

London Borough of Sutton Local Plan

# Statement of Community Involvement

December 2014



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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. Since then, there have been a number of changes to the planning system, there have been some amendments to national legislation and planning policy and a number of consultation bodies have changed either name or function. 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 to the *Sutton Strategy 2009-2020* (the Council's Sustainable Community Strategy) and the Council's *Open Council* document which is "a framework for community empowerment in Sutton".

### **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)*.
- 1.6** The updated SCI also responds to aspects of the *Localism Act 2011*, which introduced a number of changes to the planning system, most notably neighbourhood planning, neighbourhood development orders, the protection of assets of community value, community right to bid and community right to build. The updated SCI has had regard to the *Town and Planning, England Neighbourhood Planning (General) Regulations 2012 (SI 637/2012)*.

- 1.7 Furthermore, the SCI has been prepared following the publication of the *National Planning Policy Framework* (NPPF). 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 Finally, when planning policy is prepared, an *Equalities Impact Assessment* (EqIA) is carried out to ensure Council decision-making complies with the *Equalities Act 2010*.

### **General Principles of Consultation**

- 1.9 The *Open Council* document identifies six priorities for community empowerment:
- Giving residents the tools to participate;
  - Open access to information we hold;
  - Leading innovation and behaviour change;
  - Supporting residents to self-organise;
  - Open access to decision-making structures; and,
  - Telling residents how their involvement has made a difference.
- 1.10 Translated into planning terms, this means:
- 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.
- 1.11 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**

- 1.12 The Council's planning service is split into two areas: Planning Policy (often called Strategic Planning) and Development Management (which also includes planning enforcement).

**1.13** 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. Chapter 2 outlines the range of consultation techniques that can be employed by both services.

## 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/ldf](http://www.sutton.gov.uk/ldf)

The web address for the introductory neighbourhood planning page is:

[www.sutton.gov.uk/neighbourhoodplanning](http://www.sutton.gov.uk/neighbourhoodplanning)

The web address for introductory Planning Register page is:

<http://gis.sutton.gov.uk/FASTWEB/welcome.asp>

### 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 April 2014.

**Table 2.1: Council Offices & Libraries (as of April 2014)**

Office or Library	Opening Times
<b>Civic Offices</b> London Borough of Sutton, St Nicholas Way, Sutton. SM1 1EA	<b>Mon-Fri:</b> 9.00-17.00
<b>Environmental Office</b> London Borough of Sutton, Denmark Road, Carshalton. SM5 2JG	<b>Mon-Fri:</b> 9.00-17.00
<b>Library at the Westcroft Centre</b> Westcroft Leisure Centre, Westcroft Rd, Carshalton, SM5 2TG	<b>Mon –Fri:</b> 7.00-21.00 <b>Sat-Sun:</b> 8.00-19.00
<b>The Library @ the Phoenix Centre</b> Mollison Drive, Roundshaw, SM6 9NZ	<b>Mon-Fri:</b> 09:30-22:00 <b>Sat- Sun:</b> 09:30-18:00
<b>The Circle Library</b> Green Wrythe Lane, Carshalton, SM5 1JJ	<b>Tues:</b> 9:30-18:00 <b>Wed-Sat:</b> 9:30-17:00
<b>Wallington Library</b> Shotfield, Wallington, SM6 0HY	<b>Tues:</b> 9:30-19:00 <b>Wed-Thurs:</b> 9:30-17:00 <b>Fri:</b> 9:30-18:00, <b>Sat:</b> 9:30-17:00
<b>Beddington Library</b> The Broadway, Beddington, CR0 4QR	<b>Tues &amp; Fri:</b> 14:00-18:00 <b>Thurs:</b> 9:30-15:00 <b>Sat:</b> 9:30-13:00, 14:00-17:00
<b>Cheam Library</b> Church Road, Cheam, Surrey, SM3 8QH	<b>Tues:</b> 9:30-19:00 <b>Wed-Thurs:</b> 9:30-17:00 <b>Fri:</b> 9:30-18:00, <b>Sat:</b> 9:30-17:00

<b>Sutton Central Library</b> Local Studies Centre St Nicholas Way, Sutton, SM1 1EA	<b>Tues:</b> 10.00-17.00, <b>Wed:</b> 10.00-20.00 <b>Fri:</b> 10.00-17.00 <b>Alternate Sats:</b> 9.30-17.00 <b>Alternate Suns:</b> 13.00-16.30
<b>Library @ The Life Centre</b> Sutton Life Centre, Alcorn Road, Sutton, SM3 9PX	<b>Mon-Fri:</b> 09:30-20:00 <b>Sat:</b> 09:30-17:00 <b>Sun:</b> 10:00-14:00
<b>Worcester Park Library</b> Stone Place, Windsor Road, Worcester Park, KT4 8ES	<b>Tues:</b> 9:30-19:00 <b>Wed-Thurs:</b> 9:30-17:00 <b>Fri:</b> 9:30-18:00 <b>Sat:</b> 9:30-17:00

### c) Notices in Local Newspapers

The Council can publish information about planning policy and neighbourhood planning consultations in public notices in local newspapers, usually the *Sutton Guardian*. The notification of certain types of planning applications received is also published in the local newspaper.

### d) Consultation Database (Emails and Letters)

The Council maintains a planning policy database of all stakeholders who have an interest in local planning matters. 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 wish to be added to the consultation database, please email: [ldf@sutton.gov.uk](mailto:ldf@sutton.gov.uk).

### 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 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. 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 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 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. These council committee meetings are open to the public. Details of Council meetings can be found at:

<http://sutton.moderngov.co.uk/mqCalendarMonthView.aspx?GL=1&bcr=1>.

**n) One-to-One Meetings**

In certain circumstances, such 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 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/LoveSutton](http://www.facebook.com/LoveSutton) or its Twitter feeds **@suttoncouncil** and **@suttoninvolved**.

### 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 Duty-to-Cooperate requirements.

#### The Local Plan

3.3 The current Development Plan comprises:

- The London Plan, adopted 2011, which is prepared by The Mayor and which all the Council's planning documents must be in general conformity with, according to under section 24(4)(a) of the *Planning and Compulsory Purchase Act (2004)*.
- The *Core Strategy*, adopted by the Council in 2009. This document sets out the strategic policies and long-term aims of the Council in planning terms until 2024.
- The *Site Development Policies Development Plan Document (DPD)*, adopted by the Council in 2012. This document provides detailed development management policies and allocates major sites for redevelopment.
- The *South London Waste Plan*, adopted by the Council in 2012. This document deals with planning issues relating to waste management and is joint plan with the neighbouring boroughs of Croydon, Kingston and Merton.

3.4 In response to national reforms to the planning system, any future review of the Development Plan will be likely to merge and revise the Core Strategy and Site Development Policies DPD. In carrying this out, and in preparing any other planning document that will become part of the Local Plan, The key stages are set out in Figure 1.

3.5 Government guidance states that there should be two main stages of consultation (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 182 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-in-Public but the Council will be guided by the Planning Inspector on this matter.

