



London Borough of Sutton Local Plan

Statement of Community Involvement

December 2019



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1. Introduction

- 1.1** Sutton has a proud and strong history of involving local residents, businesses, the voluntary sector and other public sector organisations in influencing decision-making within the Borough. This Statement of Community Involvement (SCI) sets out how the council will engage with the community when formulating planning policies and making planning decisions.
- 1.2** Having an SCI is important as:
- a) It enables the community to know how and when they can become involved in the planning process; and,
 - b) It ensures that the council is aware of its duties and the value of community input when formulating planning policies and making planning decisions.

Updating the SCI

- 1.3** The first SCI was adopted by the council in 2006, and updated in 2014 to reflect changes to the planning system following the Localism Act 2011. There have been further amendments to national legislation and planning policy, including a requirement to review the SCI every five years. Therefore, it is necessary to refresh the document and this is the revision.

Relationship with Other Council Strategies

- 1.4** The SCI is part of the suite of planning policy documents. Consequently, it is closely linked to the *Local Plan*, which sets out the council's planning policies. It also sets out procedures for Development Management, which is the process by which individual planning applications are decided. It is aligned with commitments in *Ambitious for Sutton*, the council's five year corporate plan, in 'Making Informed Choices' and 'Being Active Citizens' by enabling community engagement particularly with regard to the physical environment.

Relationship with Legislation

- 1.5** An SCI is a requirement of the *Planning and Compulsory Purchase Act 2004 (as amended)*. It also has regard to the *Town and Country Planning (Local Planning) (England) Regulations 2012 (SI 767/2012) as amended*, the *Localism Act 2011*, the *Town and Country Planning (Development Management Procedure) (England) Order 2015 as amended* and the *Community Infrastructure Levy Regulations 2010 as amended*.
- 1.6** The updated SCI also responds to aspects of the Neighbourhood Planning Act 2017, which introduced changes that require SCIs to set out involvement in the early stages of plan making (preparation of Local Development Scheme and survey), and to set out the local planning authority's policies for giving

advice or assistance on proposals for making of neighbourhood development orders and for modification of neighbourhood development plans.

- 1.7** Furthermore, the SCI has been prepared following the publication of the revised *National Planning Policy Framework* (NPPF) 2018. The NPPF sets out the Government's planning policies for England and includes guidance on plan-making and deciding planning applications and so is relevant to the updated SCI.
- 1.8** The SCI also has due regard the Public Sector Equality Duty under the Equality Act 2010, which aims to promote equality, eliminate discrimination and encourage good relations between different groups associated with age, disability, gender/gender reassignment, race, religion and other protected characteristics.

General Principles of Consultation

- 1.9** The Planning Service aims to follow the following general principles for consultation:
- Providing a variety of ways for stakeholders to make comments;
 - Providing stakeholders with access to consultation documents and background documents to make informed decisions;
 - Enabling stakeholders to comment on different options;
 - Informing stakeholders of the potential outcomes of various options;
 - Encouraging the participation of people who have not previously been involved in planning consultations;
 - Giving stakeholders adequate time to respond;
 - Publicising consultations as widely as resources allow;
 - Keeping stakeholders up to date on proposed changes to plans and policies;
 - Reporting comments received accurately; and,
 - Publishing comments and giving feedback on the comments.
- 1.10** In all its planning consultations, the council has statutory requirements to satisfy. The council will generally aim to go beyond these and will tend to treat the statutory requirements as the minimum in terms of consultation arrangements.

The Planning Service and the Format of this Document

- 1.11** The council's planning service is split into two areas: Planning Policy (often called Strategic Planning) and Development Management (which also includes planning enforcement).
- 1.12** Chapter 2 outlines the range of consultation techniques that can be employed by both services. Chapter 3 (Local Plan Consultations) and Chapter 4 (Neighbourhood Planning and Community Action Consultations) relate to work undertaken by Planning Policy, while Chapter 5 deals with Development Management Consultations.

2. Consultation Techniques

- 2.1 The council can use some or all of the following techniques to contact stakeholders. The type of consultation will dictate which of the consultation techniques will be used.

a) Council Website

The council can devote a webpage to planning policy and neighbourhood planning consultations. The council can also notify stakeholders of a planning policy or neighbourhood planning consultation through the consultation hub. The council's on-line Planning Register has details of all planning applications, with plans and background information.

The web address for the introductory planning policy page is:
www.sutton.gov.uk/planningpolicy

The web address for policy consultations is:
www.sutton.gov.uk/currentconsultations

The web address for the introductory neighbourhood planning page is:
www.sutton.gov.uk/neighbourhoodplanning

The web address for introductory Planning Register page is:
<https://planningregister.sutton.gov.uk/>

The web address for council's consultation hub is:
www.sutton.citizenspace.com

b) Library and Council Offices

The council can lodge planning policy and neighbourhood planning consultation documents at relevant council offices and libraries, for those stakeholders without access to the internet. Table 2.1 shows the Council offices and libraries and their opening hours as of December 2019. All locations are accessible to people with disabilities

Table 2.1: Council Offices & Libraries (as of December 2019)

Office or Library	Opening Times
Council Offices London Borough of Sutton, Denmark Road, Carshalton. SM5 2JG	Mon-Fri: 9.00-17.00
Library at the Westcroft Centre Westcroft Leisure Centre, Westcroft Rd, Carshalton, SM5 2TG	Mon –Thur: 7.00-21.00 self service 7.00-9.30, and 19.00-21.00 Fri: 7.00-21.00 self service 7.00-9.30, and 17.00-21.00 Sat-: 8.00-19.00 self service 8.00-9.30, and 17.00-19.00 Sun: 8.00-19.00 self service all day
The Library @ the Phoenix Centre Mollison Drive, Roundshaw, SM6 9NZ	Mon-Tues: 9.00-19.00 Wed, Fri & Sat: 9.00-17.00 Thurs: 9.00-18.00 (unstaffed 9.00-9.30 Mon – Sat)

	Sun: 13.00-16.30
The Circle Library Green Wrythe Lane, Carshalton, SM5 1JJ	Tues: 9.30-19.00 Wed: 9.30-17.00 Thurs: 9.30-18.00 Fri-Sat: 9.30-17.00
Wallington Library Shotfield, Wallington, SM6 0HY	Tues: 9.30-19.00 Wed: 9.30-17.00 Thurs: 9.30-18.00 Fri-Sat: 9.30-17.00
Cheam Library Church Road, Cheam, Surrey, SM3 8QH	Tues: 9.30-19.00 Wed: 9.30-17.00 Thurs: 9.30-18.00 Fri-Sat: 9.30-17.00
Sutton Central Library St Nicholas Way, Sutton, SM1 1EA	Mon-Thurs: 9.00-20.00 Fri-Sat: 9.00-17.00 Sun: 13.00-16.30
Library @ The Life Centre Sutton Life Centre, Alcorn Road, Sutton, SM3 9PX	Mon-Thurs: 09.30-20.00 self service 19.00-20.00 Fri-Sat: 09.30-17.00 Sun: 10.00-14.00
Worcester Park Library Stone Place, Windsor Road, Worcester Park, KT4 8ES	Tues: 9.30-19.00 Wed: 9.30-17.00 Thurs: 9.30-18.00 Fri-Sat: 9.30-17.00

c) Notices in Local Newspapers

The council may publish notification of certain types of planning applications received and development orders in the local newspaper - usually the *Sutton Guardian*.

d) Consultation Database (Emails and Letters)

The council maintains a planning policy consultation database of stakeholders who have an interest in local planning matters (see Appendix 1). The council will identify which stakeholders on the database it considers should be notified when a planning policy consultation is due to take place, via either email or letter. Should you wished to be added to the consultation database, please email: planningpolicy@sutton.gov.uk. Details will be held electronically, and will only be used for consultations on planning policy and related matters.

e) Leaflets and Response Forms

For certain planning policy and neighbourhood planning consultations, the council can deliver leaflets and response forms to addresses. This technique is used only used for site or area-specific consultations as a borough-wide leaflet drop is prohibitive financially.

f) Referenda

The neighbourhood planning process requires a referendum in the neighbourhood area to agree a neighbourhood plan. This will be organised by the council.

g) Letter to Neighbours

For planning applications, the council can notify neighbours by letter.

h) Site Notices

For certain planning policy consultations relating to a specific area, the council can put up site notices. Site notices are also used for some planning applications.

i) Press Releases

For planning policy consultations and neighbourhood planning consultations, the council can issue press releases to increase awareness.

j) Open Community Workshops and Meetings

For planning policy consultations, the council can arrange community workshops and meetings to discuss plans and issues with residents face-to-face.

k) Closed Community Workshops and Meetings

For planning policy consultations, the council can arrange for officers to meet certain groups to discuss particular plans and issues. This is particularly effective for hard-to-reach groups who do not often engage with the planning system, for example young people and people with disabilities.

l) Staffed Exhibitions

For planning policy consultations, particularly area-specific consultations, the council can put on staffed exhibitions for passing members of the public to discuss plans and issues face-to-face.

m) Council Committee Meetings

Planning policy consultations are normally approved by councillors at a council meeting prior to consultation and the responses are usually considered by councillors at a council meeting following the consultation. In most instances, the relevant committee is the Housing, Economy and Business Committee. Most planning applications are decided at officer level, however, some applications are decided at Planning Committee. These council meetings are open to the public. Details of council meetings can be found at:

<https://moderngov.sutton.gov.uk/mgCalendarMonthView.aspx?GL=1&bcr=1>

n) One-to-One Meetings

In certain circumstances, such as the preparation of a Site Brief Supplementary Planning Document, the council can engage in one-to-one meetings, for example with a landowner. This will usually occur prior to a formal consultation to ensure that any proposals, included in a formal consultation, are feasible and deliverable.

o) Community Notice Boards

The council has a number of notice boards around the Borough which can be used to publicise planning policy consultations. They are particularly useful for small area-specific consultations.

p) Hotline Numbers

For planning policy consultations, the council can provide a staffed telephone hotline to discuss any plans or issues. For planning applications, the case officer can be contacted via the main council telephone number **(020 8770 5070)**.

q) Social Media

For planning policy consultations and neighbourhood planning consultations, the council can use its Facebook page www.facebook.com/SuttonCouncil or its social media feeds for Twitter **@suttoncouncil** and Instagram **@lbscouncil**.

