</li> </ul>
	7	<b>Analyse findings from the Regulation 26 Consultation</b> and provide feedback.	
	8	<b>Produce statement</b> outlining the Council's response to Regulation 26 consultation in accordance with regulation 27.	<i>Report to LDF Working Party placed on the Council's web-site.</i>

STAGE	Step No	PROCESS INVOLVED IN PREPARING THE SCI	WHAT WE WILL DO
	9	<b>Prepare the Submission Version</b> of the SCI, making use of the public or stakeholder comments on Regulation 26 together with the Council's responses and feedback.	<i>Report to LDF Working Party on the Council's web-site</i>
<b>SUBMISSION OF SCI</b> <i>(REGULATION 28)</i>	10	<b>Submit the SCI</b> , and Statement of Consultation and other relevant documentation to the Secretary of State.	<i>Report to LDF Working Party and Cabinet approving the Submission of the DPD to the Secretary of State, and undertake Formal Consultation (Regulation 29).</i>
<b>FORMAL CONSULTATION ON SUBMITTED DOCUMENT</b> <i>(REGULATION 29)</i>	11	<b>Publish all submission documents.</b>  <b>Invite representations</b> in support of or objection to the DPD, during a statutory 6 week period	<ul style="list-style-type: none"> <li>Adverts in all local Newspapers (Halifax Courier, Todmorden News, Brighouse Echo, Hebden Bridge Times and Huddersfield Examiner);</li> <li>Placing documents within the 'Deposit Points' all libraries, Council Planning Offices and Customer First shops;</li> <li>Placing document within the Council's web-site;</li> <li>Notices within Planning Services Reception and Customer First Offices;</li> <li>For site specific issues and allocations use of notices to be placed on site(s);</li> <li>Notification by letter or email to consultees as stipulated in PPS12 and shown in Sections 10, 11 and 12;</li> <li>Internal consultation with other Council services and departments;</li> <li>Article in "Calderdale Call" if possible;</li> <li>Possible use of media productions to raise awareness and public engagement;</li> </ul>
	12	<b>REPRESENTATIONS ON THE SCI</b> received during Formal Consultation on Submitted SCI  <i>(REGULATION 29)</i>	<ul style="list-style-type: none"> <li>Place copies of representations into 'Deposit Points';</li> <li>Place copies of comments on the Council's web-site;</li> </ul>
	13	<b>Appoint Programme Officer</b> and make necessary arrangements for the holding to the Public Examination	It will be the responsibility of the Programme Officer to contact respondents and to make the formal arrangements for the examination.
<b>PUBLIC EXAMINATION</b> <i>(REGULATION 34)</i>  <i>(REGULATION 35)</i>	14	<b>Notify</b> all persons who have requested the opportunity to appear before the Public Examination at least 6 weeks before the opening of the examination	<ul style="list-style-type: none"> <li>Publish notice in ALL local newspapers (Halifax Courier, Todmorden News, Brighouse Echo, Hebden Bridge Times and Huddersfield Examiner), informing of date of Examination and Inspector appointed;</li> <li>Place notice within the Council's web-site;</li> <li>Notices within Planning Services Reception and Customer First Offices;</li> <li>Inform by letter or email any person who has made representations in Steps 18 or 20 above (Regulations 29 or 33) and not withdrawn such representations.</li> </ul>
	15	Hold a <b>Pre- Examination Meeting</b>	Invite relevant parties and/or objectors to the meeting so that the Inspector may set out rules for the Examination.
	16	Hold a <b>Public Examination</b> , during which the Inspector will assess the "soundness" of the SCI.	See Section 7 for the "Test of Soundness" that the inspector will apply at the Examination
	17	<b>Receive Binding Report</b>	<ul style="list-style-type: none"> <li>Publish the Inspector's Report and place this in the 'Deposit Points' and local libraries;</li> <li>Place Inspector's Report in the Council's web-site;</li> <li>Give notice to all persons who requested to be notified of the receipt of the Inspector's Report;</li> </ul>

STAGE	Step No	PROCESS INVOLVED IN PREPARING THE SCI	WHAT WE WILL DO
			<ul style="list-style-type: none"> <li>Notices within Planning Services Reception and Customer First Offices;</li> <li>Report receipt of Inspector's Report to LDF Working Party;</li> </ul>
<b>ADOPTION</b> <i>(REGULATION 36)</i>	18	<b>Amend the SCI</b> following receipt of the Inspectors Report	Report to LDF Working Party and place inspector's Report in Deposit Points and on the Council's web-site
	19	<b>ADOPT the SCI</b>	Report to Cabinet and final Adoption by Full Council
	20	<b>Publish and make available the SCI</b> , Inspector's Recommendations and Reasons Report and Adoption Statement	<ul style="list-style-type: none"> <li>Publish all final documents as adopted and make available for purchase at a reasonable cost;</li> <li>Place published, adopted documents in 'Deposit Points' and libraries;</li> <li>Give notice of Adoption of SCI by letter or email to all people who requested to be notified;</li> <li>Place notice within Planning Services Reception Customer First Offices, and on the Council's web-site;</li> </ul>
	21	<b>Monitor SCI</b> within the Annual Monitoring Report	The Annual Monitoring Report will provide details of the progress of preparation of the SCI and will consider the effectiveness of the SCI once it is adopted. Following monitoring it may be indicated that revisions or replacement of the SCI is required. Such revisions or replacement will undergo the same procedures as indicated in the Table.

## Consultation on Development Plan Documents

**6.5** Table 6.2 'Process Involved in Preparing a Development Plan Document: Community Engagement and Public Participation' provides details of the process involved in creating a DPD. It sets out when the Council will engage with the community and gives an indication of the potential consultation methods that may be involved.

**6.6** The legal requirements that the Council has to follow for public engagement in the preparation of LDDs are laid down in the Town and Country Planning (Local Development) (England) Regulations (2004). The Regulations are laid out in the full legal language of a Statutory Instrument laid before Parliament. However, there are summaries and simplifications of the processes provided within documents produced by the Office of the Deputy Prime Minister - PPS12 "Local Development Frameworks" and "Creating Local Development Frameworks – a Companion Guide to PPS12". These documents indicate that the Council has to consult with the following types of organisation during preparation of LDDs:-

- **"Specific" organisations** – identified in 10 'Specific Organisations to be Consulted on LDDs'

- **Government Departments and "General" organisations** – identified in 11 'Government and General Consultees'
- **"Additional Organisations"** – identified in 12 'Additional Groups to be Consulted'
- **"Interested Parties"** – those who have asked to be kept informed of progress on LDDs or those who have commented upon a previous stage of consultation such as landowners, businesses, developers, residents or residents groups.
- **Residents and Residents Groups** – those residents or residents groups that are likely to be affected by the LDD.

**6.7** The Council will consult and inform the "Specific", "General" and "Additional Organisations" and Government Departments that are relevant and specified by the legislation of the progress of LDDs by sending copies of documents, covering letters and comments forms.

**6.8** "Interested Parties" will be notified by letter or email of the availability of documents and given progress updates on the development of the LDD.

**6.9** Residents and Residents Groups will be targeted:-

- through letters, (once they are registered as an "interested party" for the documents concerned);

- advertisements, notices, road shows (where possible and/or appropriate); and
- local area events, focus groups and/or workshops where appropriate or practical.

Every effort will be made to obtain the views of local residents and residents groups, particularly the 'seldom heard' or 'hard to reach' groups. Meetings will be held where appropriate in venues that are accessible to all within the community including those with disabilities.

**6.10** Use of community based activities and initiatives will probably be more appropriate for documents that deal with issues relating to defined areas such as Area Action Plans, SPDs and detailed planning applications that may incorporate Masterplans. They may not be entirely appropriate for higher-level strategic documents such as the Core Strategy or the SCI. It will be necessary to tailor the consultation efforts to the resources that are available to the Council to deliver engagement as appropriate to the documents and issues under consideration.

**6.11** Printed documents will always be placed in the Planning Offices in Northgate House, Halifax, ALL libraries in the District as well as the Customer First Offices. They will also always be available on the Council's web-site:- [www.calderdale.gov.uk](http://www.calderdale.gov.uk)

**6.12** A number of locations will be regarded as 'Deposit Points' for the purposes of providing information and access to documents relating to the preparation of the documents. This means that each location will receive all published documents, copies of representations, the Council's responses to representations, the Inspector's Report and the final Adopted Documents.

**6.13** The Deposit Points are as follows:-

- Planning Services Office, Northgate House, Halifax;
- Customer First Office, Todmorden;

Libraries at:-

- Halifax (Central Library)
- Elland
- Brighouse
- Sowerby Bridge
- Hebden Bridge
- Ripponden
- Todmorden

**6.14** The Council's web-site will be used for the publication of documents relating to the plan under consideration. However, it may not always be possible to provide a full service with copies of representations being placed within the web. The web-site is not

regarded as a 'Deposit Point' for the purposes of this SCI.