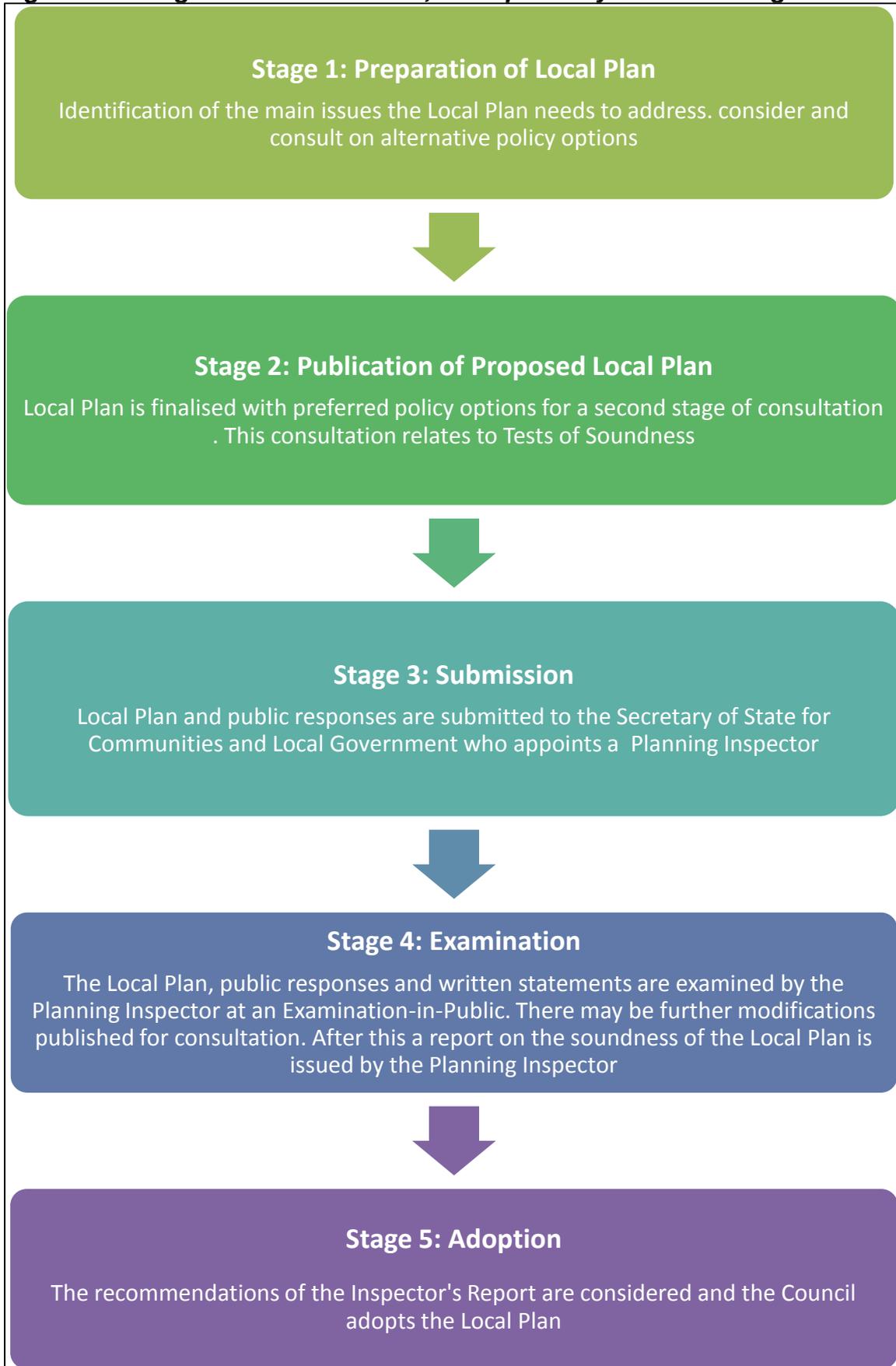
3.6 Table 3.2 sets out how the Council will consult on the Local Plan at each stage of preparation.

**Table 3.1: Tests of Soundness from Paragraph 182 of the National Planning Policy Framework**

The Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. A local planning authority should submit a plan for examination which it considers is “sound” – namely that it is:

- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

**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**

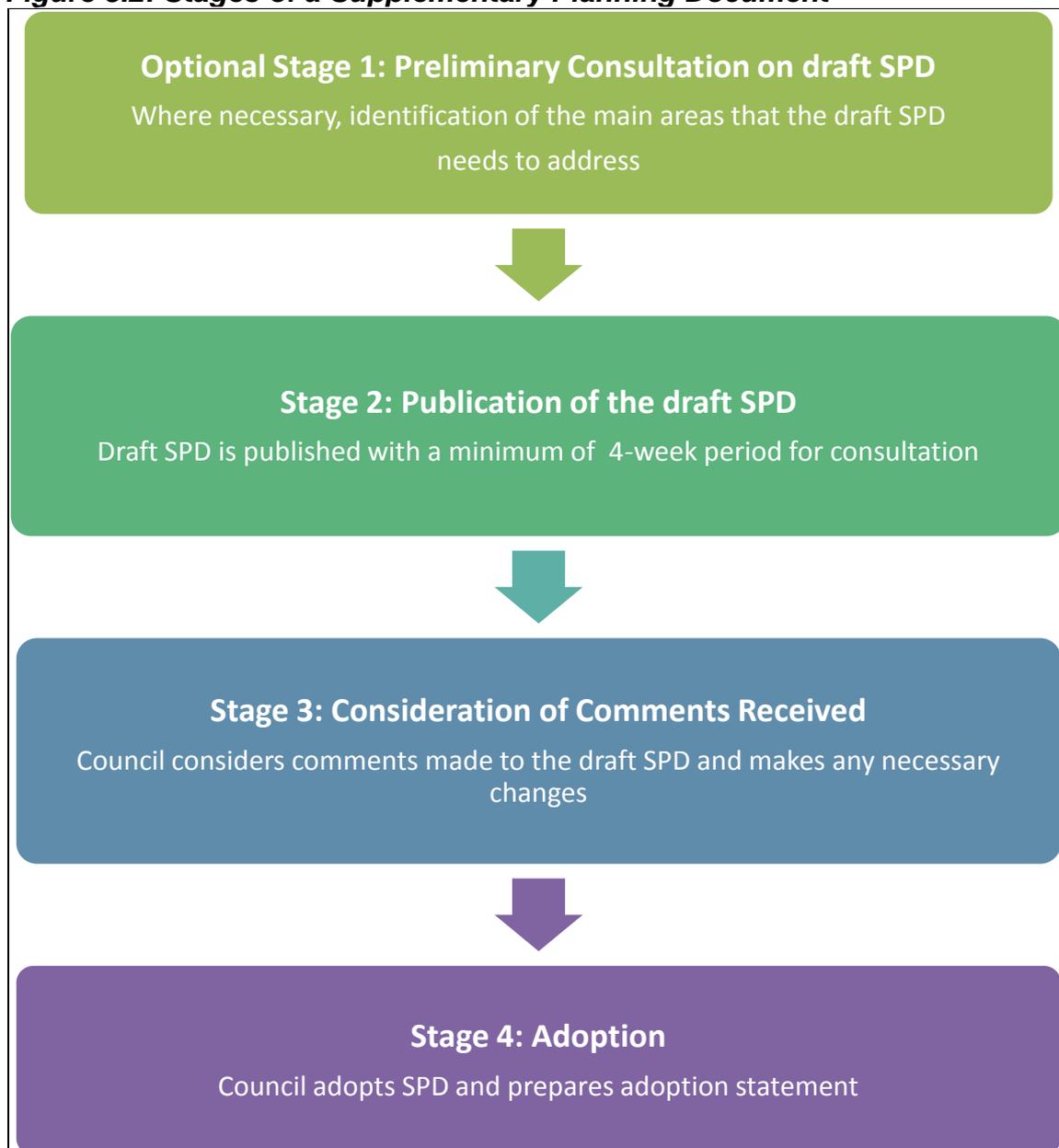
Stage	Consultation Details	Consultees	Consultation Methods
<p><b>Stage 1: Preparation of the Local Plan</b> [SI 767/2012: Regs 18, 35 and 36]</p> <p><b>Reason for Stage:</b> To present issues for discussion and to get views on options</p> <p><b>Result:</b> Responses give the Council an insight into local opinion. Council will publish responses and a Council reply on its website within a consultation statement.</p>	<ul style="list-style-type: none"> <li>● Consultation on issues and preferred options document of the Local Plan plus its Sustainability Appraisal</li> <li>● Background evidence documents will also be available</li> <li>● Consultation will be a minimum of 6 weeks</li> </ul>	<ul style="list-style-type: none"> <li>● Those relevant on the consultation database</li> <li>● Those with interests in specific sites mentioned in the draft document</li> <li>● Those who comment as a result of other publicity</li> </ul>	<ul style="list-style-type: none"> <li>● Council website: dedicated page and consultation hub</li> <li>● Documents at council offices and libraries</li> <li>● Notice in local newspapers</li> <li>● Emails and letters to consultees on consultation database</li> <li>● Press release</li> <li>● Open community workshops/meetings (if required)</li> <li>● Closed community workshops/meetings (if required)</li> <li>● Council committee meeting</li> <li>● Facebook and Twitter</li> </ul>
<p><b>Stage 2: Publication of Proposed Local Plan</b> [SI 767/2012: Regs 19, 20, 21, 35 and 36]</p> <p><b>Reason for Stage:</b> To present draft plan, to refine any policies or allocations, to identify the contentious issues</p> <p><b>Result:</b> Responses will be sent to the Inspector</p>	<ul style="list-style-type: none"> <li>● Consultation on the draft Local Plan plus its Sustainability Appraisal</li> <li>● Background evidence documents will also be available</li> <li>● Consultation will be a minimum of 6 weeks</li> <li>● Consultation at this stage is limited to the Tests of Soundness (see Table 3.1)</li> </ul>	<ul style="list-style-type: none"> <li>● Those relevant on the consultation database</li> <li>● Those with interests in specific sites mentioned in the draft document</li> <li>● Those who comment as a result of other publicity</li> <li>● Those who commented at Stage 1</li> </ul>	<ul style="list-style-type: none"> <li>● Council website: dedicated page and consultation hub</li> <li>● Documents at council offices and libraries</li> <li>● Notice in local newspapers</li> <li>● Emails and letters to consultees on consultation database</li> <li>● Press release</li> <li>● Open community workshops/meetings (if required)</li> <li>● Closed community workshops/meetings (if required)</li> <li>● Council committee meeting</li> <li>● Facebook and Twitter</li> </ul>
<p><b>Stage 3: Submission</b> [SI 767/2012: Reg 22]</p>	<p><b>THIS IS NOT A CONSULTATION STAGE</b></p>		