3. Planning Policy Consultations

- 3.1 The main types of planning policy consultations are for the following documents:
- The Local Plan/Development Plan Documents;
 - Supplementary Planning Documents;
 - The Community Infrastructure Levy;
 - Local Development Orders; and,
 - Article 4 Directions.
- 3.2 This section will also cover the council's approach on Duty-to-Cooperate requirements, engagement on the preliminary stages of plan making and how the council will provide assistance on neighbourhood planning.

The Development Plan

- 3.3 The current Development Plan comprises:
- The London Plan, adopted 2016, which is prepared by The Mayor and which all the council's planning documents must be in general conformity with, under section 24(4)(a) of the *Planning and Compulsory Purchase Act (2004)*.
 - The Local Plan, adopted by the council in 2018. This document sets out the planning strategy and policies for the borough until 2031 www.sutton.gov.uk/localplan
 - Any neighbourhood plan that has been adopted within the area. These are produced by local communities represented by neighbourhood forums. In Sutton, the Hackbridge and Beddington Corner Neighbourhood Plan - prepared by the Hackbridge and Beddington Corner Neighbourhood Development Group - was adopted in November 2018, and forms part of the development plan for that neighbourhood area.
 - The *South London Waste Plan*, adopted by the council in 2012. This document deals with planning issues relating to waste treatment and is a joint plan with the neighbouring boroughs of Croydon, Kingston and Merton.
- 3.4 The council must review its Local Plan every five years, and decide whether to revise it, either in whole or in part. The key stages for preparing and revising local plans are set out in Figure 1.
- 3.5 The council will also review the *South London Waste Plan*, as the adopted document has a plan period up to 2021. Given that the Waste Plan is a development plan document, its review will follow a similar procedure as for the local plan. The review will be undertaken jointly with Croydon, Merton and Kingston, though consultation will be undertaken by each council for their own borough.
- 3.6 Government guidance states that there should be two main stages of consultation when reviewing plans (see Figure 1): Stage 1, when the issues

and options are available for comment, and Stage 2, when there is a consultation on the draft plan. However, the Stage 2 consultation is limited to issues of “soundness”. The Tests of Soundness are set out in Table 3.1 and are reproduced from Paragraph 35 of the National Planning Policy Framework. Consultees wishing to comment at this stage are advised to formulate their responses within the context of the Tests of Soundness. It is possible that there would be a further consultation after the Examination but the council will be guided by the Inspector on this matter.

Table 3.1: Tests of Soundness from Paragraph 35 of the National Planning Policy Framework

Local plans and other development plan documents “are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are ‘sound’ if they are:

- a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) **Effective** – deliverable over the plan-period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in the Framework.”

3.7 Table 3.2 sets out how the council will consult on the Local Plan at each stage of preparation.

Figure 3.1: Stages of the Local Plan, as required by Government guidance



Table 3.2: Consultation Arrangements for the Local Plan and other Development Plan Documents

Stage	Consultation Details	Consultees	Consultation Methods
<p>Stage 1: Preparation of the Local Plan [Regulations 18, 35 and 36¹]</p> <p>Reason for Stage: To present issues for discussion and to get views on options</p> <p>Result: Responses give the council an insight into local opinion. Council will publish responses and a council reply on its website within a consultation statement.</p>	<ul style="list-style-type: none"> • Consultation on issues and preferred options document of the Local Plan plus its Sustainability Appraisal • Background evidence documents will also be available • Consultation will be a minimum of 6 weeks 	<ul style="list-style-type: none"> • Those relevant on the consultation database • Those with interests in specific sites mentioned in the draft document • Those who comment as a result of other publicity 	<ul style="list-style-type: none"> • Council website: dedicated page and consultation hub • Documents at council offices and libraries • Emails or letters to consultees on consultation database • Press release • Open community workshops/meetings (if required) • Closed community workshops/meetings (if required) • Council committee meeting • Facebook and Twitter
<p>Stage 2: Publication of Proposed Local Plan [Regulations 19, 20, 21, 35 and 36¹]</p> <p>Reason for Stage: To present draft plan, to refine any policies or allocations, to identify the contentious issues</p> <p>Result: Responses will be sent to the Inspector</p>	<ul style="list-style-type: none"> • Consultation on the draft Local Plan plus its Sustainability Appraisal • Background evidence documents will also be available • Consultation will be a minimum of 6 weeks • Consultation at this stage is limited to the Tests of Soundness (see Table 3.1) 	<ul style="list-style-type: none"> • Those relevant on the consultation database • Those with interests in specific sites mentioned in the draft document • Those who comment as a result of other publicity • Those who commented at Stage 1 	<ul style="list-style-type: none"> • Council website: dedicated page and consultation hub • Documents at council offices and libraries • Emails or letters to consultees on consultation database • Press release • Open community workshops/meetings (if required) • Closed community workshops/meetings (if required) • Council committee meeting • Facebook and Twitter
<p>Stage 3: Submission [Regulation 22¹]</p>	<p>THIS IS NOT A CONSULTATION STAGE</p>		

Stage	Consultation Details	Consultees	Consultation Methods
<p>Stage 4: Examination [Regulations 23 and 24¹]</p> <p>Reason for Stage: To present case to Inspector</p> <p>Result: Inspector's Report</p> <p>Reason for Major Modifications</p> <p>Consultation: To provide an opportunity to comment on a major change to the plan</p> <p>Result: The responses will be sent to the Inspector and the council will publish the responses on its website</p>	<ul style="list-style-type: none">• The Inspector decides the issues to investigate further• Where differences between respondents and the council can be resolved, Statements of Common Ground will be concluded between both parties• Where differences between respondents and the Council cannot be resolved, Statements of Case will be produced by the respondent and the council for the Inspector to consider	<ul style="list-style-type: none">• All those who responded in Stage 2	<ul style="list-style-type: none">• The Examination is likely to involve public hearings.• Notice for public hearings will be published at least 6 weeks before the public hearings. The council will provide accommodation for the public hearings• The Inspector may arrange a pre-meeting to explain the process for the public hearing• The Inspector's Programme Officer will contact all those who made representations at Stage 2 to see if they wish to appear at the public hearings.• The Inspector will consider the comments made at Stage 2 together with the Statements of Case at the public hearings. <p>If the Inspector has no major modifications to the draft plan, they will issue the report and the council will notify those who requested to be notified at Stage 2 of the publication of the Inspector's Report</p> <p>If the Inspector has major modifications to the plan, they may request a consultation to the modifications and an Sustainability Appraisal update. The consultation on the modifications should last a minimum of 6 weeks. The council will:</p> <ul style="list-style-type: none">• Update the council website: dedicated page and consultation hub• Place documents at council offices and libraries• Send emails or letters to consultees on consultation database as well as those who responded at Stages 1 and 2• Issue press release• Use Facebook and Twitter
<p>Stage 5: Adoption [Regulation 26¹]</p>	<p>THIS IS NOT A CONSULTATION STAGE</p> <p>However, any person aggrieved by the Local Plan may make an application to the High Court under section 113 of the <i>Planning and Compulsory Purchase Act 2004</i> for a Judicial Review within 6 weeks of adoption.</p>		

¹Town and Country Planning (Local Planning) (England) Regulations 2012 as amended (Statutory Instrument (SI) 767/2012)

Supplementary Planning Documents

- 3.8** Supplementary Planning Documents (SPDs) add detail to, and further explain, the policies and proposals set out in the development plan, without adding new policy. Consultation for these documents normally involves publishing a draft for comment and considering any comments received and, if appropriate, producing a revised final version of the document. It may, on occasion, be appropriate for preliminary consultation to take place, depending on the scope and level of complexity of the SPD being prepared. Where SPDs are area-based, for example in opportunity areas, the council will target the community in those areas, and, where they are topic-based, the council will target any groups that are particularly affected.
- 3.9** Figure 3.2 sets out the stages of a SPD and Table 3.3 sets out the consultation requirements for an SPD.