**6.15** Each stage of the process will be advertised within Calderdale in the newspapers that circulate in the area (Halifax Courier, Huddersfield Examiner, Brighouse Echo, Hebden Bridge Times and Todmorden News). "Calderdale Call" the Council's newspaper circulated regularly to every household in the District will also be used when this is feasible in terms of timing.

**6.16** At the end of each consultation stage every consultation response which has been correctly made will be analysed and given due consideration. A summary report of the consultation responses and the changes made in light of the responses will be available in 'Deposit Points' and on the Council's web-site.

Table 6.2 Process Involved in Preparing a Development Plan Document: Community Engagement and Public Participation

STAGE	Step No	PROCESS INVOLVED IN PREPARING A DEVELOPMENT PLAN DOCUMENT (DPD)	WHAT WE WILL DO
PRE-PRODUCTION	1	<b>Commencement</b> of Document Preparation	Announce on Council's web-site that Document Preparation has commenced.
	2	<b>Identify all relevant stakeholders</b> that need to be consulted	Stakeholders selected from the list of organisations in Sections 10, 11 and 12;
	3	<b>Produce Sustainability Appraisal Scoping Report</b> of the issues and options that are to be covered by the Document	
EARLY COMMUNITY ENGAGEMENT	4	<b>Initial consultation and engagement</b> with relevant stakeholders to address the issues and options that may need to be covered by the DPD and ensure that potential solutions are identified. Likely to include a non-statutory consultation period of 6 weeks duration. ("Front-loading" exercise).	<ul style="list-style-type: none"> <li>• Notification by letter or email to consultees /stakeholders as stipulated in PPS12 and shown in Sections 10, 11 and 12;</li> <li>• Internal consultation with other Council departments and services;</li> <li>• Notices within Planning Services Reception and Customer First Offices;</li> <li>• Notices within 'Deposit Points';</li> <li>• Potential use of "Planning for Real" exercise;</li> <li>• Possible use of Roadshow, Public Meetings; or area/site based exhibitions or other events and activities set up purposefully to gather views of the 'hard-to-reach' and mainstream residents;</li> <li>• Potential for awareness raising through use of media (TV/Radio etc);</li> <li>• Possible use of web-forums;</li> </ul>
	5	<b>Analyse and consider findings</b> of early community engagement	
	6	<b>Produce and publish report</b> of early community engagement	<i>Report to LDF Working Party, place copy of report in 'Deposit Points' and on the Council's web-site.</i>
	7	<b>Prepare and publish</b> Issues and Options Report and carry out Sustainability Appraisal and Strategic Environmental Assessment	<i>Report to LDF Working Party and Pre-Submission Consultation (Regulation 25) under delegated powers.</i>
PRE-SUBMISSION CONSULTATION ON ISSUES AND OPTIONS	8	<b>Undertake consultation</b> on Issues and Options Report (REGULATION 25)	<ul style="list-style-type: none"> <li>• Adverts in all local Newspapers (Halifax Courier, Todmorden News, Brighouse Echo, Hebden Bridge Times and Huddersfield Examiner);</li> <li>• Placing documents within 'Deposit Points', libraries, Council Planning Office and Customer First shops;</li> <li>• Placing document within the Council's web-site;</li> <li>• Notices within Planning Service Reception and Customer First Offices;</li> <li>• Notification by letter or email to consultees as stipulated in PPS12 and shown in Sections 10, 11 and 12;</li> <li>• Internal consultation with other Council departments and services;</li> <li>• Article in "Calderdale Call" if Possible;</li> <li>• Possible use of Roadshows; Public Meetings; or area/site based exhibitions or other events and activities set up purposefully to gather views of the hard-to-reach and a mainstream residents;</li> <li>• For site specific issues and allocations use of notices to be placed on site(s);</li> <li>• Area based/site based exhibitions;</li> <li>• Possible use of Media productions to raise awareness and public engagement;</li> </ul>

STAGE	Step No	PROCESS INVOLVED IN PREPARING A DEVELOPMENT PLAN DOCUMENT (DPD)	WHAT WE WILL DO
	<b>9</b>	<b>Analyse findings from consultation</b> and any informal feedback on Issues and Options Report	
	<b>10</b>	<b>Produce report</b> outlining the findings of the Issues and Options consultations	<i>Report to LDF Working Party placed within 'Deposit Points' and on the Council's web-site.</i>
	<b>11</b>	<b>Identify preferred options</b> making use of the findings of the consultation, and undertake a SA/SEA of these options	<i>Report to LDF Working Party placed within 'Deposit Points' and on the Council's web-site</i>
<b>PRE-SUBMISSION PUBLIC PARTICIPATION ON PREFERRED OPTIONS</b>	<b>12</b>	<p><b>Publish Preferred Options Report</b> and SA/SEA Report, together with a Statement of Consultation and any relevant documents.</p> <p><b>Invite comments</b> during a statutory 6 week period</p> <p><i>(REGULATION 26)</i></p>	<ul style="list-style-type: none"> <li>● Adverts in all local Newspapers (Halifax Courier, Todmorden News, Brighouse Echo, Hebden Bridge Times and Huddersfield Examiner);</li> <li>● Placing documents within the 'Deposit Points' all libraries, and Council's Planning Offices and Customer First shops;</li> <li>● Placing document within the Council's web-site;</li> <li>● Notices within Planning Services Reception and Customer First Offices;</li> <li>● For site specific issues and allocations use of notices to be placed on site(s) and/or letters to adjoining properties;</li> <li>● Notification by letter or email to consultees as stipulated in PPS12 and shown in Sections 10, 11 and 12;</li> <li>● Article in "Calderdale Call" if possible;</li> <li>● Possible use of Roadshows; Public Meetings; or area/site based exhibitions or other events and activities set up purposefully to gather views of the 'hard to reach' and mainstream residents;</li> <li>● Area based/site based exhibitions;</li> <li>● Possible use of media productions to raise awareness and public engagement;</li> <li>● Internal consultation with other Council services and departments;</li> </ul>
	<b>13</b>	<p><b>Analyse findings from the Preferred Options Consultation</b> and any informal feedback on this Options Report or the SA/SEA Report</p> <p><i>(REGULATION 27)</i></p>	
	<b>14</b>	<b>Produce Statement</b> outlining the Council's response to consultation on the Preferred Options Report and SA/SEA Report	<i>Report to LDF Working Party, placed in 'Deposit Points' and on Council's web-site;</i>
	<b>15</b>	<b>Prepare the Submission Version</b> of the DPD, and SA/SEA Report., making use of the public or stakeholder comments on the Preferred Options Report together with the Council's responses and feedback	<i>(For submission at Step 17)</i>
	<b>SUBMISSION OF DPD</b>	<b>16</b>	<b>Submit the DPD</b> , SA/SEA, a Statement of Consultation and other relevant documentation to the Secretary of State. <i>(REGULATION 28)</i>
<b>FORMAL CONSULTATION ON SUBMITTED DPD</b>	<b>17</b>	<p><b>Publish all submission documents.</b></p> <p><b>Invite representations</b> in support of or objection to the DPD, or SA/SEA during a statutory 6 week period</p> <p><i>(REGULATION 29)</i></p>	<ul style="list-style-type: none"> <li>● Adverts in all local Newspapers (Halifax Courier, Todmorden News, Brighouse Echo, Hebden Bridge Times and Huddersfield Examiner);</li> <li>● Placing documents within the 'Deposit Points' all libraries, Council Planning Offices and Customer First shops;</li> <li>● Placing document within the Council's web-site;</li> </ul>