<p><b>Stage 4: Examination</b> [SI 767/2012: Reg 23 and 24]</p> <p><b>Reason for Stage:</b> To present case to Planning Inspector</p> <p><b>Result:</b> Inspector's Report</p> <p><b>Reason for Major Modifications</b></p> <p><b>Consultation:</b> To provide an opportunity to comment on a major change to the plan</p> <p><b>Result:</b> The responses will be sent to the Planning Inspector and the Council will publish the responses on its website</p>	<ul style="list-style-type: none"> <li>● The Planning Inspector decides the issues to investigate further</li> <li>● Where differences between respondents and the Council can be resolved, Statements of Common Ground will be concluded between both parties</li> <li>● Where differences between respondents and the Council cannot be resolved, Statements of Case will be produced by the respondent and the Council for the Planning Inspector to consider</li> </ul>	<ul style="list-style-type: none"> <li>● All those who responded in Stage 2</li> </ul>	<ul style="list-style-type: none"> <li>● The Examination-in-Public is likely to involve public hearings.</li> <li>● Notice for public hearings will be published at least 6 weeks before the public hearings. The Council will provide accommodation for the public hearings</li> <li>● The Planning Inspector may arrange a pre-meeting to explain the process for the public hearing</li> <li>● 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.</li> <li>● The Inspector will consider the comments made at Stage 2 together with the Statements of Case at the public hearings.</li> </ul> <p><b>If the Inspector has no major modifications to the draft plan,</b> he will issue his 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><b>If the Inspector has major modifications to the plan,</b> he may request a consultation to the modifications and an Sustainability Appraisal update. The consultation on the modifications should last a minimum of 6 weeks.</p> <p>The Council will:</p> <ul style="list-style-type: none"> <li>● Update the Council website: dedicated page and consultation hub</li> <li>● Place documents at council offices and libraries</li> <li>● Place a notice in local newspapers</li> <li>● Send emails and letters to consultees on consultation database as well as those who responded at Stages 1 and 2</li> <li>● Issue press release</li> <li>● Use Facebook and Twitter</li> </ul>
<p><b>Stage 5: Adoption</b> [SI 767/2012: Reg 26]</p>	<p style="text-align: center;"><b>THIS IS NOT A CONSULTATION STAGE</b></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>		

### **Supplementary Planning Documents**

- 3.7** Supplementary Planning Documents (SPDs) add detail to, and further explain, the policies and proposals set out in the Local 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 was target any groups that are particularly affected.
- 3.8** 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><b>Stage 1: Preliminary Consultation on draft SPD</b> [SI 767/2012, Reg 12]</p> <p><b>Reason for Stage:</b> To ensure feasibility and deliverability of SPD</p> <p><b>Result:</b> Evidence to support future draft SPD</p>	<ul style="list-style-type: none"> <li>● Dependent on the type of SPD being produced.</li> <li>● In terms of a planning brief for a specific site, the Council will consult with the major stakeholders. This may be the landowner and relevant specific and general consultees.</li> <li>● In terms of guidance on a specific policy, this may be the principal stakeholders affected and relevant specific and general consultees</li> </ul>	<ul style="list-style-type: none"> <li>● Dependent on SPD being produced.</li> </ul>	<ul style="list-style-type: none"> <li>● One-to-one meetings (if required)</li> <li>● Closed meetings (if required)</li> </ul>
<p><b>Stage 2: Publication of draft SPD</b> [SI 767/2012, Reg 12 and 35]</p> <p><b>Reason for Stage:</b> To present draft SPD, to refine the document and to identify contentious issues</p> <p><b>Result:</b> 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"> <li>● Consultation on the draft SPD</li> <li>● Background evidence documents will also be available</li> <li>● Consultation will be a minimum of four weeks</li> </ul>	<ul style="list-style-type: none"> <li>● <b>For Planning Briefs for a specific site:</b> 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.</li> </ul>	<p><b>For Planning Briefs for a specific site:</b></p> <ul style="list-style-type: none"> <li>● Council website: dedicated page and consultation hub</li> <li>● Documents at nearby council offices and libraries</li> <li>● Notice in local newspapers</li> <li>● Emails and letters to consultees on consultation database who may have an interest in the site</li> <li>● Press release</li> <li>● Leaflet and response form (if required)</li> <li>● Letters to neighbours (if required)</li> <li>● Site notice (if required)</li> <li>● Open community workshops/meetings (if required)</li> <li>● Staffed exhibition (if required)</li> <li>● Council committee meeting</li> <li>● Facebook and Twitter</li> </ul>

		<ul style="list-style-type: none"> <li>● <b>For Policy Guidance:</b> Consultees on the consultation database who the Council considers may have an interest in the policy topic. .</li> </ul>	<b>For Policy Guidance:</b> <ul style="list-style-type: none"> <li>● Council website: dedicated page and consultation hub</li> <li>● Documents at council offices and libraries</li> <li>● Notice in local newspapers</li> <li>● Emails and letters to consultees on consultation database who may have an interest in the policy topic</li> <li>● Press release</li> <li>● Open community workshops/meetings (if required)</li> <li>● Closed community workshops/meetings (if required)</li> <li>● Council committee meeting</li> <li>● Facebook and Twitter</li> </ul>
<b>Stage 3: Consideration of comments received</b> <i>[SI: 767/2012, Reg 12 and 13]</i>	<b>THIS IS NOT A CONSULTATION STAGE</b>		
<b>Stage 4: Adoption</b> <i>[SI 767/2012, Reg 14]</i>	<b>THIS IS NOT A CONSULTATION STAGE</b>		
	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.		