Figure 3.2: Stages of a Supplementary Planning Document

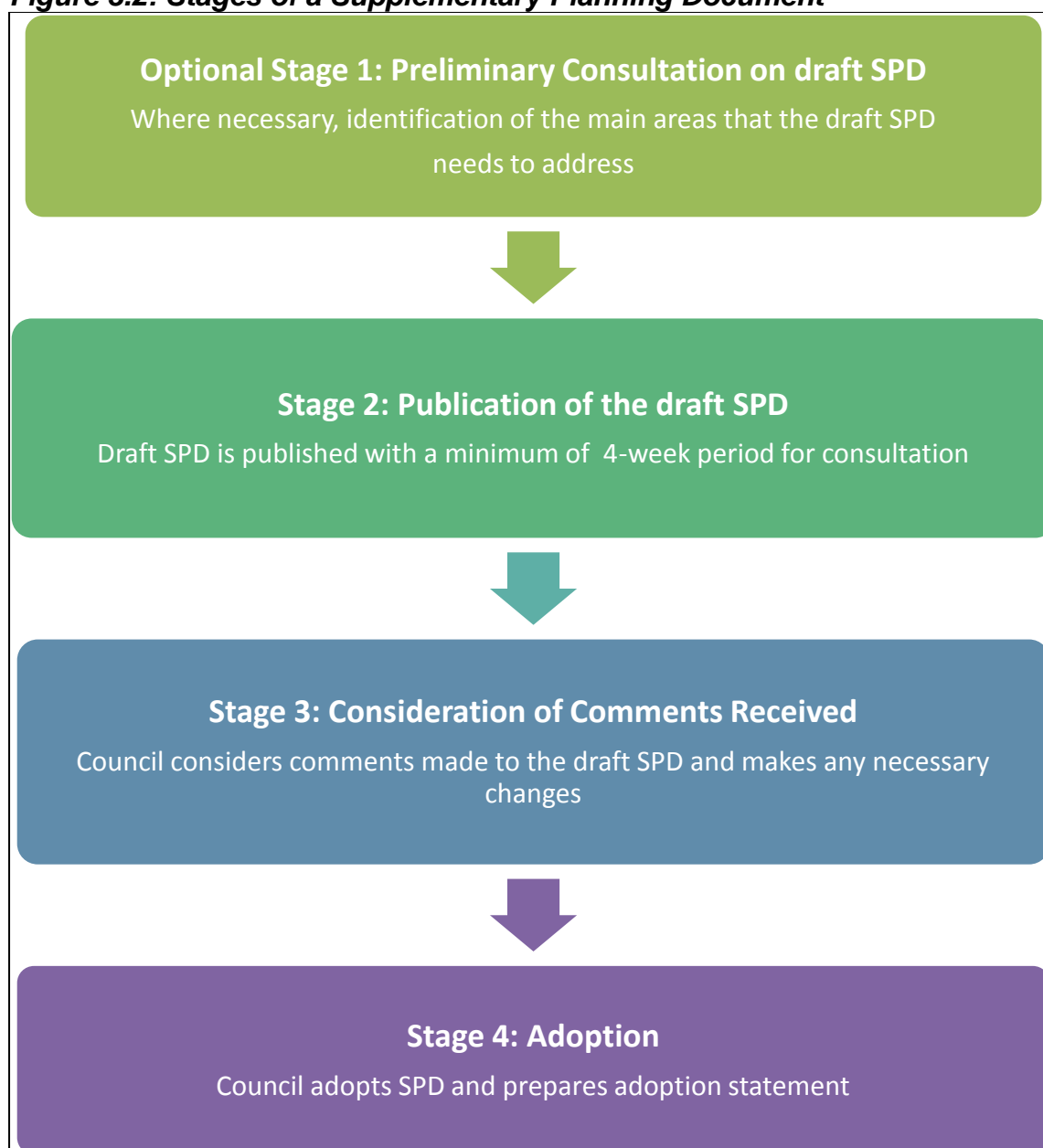


Table 3.3: Consultation Arrangements for a Supplementary Planning Document

Stage	Consultation Details	Consultees	Consultation Methods
<p>Stage 1: Preliminary Consultation on draft SPD <i>[Regulation 12²]</i></p> <p>Reason for Stage: To ensure feasibility and deliverability of SPD</p> <p>Result: Evidence to support future draft SPD</p>	<ul style="list-style-type: none"> • Dependent on the type of SPD being produced. 	<ul style="list-style-type: none"> • For Planning Briefs for a specific site: the Council will consult with the major stakeholders. This may be the landowner and relevant consultees on the consultation database. • For Policy Guidance: this may be the principal stakeholders affected and relevant consultees on the consultation database. 	<ul style="list-style-type: none"> • One-to-one meetings (if required) • Closed meetings (if required)
<p>Stage 2: Publication of draft SPD <i>[Regulations 12 and 35²]</i></p> <p>Reason for Stage: To present draft SPD, to refine the document and to identify contentious issues</p> <p>Result: Responses give council an insight into local opinion. Council will publish responses and a council reply on its website within a consultation statement.</p>	<ul style="list-style-type: none"> • Consultation on the draft SPD • Background evidence documents will also be available • Consultation will be a minimum of four weeks 	<ul style="list-style-type: none"> • For Planning Briefs for a specific site: Consultees on the consultation database who the council considers may have an interest in the brief. Residents groups, residents and businesses in the vicinity of the site. • For Policy Guidance: Consultees on the consultation database 	<p>For Planning Briefs for a specific site:</p> <ul style="list-style-type: none"> • Council website: dedicated page and consultation hub • Documents at nearby council offices and libraries • Emails or letters to consultees on consultation database who may have an interest in the site • Press release • Leaflet and response form (if required) • Letters to neighbours (if required) • Site notice (if required) • Open community workshops/meetings (if required) • Staffed exhibition (if required) • Council committee meeting • Facebook and Twitter <p>For Policy Guidance:</p> <ul style="list-style-type: none"> • Council website: dedicated page and consultation hub • Documents at council offices and libraries

Stage	Consultation Details	Consultees	Consultation Methods
		who the council considers may have an interest in the policy topic. .	<ul style="list-style-type: none">• Emails or letters to consultees on consultation database who may have an interest in the policy topic• Press release• Open community workshops/meetings (if required)• Closed community workshops/meetings (if required)• Council committee meeting• Facebook and Twitter
Stage 3: Consideration of comments received [Regulations 12 and 13²]	THIS IS NOT A CONSULTATION STAGE		
Stage 4: Adoption [Regulation 14²]	THIS IS NOT A CONSULTATION STAGE However, any person aggrieved by a Supplementary Planning Document may make an application to the High Court for a Judicial Review within 3 months of adoption.		
² Town and Country Planning (Local Planning) (England) Regulations 2012 as amended (Statutory Instrument (SI) 767/2012)			

Community Infrastructure Levy

- 3.10** The *Community Infrastructure Levy* (CIL) is a statutory charge on development used to fund infrastructure provision for the benefit of the community (under the *Planning Act 2008*, the *Localism Act 2011* and the *Community Infrastructure Levy Regulations 2010 as amended*). Broadly, the preparation or modification of a CIL Charging Schedule involves the following stages:
- 1) Publication and consultation on a Draft Charging Schedule
 - 2) Examination
 - 3) Adoption
- 3.11** The council adopted its CIL in 2014 and subsequently reviewed the CIL rates charged in 2018. Taking into account a viability assessment, the council agreed to continue to use the adopted CIL Charging Schedule, and to review it again at a later date.
- 3.12** Should the council decide to revise its CIL following the next/future review, it will follow the statutory requirements, set out in:
- The Planning Act, 2008
<http://www.legislation.gov.uk/ukpga/2008/29/contents>
 - The Community Infrastructure Levy, England & Wales Regulations 2010 (Statutory Instrument (SI) 948/2010)
<http://www.legislation.gov.uk/uksi/2010/948/contents/made>
 - The Community Infrastructure Levy (Amendment) Regulations 2011 (SI 987/2011)
<http://www.legislation.gov.uk/uksi/2011/987/contents/made>
 - The Community Infrastructure Levy (Amendment) Regulations 2012 (SI 2975/2012)
<http://www.legislation.gov.uk/uksi/2012/2975/contents/made>
 - The Community Infrastructure Levy (Amendment) Regulations 2013 (SI 982/2013)
<http://www.legislation.gov.uk/uksi/2013/982/contents/made>
 - The Community Infrastructure Levy (Amendment) Regulations 2014 (SI 385/2014)
<http://www.legislation.gov.uk/uksi/2014/385/contents/made>
 - The Community Infrastructure Levy (Amendment) (No.2) Regulations 2019 (SI1103/2019)
<http://www.legislation.gov.uk/ukdsi/2019/9780111187449/contents>
 - And/or any subsequent amending legislation

Local Development Orders

- 3.13** A *Local Development Order* (LDO) grants planning permission for the type of development specified in the Order and, by doing so, removes the need for a planning application to be made. Local planning authorities have powers to make them.
- 3.14** LDOs are very flexible in that they can:
- Apply to a specific site, sites or a wider geographical area;

- Grant planning permission for a certain type or types of development; and
- Grant planning permission outright or subject to conditions.

They do not remove the need to obtain consent under any other relevant regimes.

3.15 Broadly speaking, the preparation of an LDO involves:

- 1) Prepare draft LDO and Statement of Reasons
- 2) Consult for 4 weeks on the draft LDO according to *Part 8, Article 38 (3), (4), (5), (6), (7) and (8) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 as amended (Statutory Instrument 595/2015)*
- 3) Consider representations and make any modifications
- 4) Adoption
- 5) Notify the Secretary of State for Housing, Communities and Local Government as soon as practicable after adoption.

3.16 Should the Council decide to put an LDO in place, it will follow the statutory requirements, set out in:

- The Town and Country Planning Act 1990
<http://www.legislation.gov.uk/ukpga/1990/8/contents>
- The Town and Country Planning (Development Management Procedure) (England) Order
<http://www.legislation.gov.uk/uksi/2015/595/made>
- And/or any subsequent amending legislation

Article 4 Directions

3.17 An *Article 4 Direction* allows authorities to withdraw permitted development rights that would otherwise be granted by virtue of the *Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)*. An *Article 4 Direction* does not prevent the development to which it applies, but instead requires that planning permission is first obtained from the local planning authority for that development.

3.18 Broadly speaking, the preparation of an *Article 4 Direction* involves the following stages:

- 1) Prepare a draft *Article 4 Direction*
- 2) Consult for 6 weeks on the draft *Article 4 Direction*, according to the *What are Permitted Development Rights* section in the *National Planning Practice Guidance*
- 3) Subject to consultation, confirm the *Article 4 Direction*
- 4) Notify residents and the Secretary of State for Housing, Communities and Local Government of confirmation
- 5) Subject to the Secretary of State, the *Article 4 Direction* comes into force

3.19 The Council currently has three *Article 4 Directions* in force:

- Sutton Town Centre Article 4 Direction (confirmed in 2014) – withdraws the permitted development right for offices (B1a) to convert to residential uses (C3) within Sutton Town Centre.
- Sutton Garden Suburb Article 4 Direction (confirmed in 2007) - withdraws permitted development rights for certain alterations and additions to certain houses and their curtilages in the Sutton Garden Suburb Conservation Area.
- Withdrawal of Rights to Alter Roofs (confirmed between 1968 and 1987) - A number of properties across the borough have had their permitted development rights withdrawn with regard to roof alterations.