STAGE	Step No	PROCESS INVOLVED IN PREPARING A DEVELOPMENT PLAN DOCUMENT (DPD)	WHAT WE WILL DO
			<ul style="list-style-type: none"> <li>• Notices within Planning Services Reception and Customer First Offices;</li> <li>• For site specific issues and allocations use of notices to be placed on site(s) and/or letters to adjoining properties;</li> <li>• Notification by letter or email to consultees as stipulated in PPS12 and shown in Sections 10, 11 and 12;</li> <li>• Internal consultation with other Council services and departments;</li> <li>• Article in "Calderdale Call" if possible;</li> <li>• Possible use of Roadshows; Public Meetings; or area/site based exhibitions or other events and activities set up purposefully to gather views of the 'hard to reach' and mainstream residents;</li> <li>• Area based/site based exhibitions;</li> <li>• Possible use of Media productions to raise awareness and public engagement;</li> </ul>
	<p><b>18 A</b></p>	<p><b>GENERAL REPRESENTATIONS ON DPD's</b> received during Formal Consultation on Submitted DPD (not site specific)</p> <p>(Continue to Step 21) (<i>REGULATION 31</i>)</p>	<ul style="list-style-type: none"> <li>• Place copies of representations into 'Deposit Points';</li> <li>• Place copies on the Council's web-site (where possible);</li> </ul>
	<p><b>19 B</b></p>	<p><b>FOR REPRESENTATIONS ON SITE ALLOCATIONS</b> received during Formal Consultation on Submitted DPD</p> <p>(Continue to Step 20) (<i>REGULATION 32</i>)</p>	<ul style="list-style-type: none"> <li>• Place copies of representations into 'Deposit Points';</li> <li>• Place copies on the Council's web-site (where possible);</li> </ul>
<p><b>COUNTER - REPRESENTATIONS ON SITE ALLOCATION REPRESENTATIONS</b></p>	<p><b>19</b></p>	<p><b>COUNTER-REPRESENTATIONS ON SITE ALLOCATION REPRESENTATIONS</b></p> <p>Invite counter representations during a further consultation period of 6 weeks.</p> <p>(<i>REGULATION 33</i>)</p>	<ul style="list-style-type: none"> <li>• Adverts in all local Newspapers (Halifax Courier, Todmorden News, Brighouse Echo, Hebden Bridge Times and Huddersfield Examiner);</li> <li>• Place copies of representations received in the 'Deposit Points';</li> <li>• Placing representations into the Council's web-site (if possible);</li> <li>• Notices within Planning Services Reception and Customer First Offices;</li> <li>• Notices to be placed on site(s) and/or letters to adjoining properties;</li> <li>• Notification by letter or email to stakeholders/consultees as stipulated in PPS12 and shown in Sections 10, 11 and 12;</li> </ul>
	<p><b>20</b></p>	<p>Appoint Programme Officer and make arrangements for the holding to the Public Examination</p>	
<p><b>PUBLIC EXAMINATION</b></p>	<p><b>21</b></p>	<p><b>Notify</b> all persons who have requested the opportunity to appear before the Public Examination at least 6 weeks before the opening of the examination</p> <p>(<i>REGULATION 34(2)</i>)</p>	<ul style="list-style-type: none"> <li>• Publish Notice in ALL local newspapers (Halifax Courier, Todmorden News, Brighouse Echo, Hebden Bridge Times and Huddersfield Examiner, informing of date of Examination and Person Appointed);</li> <li>• Place notice within the Council's web-site;</li> <li>• Notices within Planning Services Reception and Customer First Offices;</li> <li>• Inform by letter or email any person who has made representations in Steps 18 or 20 above (Regulations 29 or 33) and not withdrawn such representations.</li> </ul>

STAGE	Step No	PROCESS INVOLVED IN PREPARING A DEVELOPMENT PLAN DOCUMENT (DPD)	WHAT WE WILL DO
	22	Hold a <b>Pre-Examination Meeting</b>	Invite relevant parties and/or objectors to the meeting so that the Inspector may set out rules for the Examination.
<b>PUBLIC EXAMINATION</b>	23	Hold a <b>Public Examination</b> , during which the Inspector will assess the "soundness" of the DPD.	See Section 7 for the "Test of Soundness" that the inspector will apply at the Examination
	24	<b>Receive Binding Report</b> <i>(REGULATION 35)</i>	<ul style="list-style-type: none"> <li>• Publish the Inspector's Report and place this in the 'Deposit Points' and local libraries;</li> <li>• Place Inspector's Report in the Council's web-site;</li> <li>• Give notice by letter or email to all persons who requested to be notified of the receipt of the Inspector's Report;</li> <li>• Notices within Planning Services Reception and Customer First Offices;</li> <li>• Report receipt of Inspector's Report to LDF Working Party;</li> </ul>
<b>ADOPTION</b>	25	<b>Amend the DPD</b> following receipt of the Inspectors Report	
	26	<b>ADOPT the DPD</b> <i>(REGULATION 36)</i>	Report to Cabinet and final Adoption by Full Council
<b>POST-ADOPTION</b>	27	<b>Publish and make available the DPD</b> , Final SA/SEA Report, Inspector's Recommendations and Reasons Report, Adoption Statement and Summary Statement of how the SA/SEA was taken into account. <i>(REGULATION 36)</i>	<ul style="list-style-type: none"> <li>• Publish all final documents as adopted and make available for purchase at a reasonable cost.;</li> <li>• Place published, adopted documents in 'Deposit Points' and libraries;</li> <li>• Give notice by letter or email of Adoption of DPD to all people who requested to be notified;</li> <li>• Place Notice within Planning Services Reception Customer First Offices, and on the Council's web-site;</li> <li>• Place Adopted documents into the Council's web-site;</li> </ul>
	28	<b>Monitor DPD</b> within the Annual Monitoring Report	The Annual Monitoring Report will provide details of the progress of preparation of the DPD and will consider the effectiveness of the DPD once it is adopted. Following monitoring it may be indicated that revisions or replacement of the DPD is required. Such revisions or replacement will undergo the same procedures as indicated in the Table.

## Consultation on Supplementary Planning Documents

**6.17** An SPD can be used to expand policy contained within a DPD or to provide further detail to policies, but it should not bring forward new policies or land allocations that should be subject to independent examination.

**6.18** The process for creating an SPD is much simpler and shorter than that required for a DPD, but still requires adequate community involvement and engagement at least in line with the Regulations and Sustainability Appraisal.

**6.19** Table 6.3 'Process Involved in Creating a Supplementary Planning Document : Community Engagement and Public Participation' provides details of the process involved in creating a SPD. It sets out how and when the Council will engage with the community and gives an indication of the potential consultation methods that may be involved and how the Council will take account of comments that have been received in response to consultations.

**6.20** SPDs will be brought forward as required in the light of particular concerns and will be reflected in the Annual Review of the Local Development Scheme.

Table 6.3 Process Involved in Creating a Supplementary Planning Document : Community Engagement and Public Participation

STAGE	Step No	PROCESS INVOLVED IN SPD PREPARATION	WHAT WE WILL DO
PRE-PRODUCTION	1	<b>Commencement</b> of document preparation	Announce on Council's web-site that document preparation has commenced.
	2	<b>Identify all relevant Stakeholders</b> that need to be consulted	Stakeholders selected from lists of organisations in Sections 10, 11 and 12;
	3	<b>Produce Sustainability Appraisal Scoping Report</b> of the issues and options that are to be covered by the SPD	<ul style="list-style-type: none"> <li>Establish clear objectives for the SPD that can be assessed against the SA/SEA criteria;</li> <li>Consult on the scoping report</li> </ul>
EARLY COMMUNITY ENGAGEMENT	4	<p><b>Initial Consultation</b> and engagement with relevant stakeholders to address the issues and options that may need to be covered by the SPD. This will also ensure that all potential solutions are identified.</p> <p><i>(Community Involvement as per Part 2 Regulations) (PRE-REGULATION 17)</i></p> <p><i>(On-going process of public engagement, but likely to also have a non-statutory 6 week period for consultation /engagement).</i></p>	<ul style="list-style-type: none"> <li>Letters to relevant consultees /stakeholders as stipulated in PPS12 and shown in Sections 10, 11 and 12;</li> <li>Internal consultation with other Council Department and Services;</li> <li>Placing any early draft documents within 'Deposit Points' and libraries;</li> <li>Placing documents within the Council's web-site;</li> <li>Article in "Calderdale Call" if possible.</li> </ul>
	5	<b>Analyse findings</b> of Initial Consultation and Feedback	<ul style="list-style-type: none"> <li>Acknowledge and register all comments received;</li> <li>Place copies of comments in the Council's web-site and in 'Deposit Points'.</li> <li>Consider comments and formally respond to each;</li> <li>Amend SPD as necessary.</li> </ul>
	6	<b>Prepare Pre-Adoption Draft SPD</b> together with Issues and Options Report and Sustainability Appraisal and SEA.	Report to LDF Working Party and Cabinet seeking authorisation for Pre-Adoption Consultation and Public participation.
PRE - ADOPTION CONSULTATION AND PARTICIPATION	7	<p><b>Undertake consultation</b> on Draft SPD and SA Report with relevant stakeholders</p> <p><b>Invite comments</b> during a statutory 6 week period.</p> <p><b>(Calderdale Council will always use 6 weeks for the formal consultation period on Supplementary Planning Documents).</b></p> <p>(REGULATION 17)</p>	<ul style="list-style-type: none"> <li>Adverts in all local Newspapers (Halifax Courier, Todmorden News, Brighouse Echo, Hebden Bridge Times and Huddersfield Examiner);</li> <li>Place documents within 'Deposit Points', libraries, Council Planning Office and Customer First shops;</li> <li>Place documents within the Council's web-site;</li> <li>Notices to be placed in 'Deposit Points', libraries, Council Planning Office and Customer First shops;</li> <li>Notification by letter or email to consultees/stakeholders as stipulated in PPS12 and shown in Sections 10, 11 and 12;</li> <li>Possible use Roadshows; Public Meetings; or area/site based exhibitions or other events and activities set up purposefully to gather views of the 'hard to reach' and mainstream residents;</li> <li>Site notices for locationally specific SPD's;</li> </ul>
	8	<p><b>Analyse findings</b> from consultation and any informal feedback on Issues and Options Report and SA/SEA.</p> <p>(REGULATION 18)</p>	<ul style="list-style-type: none"> <li>Acknowledge and register all comments received;</li> <li>Place copies of comments in the Council's web-site and in 'Deposit Points'.</li> <li>Consider comments and make formally respond to each.</li> </ul> <p><i>(Amend SPD as necessary)</i></p>