### **Community Infrastructure Levy**

**3.9** The *Community Infrastructure Levy* (CIL), for which provision was made in the Planning Act 2008, and updated in the Localism Act 2011, is a statutory charge on development used to fund infrastructure provision for the benefit of the community. Broadly, the preparation of a CIL involves the following stages:

- 1) Consultation on a Preliminary Draft Charging Schedule
- 2) Publication and consultation on a Draft Charging Schedule
- 3) Examination
- 4) Adoption

**3.10** The Council adopted its CIL on 3 March 2014 and it came into force on 1 April 2014. The Council has no immediate plans to revise its CIL and so this SCI will not cover CIL community involvement procedures in detail.

**3.11** Should the Council be required to revise its CIL, 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 (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 Localism Act, 2011  
<http://www.legislation.gov.uk/ukpga/2011/20/contents>
- 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>
- And/or any subsequent amending legislation

### **Local Development Orders**

**3.12** 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.

- 3.13** 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.
- 3.14** The *Planning Act 2008* made it easier for Councils to introduce LDOs by removing the requirement that they should achieve policies set out in adopted local development documents.
- 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 the *Part 6, Article 34 (3), (4), (5), (6), (7) and (8) of SI2184/2010*
  - 3) Consider representations and make any modifications
  - 4) Notify the Secretary of State for Communities and Local Government
  - 5) Subject to the Secretary of State, adoption
- 3.16** Should the Council decide to put an LDO in place, it will follow the statutory requirements, set out in:
- The Planning Act, 2008  
<http://www.legislation.gov.uk/ukpga/2008/29/contents>
  - The Town and Country Planning (Development Management Procedure) (England) Order 2010 (SI 2184/2010)  
<http://www.legislation.gov.uk/uksi/2010/2184/made>
  - And/or any subsequent amending legislation

#### **Article 4 Directions**

- 3.17** An *Article 4 Direction* is effectively the opposite of an LDO. It allows authorities to withdraw permitted development rights that would otherwise be granted by virtue of the *Town and Country Planning (General Permitted Development Order 1995 (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 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 one *Article 4 Direction* in force for Sutton Garden Suburb requiring planning permissions for minor householder alterations and one *Article 4 Direction* due to come into force in January 2015 for Sutton Town Centre requiring planning permission for offices to convert to residential uses.
- 3.20** Should the Council decide to put another *Article 4 Direction* in place, it will follow the statutory requirements, set out in:
- *What are Permitted Development Rights* section in the National Planning Practice Guidance  
<http://planningguidance.planningportal.gov.uk/blog/guidance/when-is-permission-required/what-are-permitted-development-rights>
  - And/or any subsequent amending legislation or guidance

### **Duty to Cooperate**

- 3.21** 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.
- 3.22** 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.
- 3.23** 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.
- 3.24** The types of matters that the Council is expected to cooperate on include those set out in Paragraph 156 of the *National Planning Policy Framework*, namely:
- The homes and jobs needed in the area;
  - The provision of retail, leisure and other commercial development;
  - The provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk management and the provision of minerals and energy (including heat);
  - The provision of health, security, community and cultural infrastructure and other local facilities; and,
  - Climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.
- 3.25** 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 Buildings and Monuments Commission for England (known as English Heritage)
- Natural England
- Mayor of London
- Civil Aviation Authority
- Greater London Authority (as the Homes and Communities Agency in London)
- NHS Sutton Clinical Commissioning Group
- National Health Service Commissioning Board
- Office of Rail Regulation
- Transport for London
- Highways Agency

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

**3.26** 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 with the Greater London Authority (GLA)
- It has participated in the London Town Centre Health Check and agrees with the GLA's conclusions
- It is working in partnership with Transport for London (TfL) to deliver improved transport links to London
- It has a place on the London Regional Technical Advisory Board (for Waste Management)
- It has a place on the South West London Drain London Flood Group
- It has meetings with planning officers from neighbouring boroughs on planning matters of common concern
- It is in contact with English Heritage, Natural England and Environment Agency on various matters of common interest.

**3.27** The Council will continue to work with its Duty to Cooperate bodies on strategic matters and intends to produce a Statement of Cooperation based on the requirements in the national *Planning Practice Guidance*, which can be found at:

<http://planningguidance.planningportal.gov.uk/blog/guidance/duty-to-cooperate/what-is-the-duty-to-cooperate-and-what-does-it-require> and/or any other subsequent guidance.

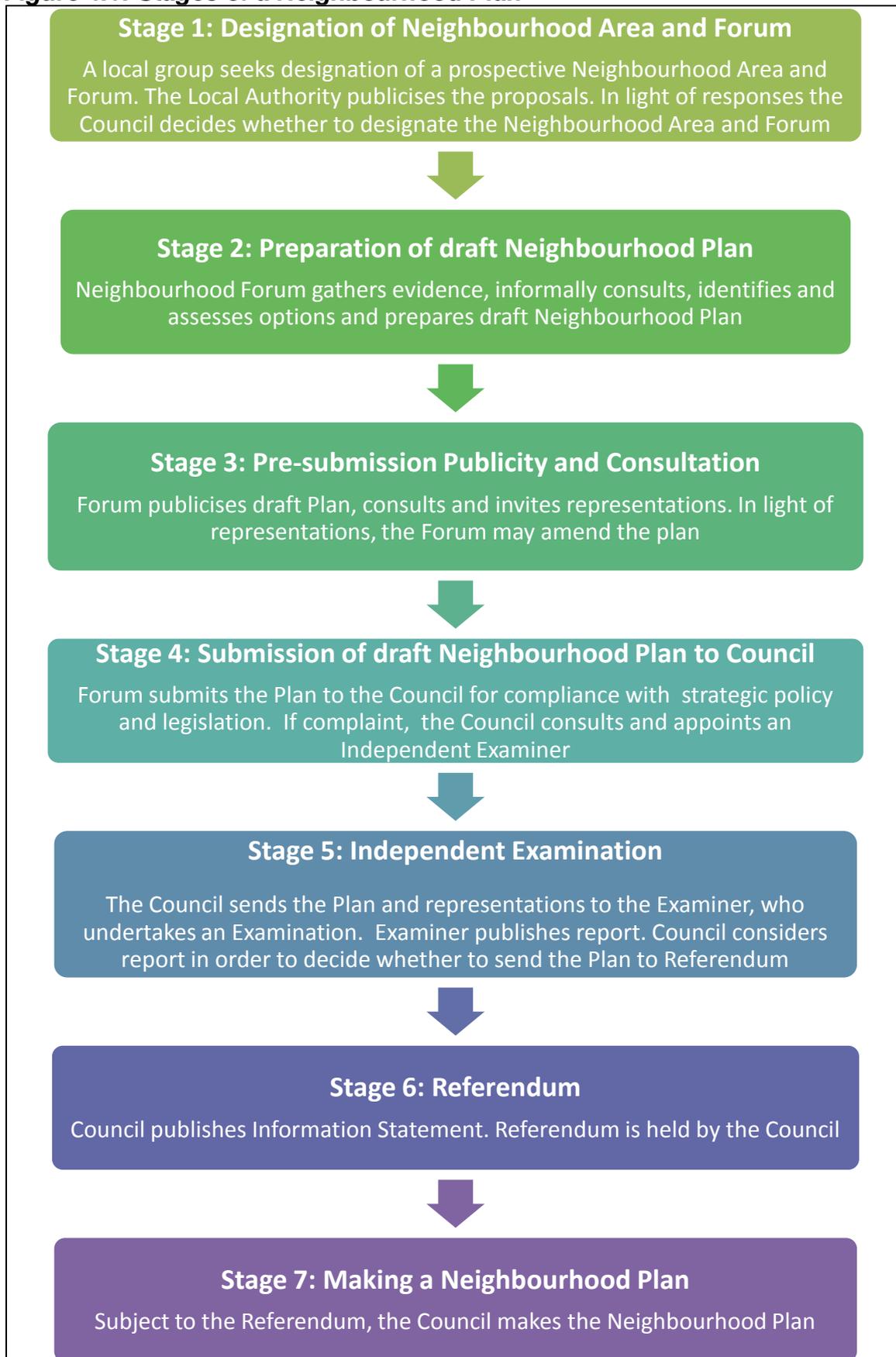
## 4. Neighbourhood Planning and Community Action Consultations