Further details can be found at www.sutton.gov.uk/article4

3.20 Should the council decide to put another *Article 4 Direction* in place, it will follow the statutory requirements, set out in:

- The Town and Country Planning (General Permitted Development) (England) Order 2015 (SI 596/2015)
<http://www.legislation.gov.uk/uksi/2015/596/contents/made>
- And/or any subsequent amending legislation or guidance

Local Development Scheme

3.21 The council publishes a Local Development Scheme which sets out the planning policy documents that it intends to produce, their scope and the timetable for their preparation, including when consultation is expected to take place. Sutton's current Local Development Scheme covers the period 1 April 2018 to 31 March 2023, and is available on the website:
<https://sutton.gov.uk/lds>.

3.22 Progress of the work programme identified in the Local Development Scheme is reviewed in the Authority Monitoring Report which is also available on the council's website: www.sutton.gov.uk/amr.

Survey of Area

3.23 The council is required to keep under review the matters which may be expected to affect the development of their area or the planning of its development.

Evidence Base:

3.24 The council prepared a comprehensive local evidence base for the Local Plan on the key social, economic and environmental characteristics of the borough, which are available on the council's website:
www.sutton.gov.uk/evidencebase.

3.25 Further studies have been undertaken by the council since the adoption of the Local Plan, including updated 'heath checks' for Sutton Town Centre and the district centres within the borough, and a character appraisal for the Beddington Village Conservation Area. New studies will be added to the

evidence base periodically and will be made available on the council's website at the fastlink above.

Authorities Monitoring Report:

- 3.26** The council also prepares an Authority Monitoring Report (AMR) which includes data on population and key characteristics of the borough, and on the implementation of Local Plan policies. The AMR is informed by locally collected data and information from public bodies, such as the Office for National Statistics (ONS), the Environment Agency (EA) and Greenspace Information for Greater London (GiGL). The AMR is also available on the council's website: www.sutton.gov.uk/amr.

Duty to Cooperate

- 3.27** The Duty to Cooperate was created in the *Localism Act 2011* and amends the *Planning and Compulsory Purchase Act 2004*. It places a legal duty on local planning authorities, county councils in England and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters.
- 3.28** The Duty to Cooperate is not a duty to agree but local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination.
- 3.29** Local planning authorities must demonstrate how they have complied with the duty at the independent examination of their Local Plans. If a local planning authority cannot demonstrate that it has complied with the duty then the Local Plan will not be able to proceed further in examination.
- 3.30** The types of matters that the council is expected to cooperate on include those set out in Paragraph 20 of the *National Planning Policy Framework*, namely to make sufficient provision for:
- Housing (including affordable housing), employment, retail, leisure and other commercial development;
 - infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal management and the provision of minerals and energy (including heat);
 - community facilities (such as health, educational and cultural infrastructure); and,
 - conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.
- 3.31** Table 3.4 sets out the council's Duty to Cooperate bodies.

Table 3.4: The Council's Duty to Cooperate Bodies

- London Borough of Merton
- London Borough of Croydon
- Royal Borough of Kingston upon Thames
- Reigate and Banstead Borough Council
- Epsom and Ewell Borough Council
- Surrey County Council

- Environment Agency
- Historic England (Historic Buildings and Monuments Commission for England)
- Natural England
- Mayor of London (including for designated functions for housing)
- Civil Aviation Authority
- NHS Sutton Clinical Commissioning Group
- NHS England
- Office of Rail and Road
- Transport for London
- Highways England

The Council must have regard to, and cooperate with, the London Local Enterprise Partnership and the London Local Nature Partnership

3.32 The council already engages in a number of Duty to Cooperate activities:

- It has participated in the London-wide Strategic Housing Land Availability Assessment (SHLAA) and agreed a draft housing target for large sites with the Greater London Authority (GLA)
- It is working in partnership with Transport for London (TfL) to deliver improved transport links to London
- Joint working with LB Croydon, Merton and RB Kingston to prepare and update the South London Waste Plan
- It has meetings with planning officers from neighbouring boroughs on planning matters of common concern, including Statements of Common Ground regarding the Local Plan
- It is in contact with Historic England, Natural England and Environment Agency on various matters of common interest.

3.33 The council will continue to work with its Duty to Cooperate bodies on strategic matters and will produce statements of common ground to demonstrate cooperation on cross-boundary matters as set out in the *National Planning Policy Framework* and national *Planning Practice Guidance*, which can be found at: <https://www.gov.uk/guidance/plan-making> and/or any other subsequent guidance.

4. Neighbourhood Planning and Community Action Consultations

Neighbourhood Plans

- 4.1** The *Localism Act 2011* introduced new rights and powers to allow local communities to shape new development by coming together to prepare neighbourhood plans.
- 4.2** In the London Borough of Sutton, neighbourhood plans can be taken forward by neighbourhood forums. These are community groups that are designated by the council following a local consultation. The criteria for establishing neighbourhood forums have been kept as simple as possible to encourage new and existing residents' organisations, businesses, voluntary and community groups to put themselves forward. A forum's aim must be to improve the social, economic and environmental well-being of the area. It must have a written constitution, have open membership and comprise a minimum of 21 individuals.
- 4.3** Neighbourhood forums can prepare a neighbourhood plan which sets out planning policies for the development and use of land in a neighbourhood. The Sutton Local Plan will set the strategic context within which neighbourhood plans will sit.
- 4.4** Neighbourhood plans have to meet a number of conditions before they can come into force to ensure plans are legally compliant and take account of wider policy considerations. These conditions are:
- 1) They must have regard to national planning policy
 - 2) They must be in general conformity with strategic policies in the development plan for the local area
 - 3) They must be compatible with EU obligations and human rights requirements.
- 4.5** An independent qualified person checks that a neighbourhood plan meets the conditions at an independent examination before it can be voted on in a local referendum. This is to make sure that referendums only take place when proposals are workable and in conformity with relevant legislation and the development plan.
- 4.6** Proposed neighbourhood plans need to gain the approval of a majority of voters of the neighbourhood to come into force. If proposals pass the referendum, the local planning authority is under a legal duty to bring them into force.
- 4.7** As of December 2019, the council had designated three neighbourhood areas and fora:
- (1) Hackbridge and Beddington Corner
 - (2) Beddington North and
 - (3) Belmont and South Cheam.

The Hackbridge and Beddington Corner Neighbourhood Plan was adopted in November 2018.

- 4.8** Figure 4.1 shows the main stages of a neighbourhood plan and Table 4.1 shows how the council will consult when it is involved in the neighbourhood plan process as the neighbourhood forum undertakes some of the consultation responsibilities. Table 4.2 sets out how the council will provide support and advice.