STAGE	Step No	PROCESS INVOLVED IN SPD PREPARATION	WHAT WE WILL DO
	9	<b>Produce final report</b> outlining the findings of the Issues and Options consultations and SA/SEA Report; and revise Draft SPD as appropriate.	Report to LDF Working Party providing responses to each comments and formally revise the SPD where necessary
<b>ADOPTION</b>	10	<b>Adopt SPD</b>	Report to Cabinet. Final Adoption by Council
	11	<b>Publish and make available</b> the SPD, final SA Report, Adoption Statement, Statement of Consultation and Summary Statement of how the SA/SEA was taken into account.	<ul style="list-style-type: none"> <li>● Place all approved documents in the 'Deposit Points' and published on the Council's web-site;</li> <li>● Documents to be available for purchase at a reasonable cost;</li> <li>● Documents sent to relevant bodies and stakeholders;</li> <li>● Notification by letter or email of the Adoption of the SPD sent to all interested persons and stakeholders;</li> <li>● Adoption advertised in local press and by way of notices in 'Deposit Points' and libraries.</li> </ul>
<b>MONITORING</b>	12	<b>Monitor SPD</b> within the Annual Monitoring Report	Undertake annual monitoring to give an indication of the progress of implementation of the SPD and provide an assessment of the effectiveness of the document. Consider review or replacement as a result of the monitoring.

## 7 The "Tests of Soundness"

**7.1** The purpose of the Examination is to determine whether the Development plan Document (DPD) is "sound". It will not be like previous Public Local Inquiries into the Calderdale Unitary Development Plan which were into "objections" to the plan.

**7.2** The new system is quite different. The examination will be a collaborative rather than confrontational affair. The Government do not expect that there will be a great many outstanding

"objections" left to any new DPD by the time the Examination opens.

**7.3** The presumption of the Inspector going into the Examination will be that the DPD is "sound", unless it is shown to be otherwise as a result of evidence considered at the examination. The criteria for assessing the "soundness" of the DPD apply both the individual policies and sites and collectively to the whole documents.

Table 7.1 The Tests of Soundness

TEST NUMBER		ISSUES TO BE ADDRESSED
<b>PROCEDURAL TESTS</b>	<b>TEST 1</b>	Has the document been prepared in accordance with the Local Development Scheme (LDS)?
	<b>TEST 2</b>	Has the document been prepared in compliance with the Statement of Community Involvement (SCI), or the minimum requirements of the regulations?
	<b>TEST 3</b>	Has the document been subject to sustainability appraisal (SA/SEA)?
<b>CONFORMITY TESTS</b>	<b>TEST 4</b>	Is it a spatial plan that is consistent with national planning policy and in general conformity with the Regional Spatial Strategy for Yorkshire & Humber; and has it had proper regard to other relevant plans, policies and strategies relating to the area or adjoining areas?
	<b>TEST 5</b>	Does the DPD have regard to the Sustainable Community Strategy ('Calderdale Futures Plan' 2006)?
<b>COHERENCE, CONSISTENCY, EFFECTIVENESS TESTS</b>	<b>TEST 6</b>	Are the strategies / policies / allocations in the DPD coherent and consistent with other DPDs prepared within Calderdale and in neighbouring authorities, where cross boundary issues may be relevant?
	<b>TEST 7</b>	Are the strategies / policies / allocations the most appropriate in all the circumstances, having considered the relevant options and alternatives, and are they founded upon a robust and credible evidence base?
	<b>TEST 8</b>	Are there clear mechanisms for the implementation and monitoring of the DPD?
	<b>TEST 9</b>	Is the DPD flexible enough to be able to deal with changing circumstances?

**7.4** Given that the Examination is into "soundness" the Council will need to submit the DPD for Examination whether or not there have been any representations made about the document. The Council will rely on the evidence, collected through the preparation process of the DPD, to demonstrate that the DPD is "sound". Any person challenging the DPD will need to demonstrate why it is "unsound".

**7.5** It should be noted that the Examination is not the place to press the detailed merits of proposed development schemes. The Inspector will be interested in the evidence and the reasoning behind the Council's proposed DPD and in the arguments and evidence against such reasoning.

### What is Expected from Objectors at the Public Examination

**7.6** Evidence from objectors will need to make it clear:-

- Why and in what way the submitted DPD is unsound in terms of the tests laid out above;
- What change is required and what evidence upon which the change is based;
- What impact such a change would have on the soundness of the DPD;
- If the change involves a site or sites, what arrangements have been made for the sustainability appraisal of any such sites.

The Council is expected to demonstrate why it opposes the change.

## **For Further Information on Tests of Soundness**

**7.7** Further detail of this new approach to the Examination of the "soundness" of DPD's is set out in the following documents published by the Department for Communities and Local Government (DCLG) and viewable/downloadable from the following web-site [www.communities.gov.uk](http://www.communities.gov.uk) : -

- PPS12 'Local Development Frameworks';
- 'Creating Local Development Frameworks – A Companion Guide to PPS12';
- 'Local Development Frameworks – A Guide to Procedures';

## 8 Involving the Community in Development Control

**8.1** The Development Control process is the means by which developers seek approval from the Council for development proposals, by submitting a planning application. 'Development' is defined in Law but includes changes to the use of land or a building, construction of new building extensions to existing buildings, engineering works, mineral working, and other matters as determined by the Planning Acts. There are also specific regulations relating to work that can be carried out to Listed Buildings, buildings in Conservation Areas and to trees protected by a Tree Preservation Order. Development Control also deals with the display of advertisements, telephone masts and other matters as determined by the Planning Acts.

**8.2** The Development Control Team is responsible for processing planning applications and also deals with enforcement cases, where there may be a breach in Planning Legislation.

**8.3** Each year Calderdale Council handles over 2,900 planning applications which fall into three categories:-

### A. *Major applications* -

Calderdale Planning Services has introduced protocols for dealing with major applications in relation to both the pre-application stage and the processing of applications. The protocols relate to full, outline, reserved matters and change of use applications that meet the following criteria:

- Creation of 10 or more new dwellings or residential development sites of 0.5 hectares or more
- Creation of 1000 square metres or more of new floor space
- Site area of 1 hectare or more
- Applications for the winning and working of minerals and associated landfill operations.

The process of submitting, assessing and determining major applications can be complex and lengthy, further complicated by the growing amount of information that is required to support such applications. The Government's target for the determination of these applications is 13 weeks or 16 weeks for those accompanied by an Environmental Impact Assessment. Whilst over half of such applications were dealt with within this time frame in 2006, many of the remainder took considerably longer.

Calderdale Council believes that it is essential to front-load the processing of applications for major development. In order to do this it is important that

applicants are clear about what information must be prepared beforehand for submission with an application. The Council recognises that applicants may struggle to submit the correct supporting information, if effective pre-application advice has not been provided. Therefore before submitting an application for major development the Council recommend that the developer submits a pre-application enquiry.

### B. *Minor Applications* -

Smaller developments than those described above, which do not fall into the category of 'other applications'

### C. *Other Applications* -

These include changes of use, householder developments, advertisements, works to listed buildings and in conservation areas, works to protected trees, and 'prior notifications' such as agricultural buildings and telecommunications masts.

## Planning Aid

**8.4** Planning Aid is a network of planning volunteers providing free and independent planning advice to community groups and individuals who are unable to afford a consultant. The service operates through a small team and network of professionally qualified volunteers. In Calderdale, Yorkshire Planning Aid are the relevant body and their address is as follows:-

Yorkshire Planning Aid  
RTPI Yorkshire Branch Office  
8 Woodhouse Square  
LEEDS  
LS3 1AD  
(Tel : 0870 850 9808)

The Yorkshire Planning Aid telephone advice line operates three days a week (Tuesday, Wednesdays and Fridays) between 9.00am and 4.00pm.

## Consultation on Planning Applications

**8.5** The Council is required to meet the statutory minimum requirements as set out in the relevant Acts and Regulations.

**8.6** All valid planning applications received each week are compiled in a weekly list and copies are sent to Councillors, Parish Councils, civic societies, libraries and other groups or individuals that have given prior notice of their interest. Notifications are sent out to neighbouring properties when a valid application is received. Certain types of application

are advertised in the press and/or by means of a notice placed on or near the site (see Table 8.1 'Publicity Arrangements for Planning Applications' below). Also, there are special procedures for publicising certain types of permitted development including demolition of certain types of property, agricultural buildings etc.

**8.7** Planning applications that are awaiting a final decision are kept in the 'Part 1 Register' that can be inspected at Planning Services and on the Council's web-site [www.calderdale.gov.uk](http://www.calderdale.gov.uk). Planning applications that have been advertised by public notice or in the local press can be inspected at other Council offices (Brighouse, Elland, Hebden Bridge library, Sowerby Bridge library, Customer First Office Todmorden). Plans and drawings can be copied under the Copyright, Design and Patents Act (1988). Requests for copies can be made to Development Control. There is a fee charged for this service.