### Neighbourhood Development 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 Development Plans.
- 4.2 In the London Borough of Sutton, Neighbourhood Development 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, 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. The *Localism Act* recognises that not all communities are residential in nature and, in areas that are predominately commercial, a business-led neighbourhood forum can be established.
- 4.3 Neighbourhood forums can use new neighbourhood planning powers to establish general planning policies for the development and use of land in a neighbourhood. These are described legally as Neighbourhood Development Plans. Local councils will continue to produce development plans that will set the strategic context within which Neighbourhood Development Plans will sit.
- 4.4 Neighbourhood Development Plans have to meet a number of conditions before they can legally come into force. These conditions are to ensure plans are legally compliant and take account of wider policy considerations (e.g. national policy). The 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 (i.e. such as in a core strategy)
  - 3) They must be compatible with EU obligations and human rights requirements.
- 4.5 An independent qualified person checks that a Neighbourhood Development 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 Development 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 April 2014, the Council had designated two Neighbourhood Areas and Fora which were preparing their plans. The two neighbourhood planning areas are: (1) Hackbridge and Beddington Corner and (2) Beddington.
- 4.8** Figure 4.1 shows the main stages of a Neighbourhood Development Plan and Table 4.1 shows how the Council will consult when it is involved in the neighbourhood plan process. The Neighbourhood Forum undertakes some of the consultation responsibilities.

**Figure 4.1: Stages of a Neighbourhood Plan**



**Table 4.1: Consultation Arrangements for a Neighbourhood Plan**

Stage	Consultation Details	Consultees	Consultation Methods
<p><b>Stage 1: Designation of Neighbourhood Area and Forum</b> [SI 637/2012: Reg 5, 6, 7, 8, 9 and 10]</p> <p><b>Reason for Stage:</b> To ensure Forum and Area are suitable to be designated</p> <p><b>Result:</b> Depending on responses, the Council designates Forum and Area</p>	<ul style="list-style-type: none"> <li>● Council consults on Prospective Forum's application and statement that the Forum will be the only one in the Area for 6 weeks.</li> <li>● Prospective Forum identifies Area and produces Statement of Case. Council consults on map of Area for 6 weeks.</li> </ul>	<p>Any person who lives, works or carries on a business within the proposed area</p>	<p><b>For the consultation and publication of the result of the consultation:</b></p> <ul style="list-style-type: none"> <li>● Council website: dedicated page and consultation hub</li> <li>● Documents at Sutton Library, Sutton Civic Centre, Environmental Office and the library nearest to the proposed area</li> <li>● Notice in local newspaper</li> <li>● Press release</li> <li>● Information on the Community Notice Board</li> <li>● Facebook and Twitter</li> </ul>
<p><b>Stage 2: Preparation of draft Neighbourhood Plan</b></p>	<p style="text-align: center;"><b>THIS IS NOT A FORMAL CONSULTATION STAGE</b></p> <p>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.</p>		
<p><b>Stage 3: Pre-submission Publicity and Consultation</b> [SI 637/2012: Reg 14 and 15]</p>	<p style="text-align: center;"><b>THIS CONSULTATION STAGE IS HOSTED BY THE NEIGHBOURHOOD FORUM</b></p> <p>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.</p>		
<p><b>Stage 4: Submission of draft Neighbourhood Plan to Council</b> [SI 637/2012: Reg 16 and 17]</p> <p><b>Reason for Stage:</b> To ensure Plan has community support</p>	<ul style="list-style-type: none"> <li>● Draft Neighbourhood Plan</li> <li>● Consultation will be a minimum of 6 weeks</li> </ul>	<p>Any person who lives, works or carries on a business within the area</p>	<ul style="list-style-type: none"> <li>● Council website: dedicated page and consultation hub</li> <li>● Documents at Sutton Library, Sutton Civic Centre, Environmental Office and the library nearest to the proposed area</li> <li>● Notice in local newspaper</li> <li>● Press release</li> <li>● Information on the Community Notice Board</li> <li>● Facebook and Twitter</li> </ul>

<p><b>Result:</b> Representations will be sent to the Independent Examiner for his consideration</p>			
<p><b>Stage 5: Independent Examination</b> <i>[SI 637/2012: Reg 18]</i></p> <p><b>Reason for Stage:</b> To publicise Inspector's and Council's decision</p> <p><b>Result:</b> No representations are expected at this stage as this is for notification only</p>	<ul style="list-style-type: none"> <li>● Inspector's Report</li> <li>● Decision of the Council</li> </ul>	<p>Any person who lives, works or carries on a business within the area</p>	<ul style="list-style-type: none"> <li>● Council website: dedicated page and consultation hub</li> <li>● Documents at Sutton Library, Sutton Civic Centre, Environmental Office and the library nearest to the proposed area</li> <li>● Notice in local newspaper</li> <li>● Press release</li> <li>● Information on the Community Notice Board</li> <li>● Facebook and Twitter</li> </ul>
<p><b>Stage 6: Referendum</b> <i>[SI 2031/2012 and 798/2013]</i></p>	<p><b>THE REFERENDUM IS A MATTER FOR THE COUNCIL'S ELECTORAL SERVICE</b></p> <p>The Planning Service will not proscribe the requirements of this stage</p>		
<p><b>Stage 7: Making a Neighbourhood Plan</b> <i>[SI 637/2012, Reg 19 and 20]</i></p> <p><b>Reason for Stage:</b> To publicise the Council's decision</p> <p><b>Result:</b> No representations are expected at this stage as this is for notification only</p>	<ul style="list-style-type: none"> <li>● Neighbourhood Plan</li> <li>● Background documents (if required)</li> </ul>	<p>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</p>	<p><b>For deciding to make a Plan and after making a Plan:</b></p> <ul style="list-style-type: none"> <li>● Council website: dedicated page and consultation hub</li> <li>● Documents at Sutton Library, Sutton Civic Centre, Environmental Office and the library nearest to the proposed area</li> <li>● Notice in local newspaper</li> <li>● Press release</li> <li>● Information on the Community Notice Board</li> <li>● Facebook and Twitter</li> </ul>

## **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 similar preparation stages to *Neighbourhood Development Plans*.
- 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/5/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

## **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 Development 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 require a consultation in order 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/5/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/ukxi/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 2010 (SI 2184/2010)* 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 a 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 5.16 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 and 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 hand.
- 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 Development Control Committee for decision. The request to de-delegate the planning application must be made within 21 days of the publication of the *Weekly List of Planning*

*Applications* and must give a valid planning reason why the application should not be determined under delegated authority.