Figure 4.1: Stages of a Neighbourhood Plan

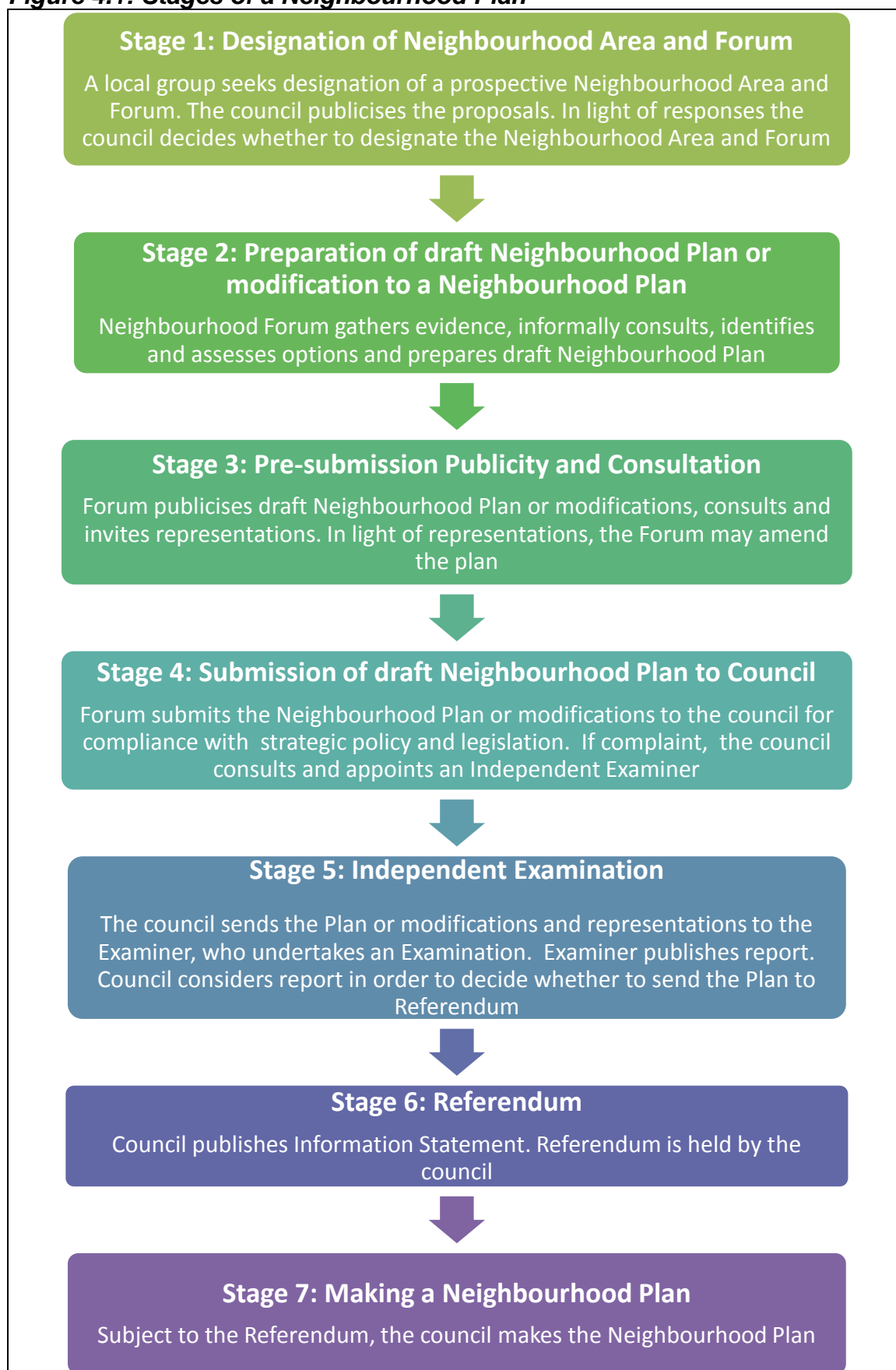


Table 4.1: Consultation Arrangements for a Neighbourhood Plan

Stage	Consultation Details	Consultees	Consultation Methods
Stage 1: Designation of Neighbourhood Area and Forum [Regulations 5-10⁴] Reason for Stage: To ensure Forum and Area are suitable to be designated Result: Depending on responses, the Council designates Forum and Area	<ul style="list-style-type: none"> • Council consults on Prospective Forum's application and statement that the Forum will be the only one in the Area for 6 weeks. • Prospective Forum identifies Area and produces Statement of Case. Council consults on map of Area for 6 weeks. 	Any person who lives, works or carries on a business within the proposed area	For the consultation and publication of the result of the consultation: <ul style="list-style-type: none"> • Council website: dedicated page and consultation hub • Documents at Sutton Library, Denmark Road (Carshalton) council offices and the library nearest to the proposed area • Emails or letters to relevant consultees on consultation database • Press release • Information on the Community Notice Board • Facebook and Twitter
Stage 2: Preparation of draft Neighbourhood Plan or modification of Neighbourhood Plan	THIS IS NOT A FORMAL CONSULTATION STAGE However, the Forum may undertake informal consultations. This is a matter for the Forum and so the Council's Statement of Community Involvement will not proscribe this stage.		
Stage 3: Pre-submission Publicity and Consultation [Regulation 14⁴]	THIS CONSULTATION STAGE IS HOSTED BY THE NEIGHBOURHOOD FORUM Therefore, the Council will not proscribe any consultation methods for this stage. However, it will assist the Neighbourhood Forum from an organisational point of view in any way it can.		
Stage 4: Submission of draft Neighbourhood Plan or modifications to Council [Regulation 15, 16 and 17⁴] Reason for Stage: To ensure Plan has community support Result: Representations will be sent to the Independent Examiner for his consideration	<ul style="list-style-type: none"> • Draft Neighbourhood Plan • Consultation will be a minimum of 6 weeks 	Any person who lives, works or carries on a business within the area	<ul style="list-style-type: none"> • Council website: dedicated page and consultation hub • Documents at Sutton Library, Denmark Road (Carshalton) council offices and the library nearest to the proposed area • Emails or letters to relevant consultees on consultation database • Press release • Information on the Community Notice Board • Facebook and Twitter

Stage	Consultation Details	Consultees	Consultation Methods
Stage 5: Independent Examination [Regulation 18 and 18A⁴] Reason for Stage: To publicise Examiner's and Council's decision Result: No representations are expected at this stage as this is for notification only	<ul style="list-style-type: none"> • Examiner's Report • Decision of the Council 	Any person who lives, works or carries on a business within the area	<ul style="list-style-type: none"> • Council website: dedicated page and consultation hub • Documents at Sutton Library, Denmark Road (Carshalton) council offices and the library nearest to the proposed area • Emails or letters to relevant consultees on consultation database • Press release • Information on the Community Notice Board • Facebook and Twitter
Stage 6: Referendum [Neighbourhood Planning (Referendum) Regulations 2012 as amended SI 2031/2012]	THE REFERENDUM IS A MATTER FOR THE COUNCIL'S ELECTORAL SERVICE The Planning Service will not proscribe the requirements of this stage		
Stage 7: Making a Neighbourhood Plan [Reg 19 and 20⁴] Reason for Stage: To publicise the Council's decision Result: No representations are expected at this stage as this is for notification only	<ul style="list-style-type: none"> • Neighbourhood Plan • Background documents (if required) 	Any person who lives, works or carries on a business within the area and specifically the Forum and any person who asked to be notified	For deciding to make a Plan and after making a Plan: <ul style="list-style-type: none"> • Council website: dedicated page and consultation hub • Documents at Sutton Library, Denmark Road (Carshalton) council offices and the library nearest to the proposed area • Emails or letters to relevant consultees on consultation database • Press release • Information on the Community Notice Board • Facebook and Twitter
⁴ <i>Neighbourhood Planning (General) Regulations 2012 as amended (Statutory Instrument (SI) 637/2012))</i>			

Neighbourhood Development Orders

- 4.9** *Neighbourhood Development Orders* (NDOs) have a similar power to *Local Development Orders*, except NDOs are prepared by local groups and LDOs are prepared by a local authority, and have similar preparation stages to *Neighbourhood Plans* (see Fig 4.1 and Table 4.1 above).
- 4.10** An NDO can grant planning permission for specified developments in a neighbourhood area. Once established, there would be no need for anyone to apply to the Council for planning permission if it is for the type of development covered by the NDO. This should make it easier and quicker for such development to go ahead in the future. An NDO must still be in line with national planning policy, with the strategic vision for the wider area set by the local planning authority and any other legal requirements.
- 4.11** A designated neighbourhood forum is the body which can prepare a NDO in their area.
- 4.12** Broadly speaking, the stages for preparing an NDO are as follows:
- 1) Designate an Area and Forum
 - 2) Prepare the NDO
 - 3) Pre-submission publicity and consultation
 - 4) Council consults on the NDO
 - 5) Independent Examination (non-binding on the Council)
 - 6) Referendum
 - 7) Making of an NDO
- 4.13** Should a proposal for an NDO come forward, the council will follow the requirements set out in:
- The Neighbourhood Planning (General) Regulations 2012 (SI 637/2012)
<http://www.legislation.gov.uk/ukxi/2012/637/part/6/made>
 - The Neighbourhood Planning (Referendums) Regulations 2012 (SI 2031/2012)
<http://www.legislation.gov.uk/ukxi/2012/2031/contents/made>
 - The Neighbourhood Planning (Referendums) (Amendments) Regulations 2013 (SI 798/2013)
<http://www.legislation.gov.uk/ukxi/2013/798/contents/made>
 - And/or any other subsequent amending legislation
- Table 4.2 sets out how the council will provide support and advice.

Table 4.2 Advice and Support for Neighbourhood Planning

Stage	Advice and support provided
Initial queries	<ul style="list-style-type: none"> • Signpost sources of information and advice for neighbourhood planning • Meet with prospective neighbourhood forums to discuss scope of a potential plan / order and relationship with council planning policies and guidance
Stage 1 Designation of a neighbourhood area and forum	<ul style="list-style-type: none"> • Signpost sources of information and advice • Provide advice on boundaries prior to submission of an application for designation of a neighbourhood area • Provide advice on suitability of group prior to submission of an application for designation of a neighbourhood forum • Assistance with map for formal application • Discuss/liaise with neighbourhood forum on the process for reapplying for neighbourhood forum status, which expire after five years
Stage 2 Preparation of draft neighbourhood plan (or modification to an existing neighbourhood plan) or order	<ul style="list-style-type: none"> • Signpost sources of information and support • Maintain Local Plan evidence base and authority monitoring reports on council website • Provide advice on scope of plan/order proposals • Provide advice on structure of document • Provide advice on the Local Plan and any emerging council policy and guidance in terms of general conformity • Provide advice on need for additional evidence • Provide comments on draft plan or order
Stage 3 Pre-submission publicity and consultation	<ul style="list-style-type: none"> • Provide advice on statutory consultation process and statutory consultees • Provide comments on a draft basic conditions statement • Provide advice on Strategic Environment Assessment and Habitat Regulation Assessment screening
Stage 4 Submission of draft neighbourhood plan or order	<ul style="list-style-type: none"> • Provide advice on updated Strategic Environment Assessment and Habitat Regulation Assessment screening
Stage 5 Independent examination	<ul style="list-style-type: none"> • Work together of the appointment of the independent examiner
Stage 6 Referendum	<ul style="list-style-type: none"> • Keep neighbourhood forum informed of progress
Stage 7 Making a neighbourhood plan, or bringing the order into force	<ul style="list-style-type: none"> • Keep neighbourhood forum informed of progress
<p>The council will not offer support with regard to undertaking survey work, drafting policies, commissioning studies, direct financial support, neighbourhood forum consultation exercises.</p>	

Community Right to Build Orders

- 4.14** The *Localism Act 2011* introduced *Community Right to Build Orders*. *Community Right to Build Orders* enable communities to take forward small-scale, site-specific developments without the need to go through the normal planning application process.
- 4.15** Unlike *Neighbourhood Plans* and *Neighbourhood Development Orders*, a *Community Right to Build Order* is taken through by a community organisation. A community organisation differs from a neighbourhood forum in that it can be smaller and does not need formal council designation for it to be formed. However, its constitution must state it will carry out its activities for the benefits of the community of a particular area.
- 4.16** It is for the community to decide what type of development it wants to progress. Development could be affordable housing for local people or a new meeting hall or community.
- 4.17** Broadly speaking, the stages for preparing a *Community Right to Build Order* are as follows:
- 1) Establish a Community Organisation
 - 2) Prepare the plans for a Community Right to Build order
 - 3) Pre-submission publicity and consultation
 - 4) Council consults on order
 - 5) Independent Examination (binding on the council)
 - 6) Referendum
 - 7) Making of Community Right to Build Order
- 4.18** Should a proposal for a *Community Right to Build Order* come forward, the council will follow the requirements set out in
- The Neighbourhood Planning (General) Regulations 2012 (SI 637/2012)
<http://www.legislation.gov.uk/uksi/2012/637/part/6/made>
 - The Neighbourhood Planning (Referendums) Regulations 2012 (SI 2031/2012)
<http://www.legislation.gov.uk/uksi/2012/2031/contents/made>
 - The Neighbourhood Planning (Referendums) (Amendments) Regulations 2013 (SI 798/2013)
<http://www.legislation.gov.uk/uksi/2013/798/contents/made>
 - And/or any other subsequent amending legislation