**8.8** Anyone can make comments on a proposal regardless of whether they have been notified or not. Comments can be submitted until a decision is made, which is at least 21 days after notification letters and notices have been displayed on site and in the local press. However, comments should be submitted as early as possible. These should be either in writing, by [e-mail](mailto:) or by using the comments form on the Council's web-site [www.calderdale.gov.uk](http://www.calderdale.gov.uk). Bodies

such as Natural England will be allowed a longer period of time to comment on certain types of application where this is prescribed by legislation. All comments received are made available for inspection at the offices of the Planning Service, Northgate House, Halifax HX1 1UN.

**8.9** Depending on the type of development being proposed, the Council has to consult statutory bodies and consults with other services within the Council set out in Paragraph 8.30.

**8.10** The Council offers an Accessibility Forum, which meets once a fortnight to comment on access issues relating to development where members of the public have access. This ensures that access arrangements are considered at an early stage and the process complies with Part M of the Building Regulations (2004) and the Disability Discrimination Act (1995).

**8.11** When the Council makes a decision on a planning application, it must take into account the policies and proposals in the development plan and any other material planning considerations, which apply. The Council may also be able to take into account the comments of people who would be affected by a proposal. General advice on issues that the Council can and cannot consider is provided on the web-site at [www.calderdale.gov.uk](http://www.calderdale.gov.uk).

Table 8.1 Publicity Arrangements for Planning Applications

STATUTORY MINIMUM REQUIREMENTS FOR ADVERTISING PLANNING APPLICATIONS	ADDITIONAL ARRANGEMENTS
<p><b>Major development</b> (where site provides 10 or more dwellings or over 0.5 hectares (ha); other development where floor space is over 1000 sq.m. or site area over 1 ha; mineral working or waste development).</p> <p>Planning applications for major developments will be publicised by:-</p> <ul style="list-style-type: none"> <li>• local newspaper advertisement (Halifax Courier, Brighouse Echo, Hebden Bridge Times, Todmorden News as appropriate);</li> <li>• site notices to be displayed in at least one place on or near the application site for not less than 21 days; or</li> <li>• notice to be served on any adjoining owner or occupier (neighbour notification).</li> </ul>	<p><i>In addition to the minimum requirements the Head of Regeneration and Planning will consider extending the area over which additional notification letters will be sent having regard to the planning history of the site, the likely impact of the development and known areas of community interest.</i></p>
<p><b>Other Planning Applications</b> (including minor applications - householder applications, development below thresholds for major developments, change of use, trees advertisements)</p> <ul style="list-style-type: none"> <li>• minimum 21 days consultation;</li> <li>• site notices to be displayed in at least one place on or near the application site for not less than 21 days; or</li> <li>• notice to be served on any adjoining owner or occupier (neighbour notification).</li> </ul>	<p><i>As above and includes neighbour notification where a wider impact</i></p>

STATUTORY MINIMUM REQUIREMENTS FOR ADVERTISING PLANNING APPLICATIONS	ADDITIONAL ARRANGEMENTS
<p><b>Development affecting a Listed Building or the character and appearance of a Conservation Area.</b></p> <ul style="list-style-type: none"> <li>• minimum 21 days consultation;</li> <li>• local newspaper advertisement (Halifax Courier, Brighouse Echo, Hebden Bridge Times, Todmorden News as appropriate); and</li> <li>• site notice.</li> </ul>	<p><i>In addition to the minimum requirements, letters will be sent to adjoining and nearby residents in accordance with the normal standards for major and other applications set out above.</i></p>
<p><b>Departures from the Development Plan and public rights of way.</b></p> <ul style="list-style-type: none"> <li>• minimum 21 days consultation;</li> <li>• local newspaper advertisement (Halifax Courier, Brighouse Echo, Hebden Bridge Times, Todmorden News as appropriate); and</li> <li>• site notices to be displayed in at least one place on or near the application site for not less than 21 days.</li> </ul>	<p><i>In addition to the minimum requirements, letters will be sent to adjoining and nearby residents in accordance with the normal standards for major and other applications set out above.</i></p>
<p><b>Applications accompanied by an Environmental Impact Assessment (EIA).</b></p> <p>Planning applications which are accompanied by an EIA should be publicised by:-</p> <ul style="list-style-type: none"> <li>• site notices to be displayed in at least one place on or near the application site for not less than 21 days; and</li> <li>• local newspaper advertisement (Halifax Courier, Brighouse Echo, Hebden Bridge Times, Todmorden News as appropriate).</li> </ul> <p>The applicant making an application should provide the LPA with 3 copies of the Environmental Statement for the Secretary of State. If the applicant provides a copy of the statement to any other body he/ she must also provide:-</p> <ol style="list-style-type: none"> <li>a. a copy of the planning application plus maps;</li> <li>b. inform the body that representations can be made to the LPA; and</li> <li>c. inform the LPA of which other bodies have been provided with the Statement.</li> </ol> <p>The LPA should:-</p> <ul style="list-style-type: none"> <li>• send 3 copies of the Statement to the Secretary of State plus a copy of the application within 14 days of receipt of the Environmental Statement.</li> <li>• forward copies of the Environmental Statement to any other consultation bodies that have not received one direct from the applicant and inform them that they may make representations.</li> </ul>	<p><i>In addition to the minimum requirements, letters will be sent to adjoining and nearby residents in accordance with the normal standards for major and other applications set out above.</i></p>
<p><b>Telecommunications Masts</b> (Full and prior approval applications)</p>	<p><i>Local newspaper advertisement (Halifax Courier, Brighouse Echo, Hebden Bridge Times, Todmorden News, as appropriate).</i></p> <p>Notice to all adjacent owners and occupiers.</p>

## Consultations Before Planning Applications

**8.12** Applicants will be encouraged to undertake pre-application public consultation that is tailored to reflect the nature and scale of the proposed development. If requested we will advise on the people, groups and organisations that should be consulted. Table 5.1 'Potential Consultation Methods and their Effectiveness' provides guidance upon the options for consultation. We will not reject a valid application because we disagree with the way in which an applicant has consulted the community or because there has been no consultation. However, failure by the applicant to consult could lead to objections being made which could affect and delay the processing of the application.

## Development Team Approach for Major Applications

**8.13** For major applications (as defined in Table 8.1 'Publicity Arrangements for Planning Applications') and those that may give rise to local controversy or of wider concern (in a sensitive location or of a larger scale), the Council operates a 'Development Team' approach. This provides a co-ordinated response from all sections of the Council that will be consulted during the planning application process. The Council will ensure that accurate and reliable information is provided. Where advice is sought in writing the Council will endeavour to respond within 15 working days of receipt.

**8.14** Proposals that are likely to have a significant effect on the environment may require a formal Environmental Impact Assessment (EIA) before the Council can make a determination. The need for an EIA should be made at the pre-application meeting. At this time the developer will be made aware that the Council may take 16 weeks (or longer with the agreement of the applicant) to deal with an application accompanied by an EIA. Where a screening opinion is sought by the developer (a determination as to whether or not a development should be subject to an EIA) and scoping opinion is sought (the process of identifying the content and extent of the environmental information to be submitted to the Authority under the EIA procedure) this will be provided in accordance with the time periods set out in regulations.

**8.15** Developers may submit amended plans. If the amendment is relatively minor in relation to the original proposal on which publicity and consultation has already occurred, especially one resulting in the applicant responding positively to comments from consultees or neighbours, then no further publicity will take place prior to the decision.

If the amendment is such that further publicity and consultations are necessary, then a decision will be made as to whether this should take place or whether a fresh application will be required.

## Further Information - Providing Guidance on the Process

**8.16** As part of the wider e-government agenda of the Council, it is proposed that greater use of new technology will be made to reach and engage more people in the determination of planning applications. Applications can already be made on-line using the Planning Portal. The web-site for this is [www.planningportal.gov.uk](http://www.planningportal.gov.uk). The public can view and comment on planning applications and also check progress on the Calderdale Council web-site [www.calderdale.gov.uk](http://www.calderdale.gov.uk).