- 5.8** The *Weekly List of Planning Applications* is distributed to all councillors by email. Local groups can be put on the circulation list by emailing a request to [developmentcontrol@sutton.gov.uk](mailto:developmentcontrol@sutton.gov.uk) with “Weekly List Notification” in the subject line.
- 5.9** Applications that are to be determined by committee will be reported to the Development Control 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** Petitioners and representatives of recognised Sutton organisations may speak for up to four minutes in relation to a planning application at the meeting at which the application is to be considered, subject to certain conditions.
- 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 planning policies adopted by the Council at the time of determination (namely the Local Development Framework or the Local 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: <http://gis.sutton.gov.uk/FASTWEB/welcome.asp>.
- 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**

<b>Term</b>	<b>Definition</b>
<b>All adjoining properties</b>	<p>This refers to the General Development Order term “adjoining owner or occupier” and is defined as any owner or occupier of any 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>
<b>Additional Neighbour Notification</b>	<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>
<b>Application Site</b>	<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>
<b>Major Application</b>	<p>Residential: 10 or more dwellings or where the site is 0.5ha or more Commercial: 1,000m<sup>2</sup> 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>
<b>Minor Application</b>	<p>Development type not referred to elsewhere Residential: Up to 9 dwellings or where the site is less than 0.5ha Commercial: Up to 999m<sup>2</sup> of floorspace or sites of less than 1ha</p>
<b>Change of Use</b>	<p>Applications for the change of use of an existing building, or land, without extension or new buildings Where the floor area is 1,000m<sup>2</sup> or more or the site is 1ha or more, then it is taken to be a Major Application</p>
<b>Householder Application</b>	<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 a 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"> <li>Local Newspaper Notice</li> <li>Site Notice</li> </ul> <p><b>[SI 2184/2010, Reg 13 (2 and 3)]</b></p>	<ul style="list-style-type: none"> <li>According to use proposed:</li> <li>Local Newspaper Notice</li> <li>Site Notice</li> </ul>

**Table 5.3: Applications for Major or Sensitive Development**

Statutory Requirements	Council's Notification Policy
<ul style="list-style-type: none"> <li>Local Newspaper Notice</li> <li>Site Notice OR letter to adjoining owner/occupiers</li> </ul> <p><b>[SI 2184/2010, Reg 13 (4)]</b></p>	<ul style="list-style-type: none"> <li>Owners/occupiers adjoining/opposite new access or junctions</li> <li>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</li> <li>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</li> <li>Site Notices</li> <li>Local Newspaper Notice</li> </ul>

**Table 5.4: Applications for Minor Development**

Type	Statutory Requirements	Council's Notification Policy
<b>New Build</b>	<ul style="list-style-type: none"> <li>Site Notice OR letter to adjoining owner/occupiers</li> </ul> <p><b>[SI 2184/2010, Reg 13 (5)]</b></p>	<ul style="list-style-type: none"> <li>Letters to all adjoining properties</li> <li>Site Notice</li> <li>For new access/junctions, owner/occupiers who are adjacent or opposite</li> </ul>
<b>Shopfronts, Replacement Windows, Small School Extensions</b>	<ul style="list-style-type: none"> <li>Site Notice OR letter to adjoining owner/occupiers</li> </ul> <p><b>[SI 2184/2010, Reg 13 (5)]</b></p>	<ul style="list-style-type: none"> <li>Site Notice ONLY</li> </ul>

**Table 5.5: Householder Applications**

Statutory Requirements	Council's Notification Policy
<ul style="list-style-type: none"> <li>Site Notice OR letter to adjoining owner/occupiers</li> </ul> <p><b>[SI 2184/2010, Reg 13 (5)]</b></p>	<ul style="list-style-type: none"> <li>Letter to all adjoining owner/occupiers</li> </ul>

**Table 5.6: Applications for Change of Use**

Use Class	Statutory Requirements	Council's Notification Policy
<b>A1: Retail</b>	<ul style="list-style-type: none"> <li>Site Notice OR letter to adjoining owner/occupiers</li> </ul> <p><b>[SI 2184/2010, Reg 13 (5)]</b></p>	<ul style="list-style-type: none"> <li>Letters to adjoining properties AND</li> <li>Site Notice</li> </ul>
<b>A2: Financial and Professional</b>	<ul style="list-style-type: none"> <li>Site Notice OR letter to adjoining owner/occupiers</li> </ul> <p><b>[SI 2184/2010, Reg 13 (5)]</b></p>	<ul style="list-style-type: none"> <li>Letters to adjoining properties AND</li> <li>Site Notice</li> </ul>

<b>Services</b>		<ul style="list-style-type: none"> <li>• Larger area according to type and size of use</li> </ul>
<b>A3: Restaurant and Cafes</b> <b>A4: Drinking Establishments</b> <b>A5: Hot Food Takeaways</b>	<ul style="list-style-type: none"> <li>• Site Notice OR letter to adjoining owner/occupiers <b>[SI 2184/2010, Reg 13 (5)]</b></li> </ul>	<ul style="list-style-type: none"> <li>• Letters to all adjoining properties AND</li> <li>• Site Notice</li> </ul>
<b>B1: Business</b>	<ul style="list-style-type: none"> <li>• Site Notice OR letter to adjoining owner/occupiers <b>[SI 2184/2010, Reg 13 (5)]</b></li> </ul>	<ul style="list-style-type: none"> <li>• Letters to adjoining properties AND</li> <li>• Site Notice</li> </ul>
<b>B2: Industry</b>	<ul style="list-style-type: none"> <li>• Site Notice OR letter to adjoining owner/occupiers <b>[SI 2184/2010, Reg 13 (5)]</b></li> </ul>	<ul style="list-style-type: none"> <li>• Letters to adjoining properties AND</li> <li>• Site Notice</li> </ul>
<b>B8: Storage and Distribution</b>	<ul style="list-style-type: none"> <li>• Site Notice OR letter to adjoining owner/occupiers <b>[SI 2184/2010, Reg 13 (5)]</b></li> </ul>	<ul style="list-style-type: none"> <li>• Letters to adjoining properties AND</li> <li>• Site Notice</li> <li>• Additional properties according to type and size of use</li> </ul>
<b>C1: Hotels, Boarding Houses and Guest Houses</b>	<ul style="list-style-type: none"> <li>• Site Notice OR letter to adjoining owner/occupiers <b>[SI 2184/2010, Reg 13 (5)]</b></li> </ul>	<ul style="list-style-type: none"> <li>• Letters to all adjoining properties AND</li> <li>• Site Notice</li> </ul>
<b>C2: Residential Institutions</b>	<ul style="list-style-type: none"> <li>• Site Notice OR letter to adjoining owner/occupiers <b>[SI 2184/2010, Reg 13 (5)]</b></li> </ul>	<ul style="list-style-type: none"> <li>• Letters to all adjoining properties AND</li> <li>• Site Notice</li> </ul>
<b>C2a: Secure Residential Institutions</b>	<ul style="list-style-type: none"> <li>• Site Notice OR letter to adjoining owner/occupiers <b>[SI 2184/2010, Reg 13 (5)]</b></li> </ul>	<ul style="list-style-type: none"> <li>• Letters to all adjoining properties AND</li> <li>• Site Notice</li> </ul>
<b>C3: Dwellings</b>	<ul style="list-style-type: none"> <li>• Site Notice OR letter to adjoining owner/occupiers <b>[SI 2184/2010, Reg 13 (5)]</b></li> </ul>	<ul style="list-style-type: none"> <li>• Letter to all adjoining properties AND</li> <li>• Site Notice</li> </ul>
<b>C4: Houses of Multiple Occupation</b>	<ul style="list-style-type: none"> <li>• Site Notice OR letter to adjoining owner/occupiers <b>[SI 2184/2010, Reg 13 (5)]</b></li> </ul>	<ul style="list-style-type: none"> <li>• Letters to all adjoining properties AND</li> <li>• Site Notice</li> </ul>
<b>D1: Non-residential institutions</b>	<ul style="list-style-type: none"> <li>• Site Notice OR letter to adjoining owner/occupiers <b>[SI 2184/2010, Reg 13 (5)]</b></li> </ul>	<ul style="list-style-type: none"> <li>• Letters to all adjoining properties</li> <li>• Site Notice</li> <li>• Larger area according to type and size of use</li> </ul>
<b>D2: Assembly and Leisure</b>	<ul style="list-style-type: none"> <li>• Site Notice OR letter to adjoining owner/occupiers <b>[SI 2184/2010, Reg 13 (5)]</b></li> </ul>	<ul style="list-style-type: none"> <li>• Letters to all adjoining properties</li> <li>• Site Notice</li> <li>• Larger area according to type and size of use</li> </ul>
<b>Sui Generis</b>	Dependent on proposal	<ul style="list-style-type: none"> <li>• Letters to adjoining properties</li> <li>• Site Notice</li> <li>• According to use proposed</li> </ul>