Community Right to Bid (Assets of Community Value)

- 4.19** The *Localism Act 2011* also introduced the *Community Right to Bid*, which gives defined community groups the opportunity to nominate an asset or assets (building or land) they believe to be important to their community well-being, to be listed by the council as an *Asset of Community Value*.
- 4.20** When a listed asset comes up for sale, the *Community Right to Bid* process provides a delay in the sales process. The moratorium allows local community groups to prepare and make a bid for the asset on the open market.
- 4.21** The aims of the *Community Right to Bid* are to ensure that buildings and amenities can be kept in public use and remain an integral part of community life, where possible, and so reduce the trend in recent years of communities losing local amenities and buildings of importance to them.
- 4.22** An area of land or a building can be nominated as an *Asset of Community Value* if their current or recent use has community value. Long-term derelict land and occasionally used land (eg for fetes) are excluded. Examples of *Assets of Community Value* include parks and open spaces, sports and leisure centres, libraries, theatres, museums and heritage sites, cinemas, swimming pools, community centres, youth centres, public toilets and pubs.
- 4.23** Community groups may be unincorporated groups of at least 21 individual members who appear on the council's electoral roll, neighbourhood forums, charities, community interest companies, non-profit companies and non-profit societies. All groups have to demonstrate a local connection.
- 4.24** Broadly speaking, the process for *Community Right to Bid* is as follows:
- 1) Community group sends to the council evidence of its group (eg its Articles of Association) and information of the asset being nominated (eg Land Registry information and map)
 - 2) The council decides whether to list the asset within 8 weeks
 - 3) Option for landowner to ask for a review or appeal the listing
 - 4) Once listed, the owner has to notify the council when they wish to dispose of the listed asset
 - 5) On notification of a proposed sale from the owner, the council notifies the nominator who has 6 weeks to request that it is treated as a potential bidder.
 - 6) If the nominator wishes to be a potential bidder, the owner cannot dispose of the asset for 6 months from the date the owner wrote to the council unless it is to the community group.
- 4.25** There are certain caveats and other important aspects to the process, including:
- 1) The owner does not have to sell to the community group. The sale of listed assets takes place under normal market conditions. If the nominator decides not to submit a bid, the asset owner is free to sell on the open market.

- 2) Certain buildings are exempt from the 6-month moratorium. Examples include land attached to residential property, land used by public utilities, businesses sold as going concerns and non-commercial disposals (such as through the will of a deceased owner).
- 3) If no bid is received in the 6-month period and there is no sale in the following 12 months, the whole process begins again.
- 4) Private owners may claim compensation from the council for the loss and expense incurred through the asset being listed.

4.26 Should the council receive a Community Right to Bid nomination, it will follow the statutory requirements set out in:

- The Assets of Community Value (England) Regulations 2012 (SI 2421/2012)
<http://www.legislation.gov.uk/ukSI/2012/2421/contents/made>
- And/or any other subsequent amending legislation

5. Development Management Consultations

- 5.1** The council is keen to ensure that adjoining owners/occupiers, local residents and other interested parties, who may be affected by a proposed development, are adequately informed of proposals and have sufficient time to make representations that can be taken into account prior to the determination of a planning application.
- 5.2** The council will undertake publicity on all planning and other applications in accordance with the *Town and Country Planning (Development Management Procedure) (England) Order 2015 (SI 595/2015 as amended)* and the requirements relevant at the time. However, it is recognised that, in many cases, the statutory requirements alone are not sufficient and more needs to be done to inform residents and others about proposals in their area.
- 5.3** The legislation requires that neighbours are notified of planning applications by either the displaying of a site notice on or near the site or that notice is served by means of individual letters to all owners or occupiers that adjoin the site. Neighbour notification letters have been found to be an effective means of communication. Wherever practicable, individual letters will be sent to adjoining owners/occupiers, informing them of planning proposals. In some cases, it will be necessary to use a combination of letters and a site notice.
- 5.4** Tables 5.1 to 5.18 set out the statutory requirement for notification and the extent of the neighbour notification that will be carried out by the London Borough of Sutton for different types of application, including the display of site notices and press notices. The intention is to notify the owners/occupiers of those properties most likely to be affected directly by the proposal.
- 5.5** There will always be applications that do not fit easily into one of the listed categories or specific circumstances that require coverage of a wider area. However, in general, providing the requirements set out in the tables are complied with, only, in exceptional circumstances, would determination of the application be delayed for further notification.
- 5.6** Neighbour notification letters are sent out as soon as possible following validation of the application. 21 days are allowed from the date of the letter for the receipt of written comments. The application documents can be viewed on the council's website. Hard copies of applications can also be viewed (giving at least 24 hours notice to developmentmanagement@sutton.gov.uk) at council offices during normal working hours. If you wish to discuss an application, appointments can be made. Special arrangements can be made for those people with disabilities who may be unable to visit council offices or who may require additional assistance. In most cases, letters are delivered by second class post.
- 5.7** The majority of planning applications are determined by the officers under the council's scheme of delegation. Councillors are able to request that a planning application within their ward be referred to the Planning Committee for decision. The request to de-delegate the planning application must be made

within 21 days of the application being made valid and must give a valid planning reason why the application should not be determined under delegated authority.

- 5.8** A list of new applications can be found online using the weekly list search <https://planningregister.sutton.gov.uk/online-applications/>. In addition, people can register to set up tailored notifications on planning applications, for example to receive notifications by address or ward.
- 5.9** Applications that are to be determined by committee will be reported to the Planning Committee, according to the application type or special circumstances. Respondents to publicity will be notified, in writing, of the committee date and time following confirmation that the application is an agenda item.
- 5.10** Applicants, residents and ward councillors may request to address the Planning Committee about a planning matter that is on the Committee's agenda using an online form, or by registering up to 15 minutes before the start of the meeting. A maximum of four minutes is allocated to all objectors and all applicants/agents to speak on any one application. Any request to speak is granted at the Chairman's discretion.
- 5.11** The role of the committee is to determine applications reported to it by the officers in accordance with the scheme of delegation. Committee members are required to assess every planning application on the basis of all material planning matters put to them and in accordance with the development plan for the borough at the time of determination (namely the London Plan, the Sutton Local Plan and any relevant adopted neighbourhood plan).
- 5.12** Decisions on planning applications will be published on the council's website as soon as practicable. Residents interested in the decision to a planning application are advised to consult the planning register: <https://planningregister.sutton.gov.uk/>. If an application is refused, or approved conditionally, the applicant has the right to appeal. If this happens, everyone who was originally consulted or commented will be advised of the appeal.
- 5.13** If new categories of applications or prior approvals are created by Government legislation, the council will follow the statutory minimum requirements for notification and publicity.

Table 5.1: Definitions

Term	Definition
All adjoining properties	<p>This refers to the General Permitted Development Order term “adjoining owner or occupier” and is defined as any owner or occupier of any premises or land adjoining the site to which the application relates. The legislation requires that all owner / occupiers are notified by individual letter or site notice</p> <p>Adjoining properties will be taken to be all properties that would adjoin the site if roads, pathways and means of access bounding the site were ignored.</p> <p>All adjoining properties will be notified by letter.</p> <p>Where the adjoining properties include a large number of flats then it will not always be practicable to send letters to every address, In these cases, a mixture of letters and site notice(s) will be used. Where practicable, letters will be sent to those flats that overlook the site or are likely in some way to be directly affected by the proposal.</p> <p>Where not all flats will be notified by letter, a site notice(s) will be posted.</p>
Additional Neighbour Notification	<p>Additional neighbour notification letters will be sent out as detailed in the schedule.</p> <p>Where reference is made to numbers of properties or distances along the frontage then this also applies to a corresponding number of properties on the opposite side of the road.</p> <p>If an application site is bounded by a side road, this shall not be considered to be a break in the frontage. Thus, where the number of properties or distance is subject to be being broken by a side road, in these circumstances, the count starts from the opposite side of the road to the application site.</p>
Application Site	<p>The application site will be taken to be the area outlined in red on the application plan.</p> <p>Where the application relates to a small part of a much larger site then, subject to the criteria set out below, only those neighbouring properties that adjoin the application site will be notified.</p>
Major Application	<p>Residential: 10 or more dwellings or where the site is 0.5ha or more Commercial: 1,000m² or more of floorspace or the site is 1ha or more Development to be used for treating, storing, processing or disposing of waste disposals. The winning or working or use of land for mineral working deposits Includes the change of use of the building that meets the above criteria.</p>
Minor Application	<p>Development type not referred to elsewhere Residential: Up to 9 dwellings or where the site is less than 0.5ha Commercial: Up to 999m² of floorspace or sites of less than 1ha</p>
Change of Use	<p>Applications for the change of use of an existing building, or land, without extension or new buildings Where the floor area is 1,000m² or more or the site is 1ha or more, then it is taken to be a Major Application</p>
Householder Application	<p>Development within the curtilage of a residential property that is not a change of use. Includes extensions, garages, walls, fences, satellite dishes etc which are not permitted development</p>

Table 5.2: Applications:**(i) accompanied by an Environmental Impact Assessment OR****(ii) not according with the Development Plan OR****(iii) affecting a right of way to which Part 3 of the Wildlife and Countryside Act 1981 applies**

Statutory Requirements	Council's Notification Policy
<ul style="list-style-type: none"> • Local Newspaper Notice • Site Notice • Website [Article 15 (1A, 2, 3 and 7⁵)]	<ul style="list-style-type: none"> • Additional neighbour notification according to use proposed • Local Newspaper Notice • Site Notice • Website