**8.17** The Council has produced leaflets explaining how the public can get involved in the planning process. These are:-

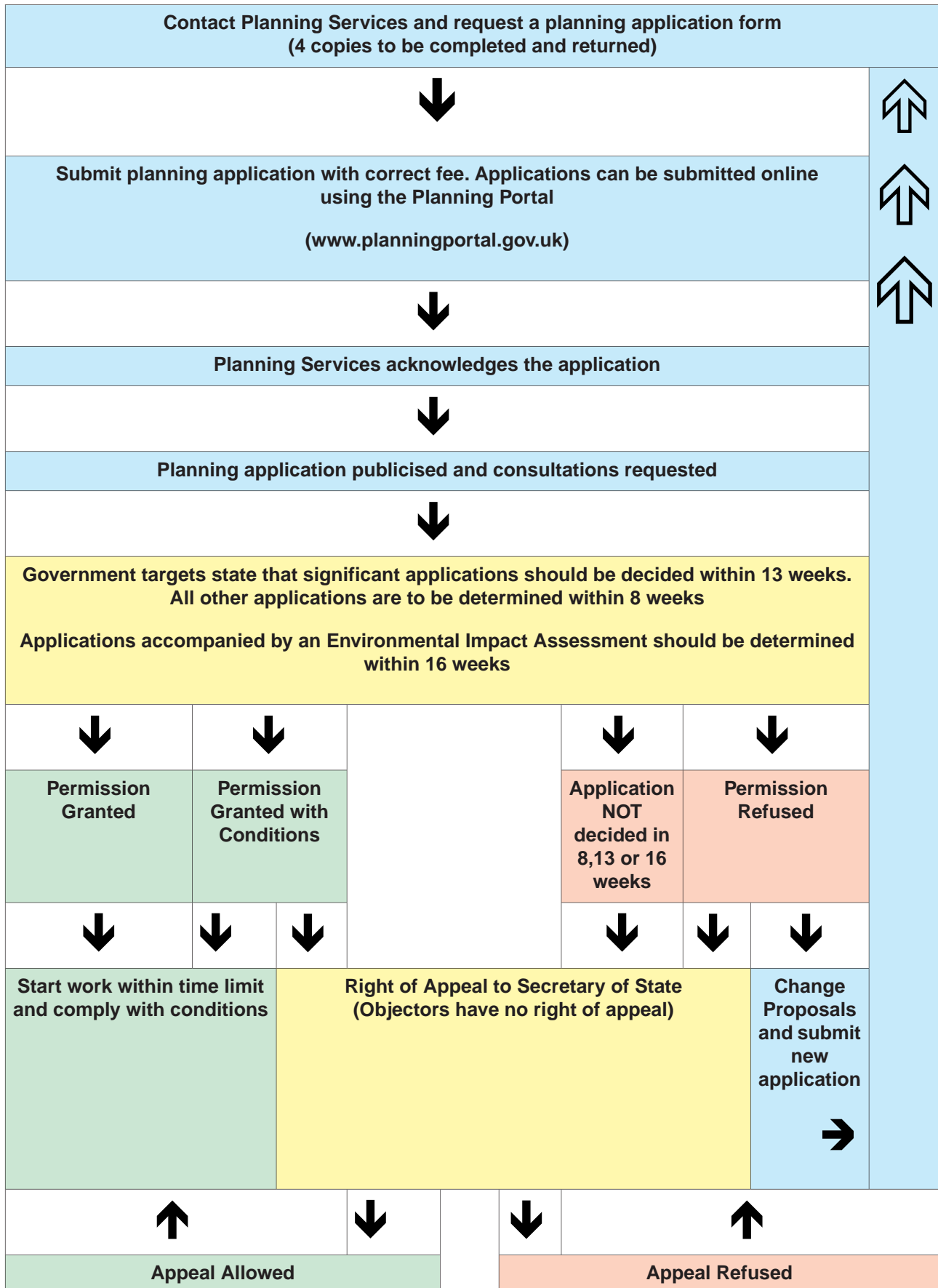
- Planning Applications - Information
- How the Council processes Planning Applications
- Matters considered when determining Planning Applications
- Commenting on Planning Applications;

Copies of these and further documents are available from the Council or can be viewed on the web-site [www.calderdale.gov.uk](http://www.calderdale.gov.uk)

# 32 Involving the Community in Development Control

Table 8.2 Planning Application Process

8 Calderdale MBC - September 2007 Statement of Community Involvement



## Duty Officer

**8.18** The Council provides a Duty Officer scheme, which ensures that there is a Planner available in Planning Services Reception in Northgate House, Halifax during normal office opening hours. The Officer can offer general planning advice to visiting members of the public.

## Deciding Planning Applications

**8.19** Under the Council's delegated agreement, decisions on most planning applications are delegated to Senior Officers. However, some categories of applications because of their significance, impact or sensitivity are determined by the Planning Committee.

**8.20** The Planning Committee meets every three weeks. Those members of the public making written comments are formally notified of the date of the committee meeting. However, in exceptional circumstances, where a very high number of representations are received we will put a notice in the local press and post a notice on the site. The public can attend the Planning Committee meeting at Halifax Town Hall and people who wish to speak about an application can nominate a representative who can speak on their behalf, provided they observe the guidelines set out in the notes for public speaking at Committee. This guidance can be found on the web-site; [www.calderdale.gov.uk](http://www.calderdale.gov.uk).

## After the Council has made its Decision

**8.21** About every three weeks a list of all applications decided is distributed to Members who request the list and the local press. Copies of relevant decision notices are sent to Parish Councils. Once a decision has been reached on a planning application, a decision letter will be sent to anyone who submitted a written comment on the application, in addition to the applicant.

**8.22** The Council aims to include copies of planning decision notices from 1974 onwards for inspection on the Councils web-site, [www.calderdale.gov.uk](http://www.calderdale.gov.uk), and from 2002 onwards have also made available approved plans and officers reports.

## Appeals Process

**8.23** Where the Council refuses a planning application or imposes conditions, the applicant can appeal the decision within 6 months of the decision date. Any person previously consulted and objectors to the original application will be notified by the Council of the appeal, and given the opportunity to submit representations (either in support or opposition) to the Planning Inspector hearing the case.

**8.24** All appeals and subsequent decisions are available for inspection at the offices of Planning Services. Details of all appeals can be found on the Planning Portal web-site <http://www.planningportal.gov.uk>.

## Unlawful Development

**8.25** The Development Control Team investigates around 800 cases of complaints and alleged breaches of planning control each year.

**8.26** Members of the public reporting alleged breaches of planning control are requested to write to the:-

Team Leader Planning Enforcement  
Planning Services,  
Northgate House,  
Halifax, HX1 1UN.

E-mail:  
[town.planning@calderdale.gov.uk](mailto:town.planning@calderdale.gov.uk)

Or use the service request form on the Councils website: [www.calderdale.gov.uk](http://www.calderdale.gov.uk)

Once a letter has been received an acknowledgement will be sent within five (5) working days advising the name of the investigating officer and the investigating officer will endeavour to visit the site within ten (10) working days. Complainants are kept informed of progress by letter of notification of the decision as to whether a breach of planning control has occurred and if so, whether it is expedient to take action.

**8.27** In appropriate circumstances, a Lawful Development Certificate may be applied for and if approved used to give immunity from enforcement action to either an existing or proposed use or development. The forms, detailed guidance notes and fees are available from Planning Service or the web site.

**8.28** An Appeal can be lodged with the Planning Inspectorate against the refusal of a Lawful Development Certificate by the applicant.

**8.29** The Council can use a number of Notices, under the Planning Acts if it is considered expedient to do so taking into account the Development Plan and other material considerations. These notices include:-

**Planning Contravention Notice** asking questions about the alleged breach of planning control.

**Breach of Condition Notice** is served in circumstances where the Council consider that a condition in a planning permission has not been complied with properly (or at all). (There is no Right

of Appeal against this type of notice).

**Enforcement Notice** prescribing steps to be taken to resolve a breach in planning control. (There is a Right of Appeal against an Enforcement Notice).

More information on Enforcement may be found on the Councils web-site at: - [www.calderdale.gov.uk](http://www.calderdale.gov.uk)

## Organisations to be Consulted on Planning Applications

**8.30** The following is a non-exhaustive list of potential consultees on planning applications. Specific consultations have to be undertaken for certain types of development. The consultations depend upon the nature of the applications, and the likely spatial impacts. All planning applications are advertised and comments invited from any interested person or organisation and as a result this list does not exclude any unnamed organisation or person from being specifically consulted or from making a representation on a planning application.

Please Note : this list is not exhaustive and also relates to successor bodies where re-organisations occur.