**Table 5.7: Applications for Advertisements**

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

**Table 5.8: Listed Building Consent**

Statutory Requirements	Council's Notification Policy
<ul style="list-style-type: none"> <li>Local Newspaper Notice</li> <li>Site Notice</li> </ul> <p><b>[Planning (Listed Buildings and Conservation Areas) Act 1990, Article 11(3)]</b></p>	<ul style="list-style-type: none"> <li>Letters to all adjoining properties</li> <li>Additional properties according to proposed works</li> </ul>

**Table 5.9: Applications for Telecommunications Equipment**

Statutory Requirements	Council's Notification Policy
<ul style="list-style-type: none"> <li>Site Notice OR letter to adjoining owner/occupiers</li> </ul> <p><b>[SI 2184/2010, Reg 13 (5)]</b></p>	<ul style="list-style-type: none"> <li>Letters to all properties within a 100-metre radius of the site</li> <li>Site Notice</li> </ul>

**Table 5.10: Applications relating to Trees**

Type of Application	Statutory Requirements	Council's Notification Policy
<b>To fell a tree protected by a Tree Preservation Order</b>	None, but advised to.	<ul style="list-style-type: none"> <li>Letters to all adjoining properties</li> <li>Exception: In the case of trees in rear gardens, properties facing the front of the application site and separated by a road will not be notified</li> </ul>
<b>To fell a tree in a Conservation Area</b>	None, but advised to.	<ul style="list-style-type: none"> <li>Letters to adjoining owners/occupiers</li> </ul>

**Table 5.11: Prior Approvals**

Type of Request	Statutory Requirement	Council's Notification Policy
<b>House Extensions</b>	<ul style="list-style-type: none"> <li>Letter to adjoining owner/occupiers</li> </ul> <p><b>[SI 1101/2013, Reg 4(3)]</b></p>	<ul style="list-style-type: none"> <li>Letters to all adjoining properties</li> </ul>
<b>Office to Residential</b>	<ul style="list-style-type: none"> <li>Site Notice OR letter to adjoining owner/occupiers</li> </ul> <p><b>[SI 1101/2013, Reg N(6)]</b></p>	<ul style="list-style-type: none"> <li>Letters to all adjoining properties</li> </ul>
<b>Telecommunications</b>	<ul style="list-style-type: none"> <li>Site Notice OR letter to adjoining owner/occupiers</li> </ul> <p><b>[SI 2184/2010, Reg 13(5)]</b></p>	<ul style="list-style-type: none"> <li>Letters to all properties with a 100-metre radius of the site</li> <li>Site Notice</li> </ul>

**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 but only where:</p> <ul style="list-style-type: none"> <li>the amendment would materially increase the size of the proposed development</li> <li>new issues are raised</li> </ul>

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

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

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

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

**Table 5.15: Demolition within a Conservation Area**

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

**Table 5.16: Applications which fall within a Conservation Area**

<b>Statutory Requirements</b>	<b>Council's Notification Policy</b>
<ul style="list-style-type: none"> <li>• Site Notice</li> <li>• Local Newspaper Notice</li> </ul> <p><b>[S73 and 67, 1990 Act]</b></p>	<ul style="list-style-type: none"> <li>• Letters as per application type</li> <li>• Site Notice</li> <li>• Local Newspaper Notice</li> </ul>

## **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 [ldf@sutton.gov.uk](mailto:ldf@sutton.gov.uk) or phone 020 8770 6453.

## APPENDIX

The consultation database contains the names and addresses of organisations, businesses and residents who wish to be consulted on planning policy matters. Tables A.1, A.2, A.3 and A.4 set out some of the consultees. The names of residents and businesses on the consultation database have not been reproduced for data protection reasons.

**Table A.1: Borough Organisations on Consultation Database (April 2014)**

South London Partnership
Institute of Cancer Research
Beddington Village Hall
BedZed Pavilion
Belmont Local History Group
Bio-Regional
Carshalton and District History and Archaeology Society
Carshalton Association for the Elderly
Carshalton Traders Association
Cheam Chamber of Trade
Cheam Priory Day Centre
Conservation Area Advisory Group
Cyclism/London Cycling Campaign Sutton
Cyclists' Touring Club
Eco Local
Holy Trinity Church
Home-Start Sutton
Job Centre Plus
Kimpton Industrial Park Proprietors Association
Multiple Sclerosis Society Sutton
North Cheam Traders Association
Orchard Hill College
Reed Business Information
Religious Society of Friends
Roundshaw and District Senior Citizens Club
Social Enterprise Network
St Raphael's Hospice
Successful Sutton
Sutton Carers Centre
Sutton Centre for Independent Living and Learning
Sutton Centre for the Voluntary Sector
Sutton Chamber of Commerce
Sutton Living Streets
Sutton Mencap
Sutton Old People's Welfare Committee
Sutton Rail Users Forum
Sutton Seniors Forum
Sutton Talking Newspaper Association
Sutton United Football Club
The Alzheimer's Society Sutton
The Holy Family Church
Wallington Forum
Victim Support Sutton
Worcester Park Traders Association

**Table A.2: Organisations with Borough Interests on Consultation Database (April 2014)**

Federation of Small Businesses Institute of Cancer Research NHS London Healthy Urban Development Unit Royal Marsden NHS Foundation Trust The Theatres Trust The Woodland Trust
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**Table A.3: Residents Associations on Consultation Database (April 2014)**