Table 5.3: Applications for Major or Sensitive Development

Statutory Requirements	Council's Notification Policy
<ul style="list-style-type: none"> • Local Newspaper Notice • Site Notice OR letter to adjoining owner/occupiers • Website [Article 15 (4 and 7⁵)]	<ul style="list-style-type: none"> • Owners/occupiers adjoining/opposite new access or junctions • Owners/occupiers including all properties on both sides of the site measured 75 metres along the street frontage and the equivalent properties on the opposite side of the road • Where a new access is via a different road, include 75 metres along the road frontage and equivalent properties on the opposite side of the road • Site Notices • Local Newspaper Notice • Website

Table 5.4: Applications for Minor Development

Type	Statutory Requirements	Council's Notification Policy
New Build and extensions for other minor applications	<ul style="list-style-type: none"> • Site Notice OR letter to adjoining owner/occupiers • Website [Article 15 (5 and 7)⁵]	<ul style="list-style-type: none"> • Letters to all adjoining properties • Site Notice • Website • For new access/junctions, owner/occupiers who are adjacent or opposite
Shopfronts, Replacement Windows, Small School Extensions	<ul style="list-style-type: none"> • Site Notice OR letter to adjoining owner/occupiers • Website [Article 15 (5 and 7)⁵]	<ul style="list-style-type: none"> • Site Notice ONLY • Website

Table 5.5: Householder Applications

Statutory Requirements	Council's Notification Policy
<ul style="list-style-type: none"> • Site Notice OR letter to adjoining owner/occupiers • Website [Article 15 (5 and 7)⁵]	<ul style="list-style-type: none"> • Letter to all adjoining owner/occupiers • Website

Table 5.6: Applications for Change of Use

Use Class	Statutory Requirements	Council's Notification Policy
A1: Retail	<ul style="list-style-type: none"> • Site Notice OR letter to adjoining owner/occupiers • Website <p>[Article 15 (5 and 7)⁵]</p>	<ul style="list-style-type: none"> • Letters to all adjoining properties • Site Notice • Website
A2: Financial and Professional Services	<ul style="list-style-type: none"> • Site Notice OR letter to adjoining owner/occupiers • Website <p>[Article 15 (5 and 7)⁵]</p>	<ul style="list-style-type: none"> • Letters to all adjoining properties • Site Notice • Website
A3: Restaurant and Cafes	<ul style="list-style-type: none"> • Site Notice OR letter to adjoining owner/occupiers • Website <p>[Article 15 (5 and 7)⁵]</p>	<ul style="list-style-type: none"> • Letters to all adjoining properties • Site Notice • Website
A4: Drinking Establishments	<ul style="list-style-type: none"> • Site Notice OR letter to adjoining owner/occupiers • Website <p>[Article 15 (5 and 7)⁵]</p>	<ul style="list-style-type: none"> • Letters to all adjoining properties • Site Notice • Website
A5: Hot Food Takeaways	<ul style="list-style-type: none"> • Site Notice OR letter to adjoining owner/occupiers • Website <p>[Article 15 (5 and 7)⁵]</p>	<ul style="list-style-type: none"> • Letters to all adjoining properties • Site Notice • Website
B1: Business	<ul style="list-style-type: none"> • Site Notice OR letter to adjoining owner/occupiers • Website <p>[Article 15 (5 and 7)⁵]</p>	<ul style="list-style-type: none"> • Letters to all adjoining properties • Site Notice • Website
B2: Industry	<ul style="list-style-type: none"> • Site Notice OR letter to adjoining owner/occupiers • Website <p>[Regulation 15 (5 and 7)⁵]</p>	<ul style="list-style-type: none"> • Letters to all adjoining properties • Site Notice • Website
B8: Storage and Distribution	<ul style="list-style-type: none"> • Site Notice OR letter to adjoining owner/occupiers • Website <p>[Article 15 (5 and 7)⁵]</p>	<ul style="list-style-type: none"> • Letters to all adjoining properties • Site Notice • Additional properties according to type and size of use • Website
C1: Hotels, Boarding Houses and Guest Houses	<ul style="list-style-type: none"> • Site Notice OR letter to adjoining owner/occupiers • Website <p>[Regulation 15 (5 and 7)⁵]</p>	<ul style="list-style-type: none"> • Letters to all adjoining properties • Site Notice • Website
C2: Residential Institutions	<ul style="list-style-type: none"> • Site Notice OR letter to adjoining owner/occupiers • Website <p>[Article 15 (5 and 7)⁵]</p>	<ul style="list-style-type: none"> • Letters to all adjoining properties • Site Notice • Website
C2a: Secure Residential Institutions	<ul style="list-style-type: none"> • Site Notice OR letter to adjoining owner/occupiers • Website <p>[Article 15 (5 and 7)⁵]</p>	<ul style="list-style-type: none"> • Letters to all adjoining properties • Site Notice • Website
C3: Dwellings	<ul style="list-style-type: none"> • Site Notice OR letter to adjoining owner/occupiers • Website <p>[13 Article 15 (5 and 7)⁵]</p>	<ul style="list-style-type: none"> • Letter to all adjoining properties • Site Notice • Website
C4: Houses of Multiple Occupation	<ul style="list-style-type: none"> • Site Notice OR letter to adjoining owner/occupiers • Website 	<ul style="list-style-type: none"> • Letters to all adjoining properties • Site Notice • Website

	[Article 15 (5 and 7)⁵]	
D1: Non-residential institutions	<ul style="list-style-type: none"> • Site Notice OR letter to adjoining owner/occupiers • Website [Article 15 (5 and 7)⁵]	<ul style="list-style-type: none"> • Letters to all adjoining properties • Site Notice • Additional neighbour notification for larger area according to type and size of use • Website
D2: Assembly and Leisure	<ul style="list-style-type: none"> • Site Notice OR letter to adjoining owner/occupiers • Website [Article 15 (5 and 7)⁵]	<ul style="list-style-type: none"> • Letters to all adjoining properties • Site Notice • Additional neighbour notification for larger area according to type and size of use • Website
Sui Generis	<ul style="list-style-type: none"> • Site Notice OR letter to adjoining owner/occupiers • Website [Article 15 (5 and 7)⁵]	<ul style="list-style-type: none"> • Letters to adjoining properties • Site Notice • Additional neighbour notification according to use proposed • Website

Table 5.7: Applications for Advertisements

Statutory Requirements	Council's Notification Policy
<ul style="list-style-type: none"> • None 	Notification letters will only be sent in the case of: <ul style="list-style-type: none"> • hoardings which face residential property • illuminated advertisements, shop fascia signs and projecting box signs

Table 5.8: Listed Building Consent

Statutory Requirements	Council's Notification Policy
<ul style="list-style-type: none"> • Local Newspaper Notice • Site Notice • Website [Planning (Listed Buildings and Conservation Areas) Regulations 1990 (SI 1519/1990) as amended, Regulation 5(1)]	<ul style="list-style-type: none"> • Local Newspaper Notice • Site Notice • Website • Letters to all adjoining properties • Additional properties according to proposed works

Table 5.9: Applications for Electronic Communications Apparatus

Statutory Requirements	Council's Notification Policy
<ul style="list-style-type: none"> • Site Notice OR letter to adjoining owner/occupiers • Website [Article 15 (5 and 7)⁵]	<ul style="list-style-type: none"> • Letters to all properties within a 100-metre radius of the site • Site Notice • Website

Table 5.10: Applications relating to Trees

Type of Application	Statutory Requirements	Council's Notification Policy
To fell a tree protected by a Tree	None	<ul style="list-style-type: none"> • Letters to all adjoining properties • Exception: In the case of trees in rear gardens, properties facing the front of the application site and

Preservation Order		separated by a road will not be notified • Website
To fell a tree in a Conservation Area	None	• Letters to adjoining owners/occupiers • Website

Table 5.11: Prior Approvals

Type of Request	Statutory Requirement	Council's Notification Policy
Larger House Extensions	• Letter to adjoining owner/ occupiers [Schedule 2, Part 1, Para A.4(5)⁶]	• Letters to all adjoining properties
Changes of use from: 1. Retail, betting office or pay day loan shop or casino to restaurant or cafe 2. Retail or betting office or pay day loan shop to assembly and leisure 3. Retail, takeaway, betting office, pay day loan shop, and launderette uses to offices 4. Retail, takeaways and specified sui generis uses to residential 5. Amusement arcade/centre, or casino to residential 6. Office to residential 7. Premises in light industrial use to residential 8. Agricultural buildings to residential 9. Agricultural buildings to a flexible commercial use 10. Agricultural buildings to state-funded school or registered nursery 11. Business, hotels etc to state-funded schools or registered nursery	• Site Notice OR letter to adjoining owner/occupiers [Schedule 2, Part 3, Paras C.2(2), J.2(1), JA.2(1), M.2(1), N.2(1), O.2(1), PA.2(1), Q.2(1), R.3(1), S.2(1), T.2(1) and W(8)⁶]	• Letters to all adjoining properties
Click and collect facilities	• Site Notice OR letter to adjoining owner/occupiers [Schedule 2, Part 7, Para C.2(5) ⁶]	• Letters to all adjoining properties
Installation or alteration etc of solar equipment on non-domestic premises	• Site Notice OR letter to adjoining owner/occupiers [Schedule 2, Part 14, Para J.4(6) ⁶]	• Letters to all adjoining properties

Development by/for electronic communications code operators	<ul style="list-style-type: none"> • Site Notice OR letter to adjoining owner/occupiers [Schedule 2, Part 16, Para A3(6) ⁶] 	<ul style="list-style-type: none"> • Letters to all properties with a 100-metre radius of the site • Site Notice
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Table 5.12: Amendments to a Current Planning Application

Statutory Requirements	Council's Notification Policy
None	<p>Consultation will be limited to previous correspondents unless the revised application would materially affect other properties.</p> <p>Consultation will be undertaken as per the original application (with a minimum of 10 days from the date of the letter for receipt of written comments) but only where:</p> <ul style="list-style-type: none"> • the amendment would materially increase the size of the proposed development • new issues are raised