## Potential Consultees on Planning Applications

- Regional Planning Board (Yorkshire and the Humber Assembly);
- Government Office for Yorkshire and the Humber;
- Regional Development Agency (Yorkshire Forward);
- Ministry of Defence;
- Department for Culture, Media and Sport;
- Home Office;
- Adjoining local planning authorities (City of Bradford MDC, Kirklees MDC, Rossendale DC, Burnley DC, Pendle DC, Rochdale MDC and Lancashire County Council) – other authorities in West Yorkshire (Leeds City Council and Wakefield City Council). may consulted if large scale development of sub-regional significance is subject to a planning application;
- Parish Councils (Todmorden Town Council, Hebden Royd Town Council, Blackshawhead Parish Council, Ripponden Parish Council, Heptonstall Parish Council, Erringden Parish Council, Wadsworth Parish Council);
- Environment Agency;
- Highways Agency;
- English Heritage (Historic Buildings and Monuments Commission for England-Yorkshire);
- Natural England;

- West Yorkshire Archaeology Advisory Service;
- Network Rail;
- Health and Safety Executive;
- Coal Authority;
- Department of Farming and Rural Affairs (DEFRA);
- Theatres Trust;
- Sport England;
- British Waterways Board;
- Civil Aviation Authority
- Manchester and/or Leeds Bradford Airport, as appropriate;
- National Air Traffic Services (NATS);
- Relevant telecommunications companies (British Telecom, Mobile Operators Association);
- Calderdale and Kirklees Health Authority;
- Relevant electricity and gas companies (Yorkshire Electricity, National Power, Powergen, National Grid and British Gas Transco);
- Water and sewage undertaker (Yorkshire Water);
- West Yorkshire Fire Service;
- West Yorkshire Passenger Transport Executive;
- RSPB (for applications within the SPA and SAC);
- Garden History Society;
- West Yorkshire Police Architectural Liaison Officer;
- CMBC Building Consultancy;
- CMBC Housing Services;
- CMBC Access Liaison Officer;
- CMBC Engineering Services (Highways Development Control, projects (drainage) and Rights of Way);
- CMBC Health and Social Care;
- CMBC Recreation, Sport and Street Scene ;
- CMBC Schools & Children's Services;

Other general consultees where the proposals likely to affect them: -

- local amenity groups;
- organisations concerned with natural and built environment;
- disability groups;
- different religious groups;
- minority ethnic groups;
- groups representing local business.

## 9 Monitoring and Review of the SCI

**9.1** The Council recognises that community involvement will evolve and develop in response to the issues and documents that are being brought forward in the LDF. As a result the SCI must be able to react to changing circumstances and will be subject to annual review once it is adopted. This review may indicate that there are problems or matters requiring changing and this work for change will be brought forward in the annual review of the LDS.

**9.2** The Council will seek to learn from its experience and will continuously update and improve the database and tools used for engagement. Dissemination of best practice from other Council's will be used to assist in the review process.

### What will trigger review of the SCI?

**9.3** The SCI will be kept under review as part of the Annual Monitoring Report, which is produced by the Council. Changes to the SCI will be made in the following circumstances:-

- changes in the Planning Regulations, Government guidance or other related planning legislation;
- where the Council makes new arrangements for community engagement, which are not reflected in the existing SCI;
- where alterations are made to the Sustainable Community Strategy or other Council led strategies necessitating a different approach to community engagement;
- if there are significant changes to the structure of Calderdale Council or its partner organisations, which mean that the SCI is no longer able to adequately demonstrate the engagement arrangements;
- where in the light of experience and monitoring within the Annual Monitoring Report (AMR), changes are necessary to ensure the maintenance or improvement of arrangements for the engagement process;

**9.4** The Council may periodically use the following methods of monitoring to find out whether the engagement arrangements have been effective and whether people think that improvement should be made :-

- monitoring forms attached to Representation Forms on DPDs or SPDs. Any comments returned in this way will be analysed and an

assessment made of the effectiveness of the engagement methods;

- at consultation events such as workshops or roadshows, an evaluation form will be circulated which will seek the views of people present;

**9.5** Where it is found that the engagement and consultation methods have not been successful in involving and informing people about the LDF process, then the methods employed and possibly the SCI itself will be reviewed.

## 10 Specific Organisations to be Consulted on LDDs

**10.1** This Appendix lists relevant “specific” organisations that have to be consulted in drawing up any Development Plan Document as set out in the Town and Country Planning (Local Development) (England) Regulations 2004, or are referred to in Government policy or guidance.

Please Note : this list is not exhaustive and also relates to successor bodies where re-organisations occur.

**Yorkshire & Humber Assembly** – (the Regional Planning Body)

**Yorkshire Forward** - (the Regional Development Agency)

### Adjoining Local Planning Authorities:

- Council of Bradford Metropolitan Council
- Kirklees Metropolitan Council
- Leeds City Council
- Wakefield City Council
- Oldham Metropolitan Council
- Rochdale Metropolitan Council
- Lancashire County Council
- Rossendale District Council
- Burnley District Council
- Pendle District Council

### Parish Councils in Calderdale:

- Todmorden Town Council
- Hebden Royd Town Council
- Blackshaw Head Parish Council
- Ripponden Parish Council
- Heptonstall Parish Council
- Erringden Parish Council
- Wadsworth Parish Council
- Sowerby Bridge Neighbourhood Council
- Clifton Neighbourhood Council

### Parish Council in Neighbouring Authorities:

- Within Lancashire
  - Briercliffe with Extwistle Parish Council
  - Cliviger Parish Council
  - Trawden Forest Parish Council
  - Whitworth Town Council
- Within Oldham MBC
  - Saddleworth Parish Council

### The Environment Agency

### The Highways Agency

**English Heritage** (The Historic Buildings and Monuments Commission for England - Yorkshire)

### Natural England

### Calderdale & Kirklees Health Authority

### Calderdale Primary Care Trust

### Relevant Electricity and Gas Companies

- British Gas Transco
- Yorkshire Electricity
- National Power
- Powergen
- National Grid

### Telecommunications Companies

- Mobile Operators Association
- British Telecom
- Cellnet
- Other Mobile Telephone operator

### Network Rail

### Yorkshire Water (*the sewerage and water undertaker*)

Other organisations on the list will be consulted where following consideration of the issues involved it is decided that:-

- They represent a geographic area affected by the LDD;
- They have an interest in a particular issue specified in the LDD;
- They have specific needs addressed in the LDD;
- They have relevant expertise related to the LDD;

## 11 Government and General Consultees

**11.1** This Appendix lists relevant Government Department and “General” organisations that have to be consulted in drawing up any Development Plan Document as set out in the Town and Country Planning (Local Development) (England) Regulations 2004, or are referred to in Government policy or guidance.

Please Note : this list is not exhaustive and also relates to successor bodies where re-organisations occur.

### GOVERNMENT DEPARTMENTS

- Government Office for Yorkshire and the Humber
- Department for Education & Skill (DfES)
- Department for Environment, Food & Rural Affairs (DEFRA)
- Department for Transport (DfT) – (through the GOYH)
- Department for Health
- Department for Trade & Industry (DTI) (through the GOYH)
- Department of Works & Pensions
- Department of Constitutional Affairs
- Department of Culture, Media and Sport
- HM Prison Service
- Home Office
- Ministry of Defence
- Office of Government Commerce (Property Advisers to the Civil Estate)
- Crown Estate Office

### ENVIRONMENTAL GROUPS AT NATIONAL, REGIONAL AND LOCAL LEVELS

- Council for the Protection of Rural England (CPRE) (Yorkshire)
- Royal Society for Protection of Birds (RSPB) (Yorkshire)
- Friends of the Earth (Calderdale)
- Halifax Scientific Society
- South Pennines Association
- Treesponsibility
- Transport 2000
- West Yorkshire Ecology Service
- West Yorkshire RIGS Group (Regionally Important Geological Sites)
- West Yorkshire Archaeology Advisory Service
- Woodland Trust
- Yorkshire Wildlife Trust
- National Trust
- Ramblers Association

### ORGANISATIONS AND AGENCIES CONCERNED WITH NATURAL AND BUILT ENVIRONMENTAL MATTERS

- British Geological Survey
- Calder Future
- Centre for Ecology & Hydrology
- Commission for Architecture and the Built Environment (CABE)
- Council for British Archaeology
- Sport England

### ORGANISATIONS AND AGENCIES CONCERNED WITH TRANSPORT ISSUES

- West Yorkshire Passenger Transport Authority
- West Yorkshire Passenger Transport Executive (METRO)
- Network Rail
- Arriva Yorkshire
- First Bus
- TJ Walsh
- Halifax Joint Committee
- National Bus Company
- Northern Rail
- British Waterways
- Waterways Trust
- Northern Region Freight Transport Association
- Civil Aviation Authority
- Leeds - Bradford International Airport
- Manchester International Airport

### EMERGENCY SERVICES PROVIDERS

- West Yorkshire Police
- West Yorkshire Fire Service
- West Yorkshire Ambulance Service

### ORGANISATIONS AND AGENCIES CONCERNED WITH ECONOMIC OR REGENERATION ISSUES

- Mid Yorkshire Chamber of Commerce
- Confederation of British Industry (local)
- Commission for New Towns
- English Partnerships
- West Yorkshire Learning & Skills Council
- Yorkshire Tourist Board

### LOCAL ORGANISATIONS CONCERNED WITH ECONOMIC OR REGENERATION ISSUES

- Todmorden Pride Partnership Board
- Hebden Bridge Forum
- Royd Regeneration
- Sowerby Bridge Community Forum
- Halifax Urban Renaissance Town Team

- Halifax Forum
- Brighouse Forum
- Elland Partnership
- Halifax Opportunities Trust
- North Halifax Partnership
- Upper Calder Valley Renaissance Town Team