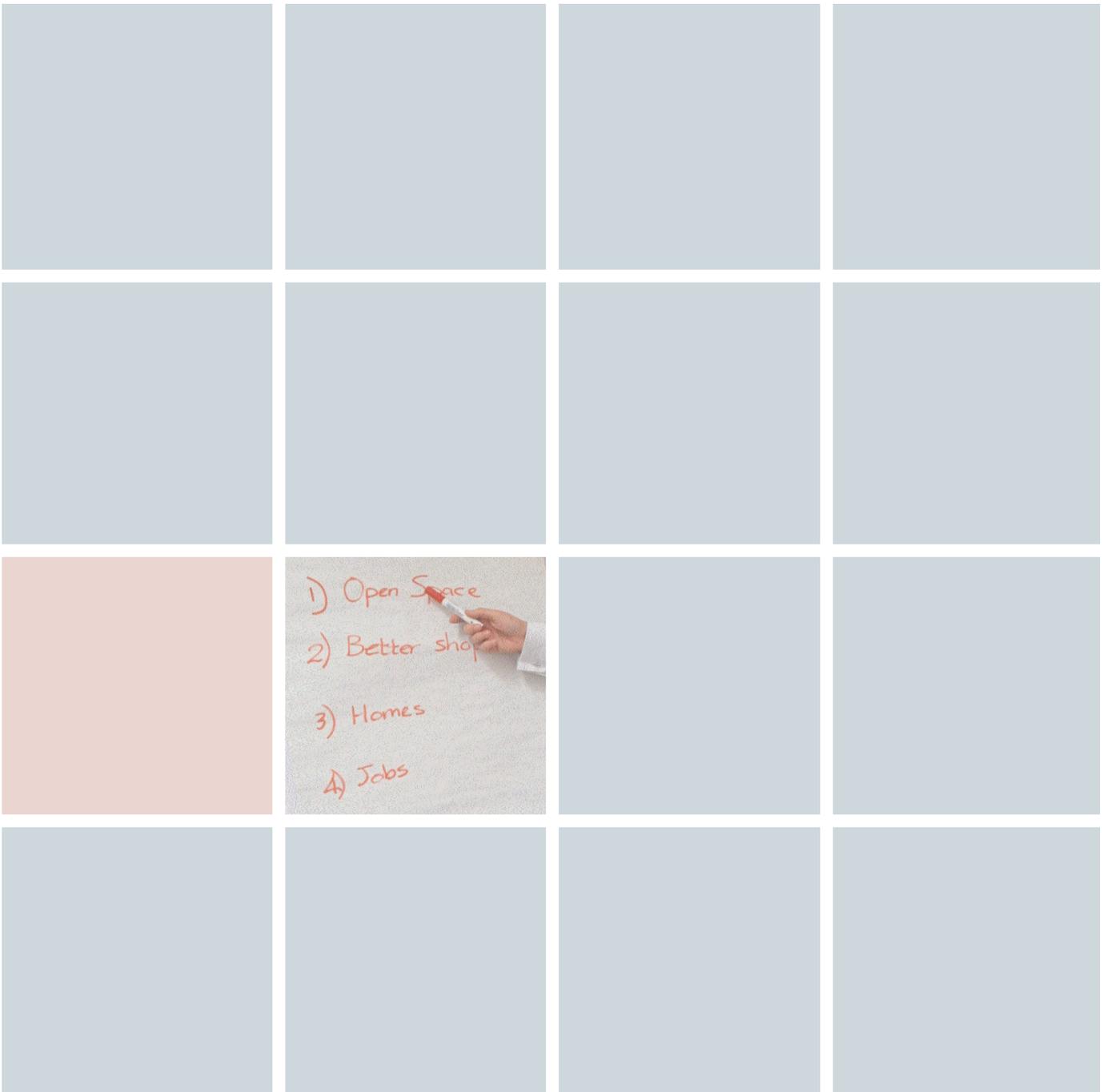
Brookside Residents Association Clockhouse Farm Estate Residents Association Clockhouse Residents Association Four Square Residents Group Hamptons Residents Association Sutton Leaseholders Association Wandle Valley Residents Association Watermead Lane Residents Association Wrythe Lane Residents Association Apeldoorn Residents' Association Beddington North Neighbourhood Forum Belmont and South Cheam Residents' Association Benilton Court Residents Association (BCRA Ltd) Carshalton Beeches Residents' Association Carshalton Fields Residents' Association Carshalton on the Hill Residents' Association Church Hill, Abbots and Priory Residents Association (CHAPRA) Heathdene Area Residents' Group Highfields Residents Association Moorlands Residents Association Onslow Gardens Residents' Association Rotary Clubs of Sutton South Sutton Neighbourhood Association South Wallington and District Resident Association Springboard Residents' Association Sutton and Cheam Society Sutton Garden Suburb Residents' Association The Carshalton Society Woodcote Green Residents' Association Worcester Park Residents' Association Beddington Farmlands and Beddington Residents Flight Path Residents Association. Friends of Roundshaw Open Space Hackbridge & BC Neighbourhood Development Group
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**Table A.4: Specific Consultees on Consultation Database (April 2014)**

London Fire and Emergency Planning Authority (LFEPA)  
London Fire Brigade  
Sutton and Croydon Borough Fire Brigade Team  
Greater London Authority  
The Mayor of London  
Department for Communities and Local Government  
Department of Health  
English Heritage  
Environment Agency  
Equality and Human Rights Commission  
Forestry Commission  
Health & Safety Executive  
Highways Agency  
Ministry of Defence Estates - Operations South  
Natural England  
OFGEM  
Secretary of State for Transport  
Sport England  
The Crown Estate  
The Department for Culture Media and Sport  
The Department for Education and Skills  
The Department for Environment, Food and Rural Affairs  
The Home Office  
The Planning Inspectorate  
Epsom and St. Helier NHS Trust  
NHS Property Services Ltd  
Surrey and Sussex Healthcare NHS Trust  
Surrey Primary Care Trust  
Sutton Clinical Commissioning Group  
BSKYB  
Cable and Wireless  
Countrywide Energy  
Ecotricity  
EDF Energy - Infrastructure Planning  
Everything, Everywhere  
Good Energy  
Green Energy  
HM Prison Service Headquarters  
Hutchinson 3G  
National Grid  
Npower  
NTL Group  
O2  
Ofcom  
Royal Mail Group Limited  
Scotia Gas Networks  
Scottish and Southern Energy PLC  
Siemens  
Southern Gas Networks  
Sutton & East Surrey Water plc  
Telecom Plus  
Thames Water Utilities Ltd  
UK Power Networks  
Utilita Services Limited

Vodafone Ltd  
Epsom and Ewell Borough Council  
London Borough of Croydon  
London Borough of Merton  
London Borough of Richmond  
Reigate and Banstead Borough Council  
Royal Borough of Kingston-upon-Thames  
Surrey County Council  
British Geographical Survey  
British Waterways  
Fields in Trust (former National Playing Fields Association)  
Friends of the Earth  
Friends of the Elderly  
London Wildlife Trust  
National Trust (Southern Region)  
National Trust (Thames and Solent Region)  
Metropolitan Police Authority  
Metropolitan Police Service  
First Capital Connect  
London Buses  
London General Transport Services Limited (Go-Ahead London)  
London Travel Watch  
Metrobus Ltd  
Network Rail  
Rail Freight Group  
South West Trains  
Southern Trains  
Tram Operations Limited (Tramlink)  
Transport for London





## Environment and Neighbourhoods

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Environment and Leisure  
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[ldf@sutton.gov.uk](mailto:ldf@sutton.gov.uk)

December 2014