Table 5.13: Approval of Reserved Matters following Granting of Outline Planning Permission

Statutory Requirements	Council's Notification Policy
None	<ul style="list-style-type: none"> • Consultation limited to previous correspondents unless new issues are raised • Site notice • Local newspaper notice (if major)

Table 5.14: Removal or Variation of a Condition (Section 73 Application)

Statutory Requirements	Council's Notification Policy
Council's discretion	<ul style="list-style-type: none"> • Depends on the condition

Table 5.15: Relevant demolition within a Conservation Area

Statutory Requirements	Council's Notification Policy
<ul style="list-style-type: none"> • Site Notice OR letter to adjoining owner/occupiers • Local Newspaper Notice • Website <p>[S73 and 67, 1990 Act]</p>	<ul style="list-style-type: none"> • Letters to all adjoining properties • Site Notice • Local newspaper notice • Website

Table 5.16 Demolition of a pub or other drinking establishment within the A4 'drinking establishments' use class

Statutory Requirements	Council's Notification Policy
<ul style="list-style-type: none"> • Site Notice OR letter to adjoining owner/occupiers • Website <p>[Article 15 (5 and 7)⁵]</p>	<ul style="list-style-type: none"> • Site Notice • Letter to adjoining owner/occupiers • Website

Table 5.17: Applications for planning permission which fall within a Conservation Area or would affect the setting of a listed building

Statutory Requirements	Council's Notification Policy
<ul style="list-style-type: none"> • Site Notice • Local Newspaper Notice • Website <p>[Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended), Regulation 5A(2)]</p>	<ul style="list-style-type: none"> • Letters as per application type • Site Notice • Local newspaper notice • Website

Table 5.18: Applications for Permission in Principle and Technical Consent

Type	Statutory Requirements	Council's Notification Policy
Permission in Principle	<ul style="list-style-type: none"> • Site Notice • Website <p>[Article 5G(1) Town and Country Planning (Permission in Principle) Order 2017 (as amended)]</p>	<ul style="list-style-type: none"> • Site Notice • Website • Letters to all adjoining properties
Technical Consent	<ul style="list-style-type: none"> • Site Notice • Website <p>[Article 15 (4A and 7⁵)]</p>	<ul style="list-style-type: none"> • Site Notices • Website • Letters to all adjoining properties

⁵ The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) Statutory Instrument (SI) 595/2015

⁶ The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

6. Conclusion

- 6.1** The London Borough of Sutton has a long tradition of extensive and effective involvement with its residents and businesses as well as with the regional and national bodies involving in planning. This Statement of Community Involvement continues in that tradition.
- 6.2** For the most important planning policy documents, the council will continue to exceed, by some margin, the statutory minimum set by Government. For neighbourhood plans, it will aid neighbourhood forums in their plan preparation above the statutory minimum and in most types of planning applications, it will go beyond what the Government requires.
- 6.3** At the same time as exceeding statutory minima for consultation, the council is providing a high impact/low cost consultation service by generally using the most cost effective consultation techniques. This is because the council is aware that central Government funding is limited and Council Tax should be used in the most effective manner.
- 6.4** Should you have any questions about consultation, in the first instance, please email planningpolicy@sutton.gov.uk or phone 020 8770 6453.

APPENDIX 1

Types of Consultees on the Planning Policy Consultation Database

The council maintains a planning policy consultation database of stakeholders who have an interest in local planning matters.

This database includes certain organisations that the council has a statutory duty to consult when preparing Local Plans known as ‘specific’ and ‘general’ consultees (as specified in the Town and Country Planning (Local Planning) (England) Regulations 2012) (see Tables A.1 and A.2).

The council also identifies other relevant stakeholders that have an interest in local planning matters (see Table A.3).

Any individual, group or organisation is able to request to be added to the database to receive notification of planning policy consultations, by emailing planningpolicy@sutton.gov.uk or by writing to Strategic Planning, London Borough of Sutton, 24 Denmark Road, Carshalton, SM5 2JG. Personal details will be held electronically, and will only be used for consultations on planning policy and related matters.

Table A.1: Specific Consultation Bodies in Sutton

- Environment Agency
- Historic England (Historic Buildings and Monuments Commission for England)
- Natural England
- Network Rail Infrastructure Limited
- Highways England
- Transport for London

- Mayor of London (including for designated functions for housing)
- London Borough of Merton
- London Borough of Croydon
- Royal Borough of Kingston upon Thames
- Reigate and Banstead Borough Council
- Epsom and Ewell Borough Council
- Surrey County Council

- Hackbridge and Beddington Corner Neighbourhood Development Group
- Beddington North Neighbourhood Forum
- Belmont and South Cheam Neighbourhood Forum

- Relevant telecommunications companies
- NHS Sutton Clinical Commissioning Group
- NHS England
- Relevant electricity and gas companies
- Thames Water
- The Mayor’s Office for Policing and Crime

Table A.2: General Consultation Bodies in Sutton

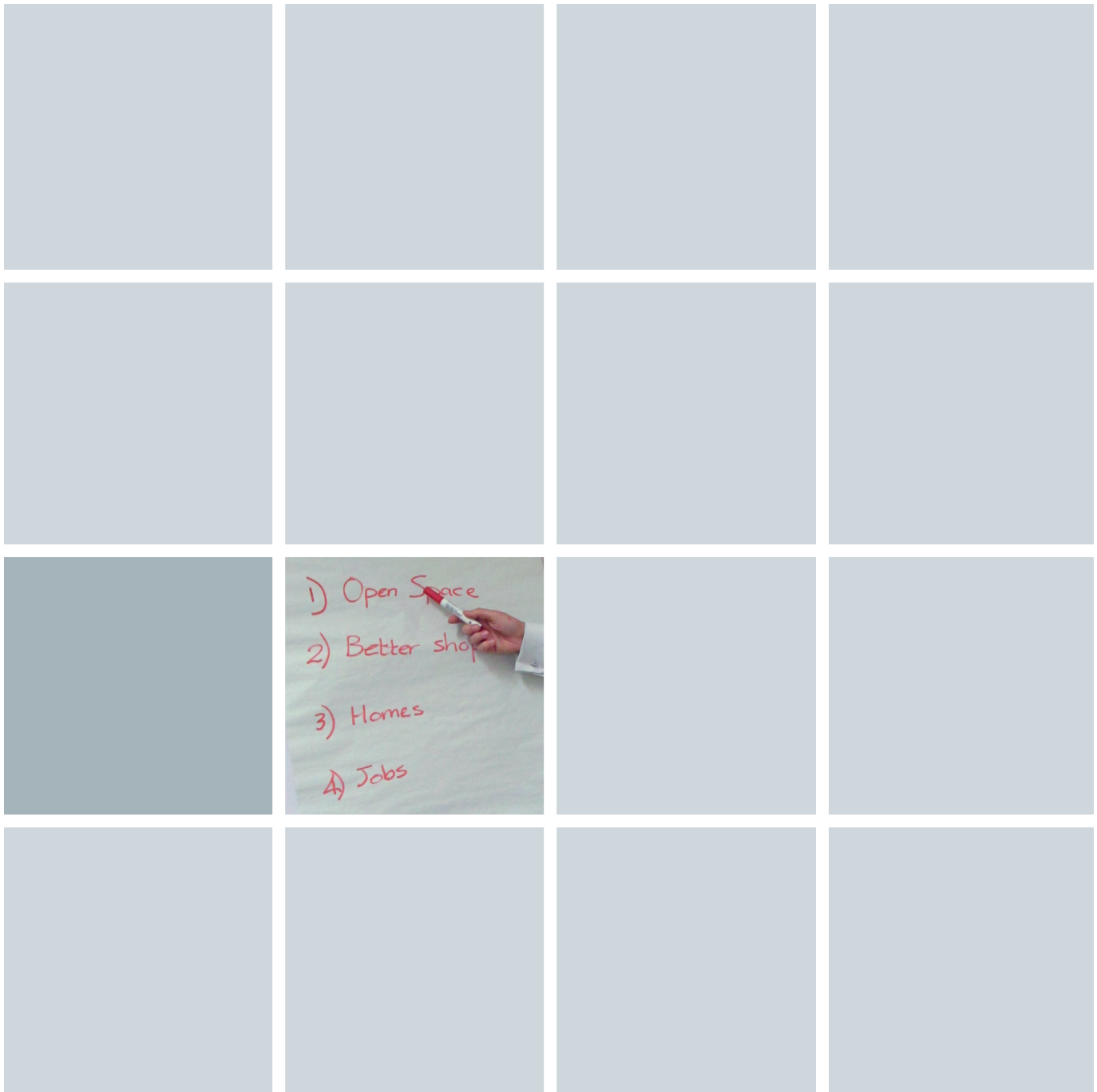
“General consultation bodies” are set out in planning legislation. In Sutton these would be organisations and groups which fall into one of the following categories:

- Voluntary bodies some or all of whose activities benefit any part of Sutton
- Bodies which represent the interests of different racial, ethnic or national groups in Sutton
- Bodies which represent the interests of different religious groups in Sutton
- Bodies which represent the interests of disabled persons in Sutton
- Bodies which represent the interests of persons carrying on business in Sutton

Table A.3: Other Consultees

In addition to the organisations and groups identified above, the consultation database includes the following types of stakeholders (there may be some overlap with those identified in Tables A1 and A2 above)

- Advice and information groups
- Amenity groups
- Architects, planners, consultants and other professionals
- Businesses
- Community groups
- Conservation and heritage groups
- Councillors
- Developers
- Educational institutions
- Older person's groups
- Environmental groups
- 'Friends of' groups
- Government Agencies
- Health organisations
- House builders
- Housing associations
- London Assembly Members
- Police and other emergency services
- Political parties
- Regional park interests
- Residents who have requested to be consulted
- Residents and tenants groups
- Transport groups



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