## ORGANISATIONS CONCERNED WITH HOUSING PROVISION

- Housing Corporation
- Home Builders Federation (Yorkshire, North-West & North-East Regions)
- Regional Housing Board
- Pennine 2000

## CIVIC SOCIETIES AND COMMUNITY GROUPS

- Greater Elland Civic Trust
- Calderdale Way Association
- Halifax Civic Trust
- Brighouse Civic Trust
- Calder Civic Trust
- Ryburn Civic Trust
- Clifton Action Group
- North Halifax Action Group

## ORGANISATIONS CONCERNED WITH SAFETY AND EQUALITY ISSUES

- Health & Safety Executive
- Disability Rights Commission
- Commission for Racial Equality
- Equal Opportunities Commission
- Gypsy Council
- Age Concern
- Traveller Law Reform Coalition
- West Yorkshire Architectural Liaison Officer
- Women's National Council
- Women's National Commission

## OTHER ORGANISATIONS AND AGENCIES

- Church Commissioners
- Diocesan Board of Finance (Wakefield Diocese)
- Coal Authority
- Post Office Property Holdings
- National Farmers Union
- Theatres Trust

## OTHER GENERAL ORGANISATIONS TO BE CONSULTED

**11.2** There is a range of additional "general" organisations which will be covered by the definition set out in the Town & Country Planning (Local Development) (England) Regulations 2004 who will be consulted if the LDD under consideration is likely to affect the organisation concerned or the interests that it represents. These include the following:

**Voluntary Organisations** *whose activities benefit all or part of Calderdale;*

- Organisations representing the interests of:-
  - **Minority ethnic groups**
  - **Religious groups;**
  - **Disability groups;**
  - **Local businesses**
  - **Youth groups;**

**11.3** When deciding upon which organisations to consult the Council will consider the following:-

- Whether they represent a geographic area affected by the LDD;
- Whether they have an interest in a particular issue specified in the LDD;
- Whether they have specific needs addressed in the LDD;
- Whether they have relevant expertise related to the LDD;

It should be noted that this document does not provide a list of all voluntary, community or other organisations that are within the District and therefore does not attempt to be comprehensive. This is because public action groups can arise and fall particularly in relation to specific issues. As a result the names and titles of organisations to be consulted and notified will vary over time. The Council keeps a record of voluntary groups and action groups and will draw organisations to be consulted from that list.

## 12 Additional Groups to be Consulted

12.1 The following list sets out additional individuals; bodies and organisations that will be consulted or invited to be involved in the course of the preparation of LDDs. These are not specifically referred to in the Town & Country Planning (Local Development) (England) Regulations 2004, or in Government guidance.

- **Calderdale Councillors;**
- **Members of Parliament** for Halifax and/or Calder Valley as relevant;
- **Interested Parties:-**
  - *landowners,*
  - *developers, agents,*
  - *local residents,*
  - *community groups,*
  - *and others* who have requested to be kept informed of the progress on the Local Development Framework or have specific interests in an LDD under preparation;

## 13 Data Protection

**13.1** As part of the preparation of the LDF, the Council will keep and manage personal information about people who have made representations or have indicated that they wish to be kept informed of the progress of documents. The data held is subject to the provisions of the Data Protection Act 1998.

This personal information will include, amongst other things:-

- name;
- address;
- telephone number(s) both land-line and mobile;
- contact email addresses;
- nature of the contact (whether as an official or statutory consultee on a plan; as an objector or supporter of a plan, site or policy; or as a person /organisation wishing to be kept informed);
- nature, summary and text of objections or representations;

**13.2** The information relating to people involved in the LDF process will be kept in databases within the Council's Planning Policy Team. Comments made on documents, plans, policies or sites will be made available to public scrutiny both in hard copy and will be accessible from the Council's web-site.

**13.3** None of the information that will be held is secret nor can the comments made be kept confidential. Third Parties will therefore be able to identify respondents or objectors within the web-site, or from the documentation that will be published and made available to the public in the 'Deposit Points'.

### Data Protection within Development Control

**13.4** Within Development Control, planning applications and any representations received are open to public scrutiny and information. Similar provisions apply to information held and it is all subject to the provisions of the Data Protection Act 1998.

**13.5** It should be noted that for complaints relating to "Unlawful Development", the Council will not make available the names and addresses of persons making the complaints, which will be kept confidential at all times.

## 14 Glossary

**The Act:** the Planning and Compulsory Purchase Act 2004.

**Annual Monitoring Report (AMR):** part of the Local Development Framework, the annual monitoring report will assess the implementation of the Local Development Scheme and the extent to which policies in Local Development Documents are being successfully implemented.

**Area Action Plan (AAP):** used to provide a planning framework for areas of change and areas of conservation. Area Action Plans will have the status of Development Plan Documents.

**Deposit Points:** locations within Calderdale that will receive all documentation in respect of DPD or SPD production including representations received. The Deposit Points are: -

- Planning Offices, Northgate House Halifax;
- Customer First Office, Todmorden;
- Brighthouse library;
- Halifax Central library;
- Sowerby Bridge library;
- Elland library;
- Ripponden library;
- Hebden Bridge library;
- Todmorden library;

**Development Plan:** as set out in Section 38(6) of the Act, an authority's Development Plan consists of the relevant Regional Spatial Strategy (or the Spatial Development Strategy in London) and the Development Plan Documents contained within its Local Development Framework.

**Development Plan Documents (DPD):** spatial planning documents that are subject to independent examination, and together with the relevant Regional Spatial Strategy, will form the Development Plan for a local authority area for the purposes of the Act. They can include a Core Strategy, Site Specific Allocations of land and Area Action Plans (where needed). Other Development Plan Documents, including generic Development Control Policies, can be produced. They will all be shown geographically on an adopted proposals map. Individual Development Plan Documents or parts of a document can be reviewed independently from other Development Plan Documents. Each authority must set out the programme for preparing its Development Plan Documents in the Local Development Scheme.

**Local Development Document (LDD):** the collective term in the Act for Development Plan Documents, Supplementary Planning Documents and

the Statement of Community Involvement.

**Local Development Framework (LDF):** the name for the portfolio of Local Development Documents. It consists of Development Plan Documents (DPDs), Supplementary Planning Documents (SPDs), a Statement of Community Involvement (SCI), the Local Development Scheme (LDS) and Annual Monitoring Reports (AMR). Together these documents will provide the framework for delivering the spatial planning strategy for a local authority area and may also include local development orders and simplified planning zones.

**Local Development Scheme (LDS):** sets out the programme for preparing Local Development Documents. All authorities must submit a Scheme to the Secretary of State for approval within six months of commencement of the Act.

**Local Strategic Partnership (LSP):** partnerships of stakeholders who develop ways of involving local people in shaping the future of their neighbourhood in how services are provided. They are often single non-statutory, multi-agency bodies which aim to bring together locally the public, private, community and voluntary sectors.

**Preferred options document:** produced as part of the preparation of Development Plan Documents, and is issued for formal public participation as required by Regulation 26.

**Regional Spatial Strategy (RSS):** sets out the region's policies in relation to the development and use of land and forms part of the development plan for local planning authorities. Planning Policy Statement 11 'Regional Spatial Strategies' provides detailed guidance on the function and preparation of Regional Spatial Strategies.

**The Regulations:** Town and Country Planning (Local Development) (England) Regulations, 2004, and the Town and Country Planning (Transitional Arrangements) Regulations 2004.

**Saved Policies or Plans:** existing adopted development plans are saved for three years from the date of commencement of the Act. Any policies in old style development plans adopted after commencement of the Act will become saved policies for three years from their adoption or approval. For Calderdale the 'saved plan' is the Replacement Calderdale Unitary Development Plan which was adopted on 25 August 2006. This has been "saved" until 25 August 2009, although with the approval of the Secretary of State, all or part of the plan can be 'saved' for a further period.

**Statement Of Community Involvement (SCI):** sets out the standards which authorities will achieve with regard to involving local communities in the preparation of local development documents and development control decisions. The Statement of Community Involvement is not a development plan document but is subject to independent examination.

**Strategic Environmental Assessment (SEA):** a generic term used to describe environmental assessment as applied to policies, plans and programmes. The European 'SEA Directive' (2001/42/EC) requires a formal "environmental assessment of certain plans and programmes, including those in the field of planning and land use".

**Supplementary Planning Documents (SPD):** provide supplementary information in respect of the policies in Development Plan Documents. They do not form part of the Development Plan and are not subject to independent examination.

**Sustainability Appraisal (SA):** tool for appraising policies to ensure they reflect sustainable development objectives (i.e. social, environmental and economic factors) and required in the Act to be undertaken for all local development documents.

**Sustainable Community Strategy (SCS):** local authorities are required by the Local Government Act 2000 to prepare these, with the aim of improving the social, environmental and economic well-being of their areas. Through the Sustainable Community Strategy, authorities are expected to co-ordinate the actions of the public, private, voluntary and community sectors. Responsibility for producing Sustainable Community Strategies may be passed to Local Strategic Partnerships, which include local authority representatives.