

Taking Part in Planning in Hartlepool

Statement of Community Involvement (SCI)



January 2010





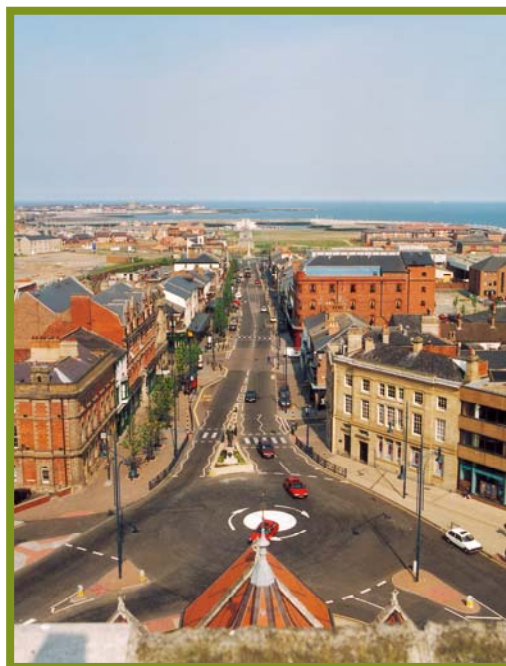


Statement of Community Involvement (SCI) 2010

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Foreword

Foreword by the Mayor October 2009

The planning system within England and Wales, altered in 2004, now aims to comprise of a suite of documents known as the Local Development Framework (LDF). The LDF incorporates the Statement of Community Involvement (SCI) which sets out how the Council intends to inform, consult and involve everyone in the planning process. The first Hartlepool SCI was adopted in 2006 and has been a great success and has helped to stimulate the involvement of the general public within the planning process.

The 2006 SCI ensured that communication with the public was of a high standard and has enabled the opinions of the local people to be reflected within the development of the Borough. I hope that the 2009 SCI, which is in line with the Hartlepool Community Strategy, continues to encourage a high standard of communication and gives the people of Hartlepool a clear understanding of how and when they can get involved with planning issues across the Borough.

I would encourage all residents and other interested parties to get involved in the consultation on planning documents as this is your opportunity to help guide our towns development in the future.

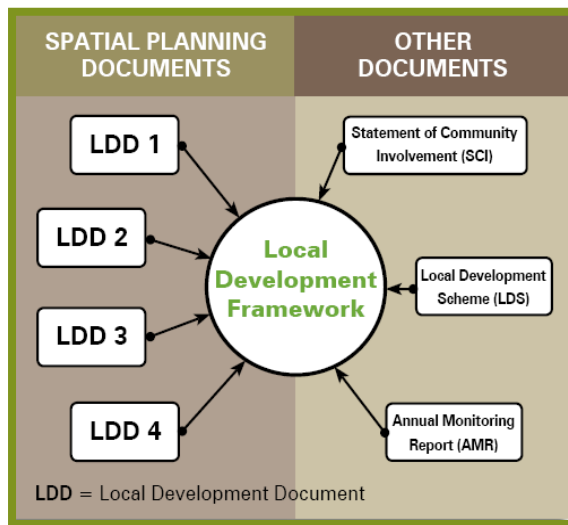


Stuart Drummond
Mayor of Hartlepool Borough Council
September 2009

1. Introduction

a) What is the SCI

- 1.1 The Statement of Community Involvement sets out how Hartlepool Borough Council intends to involve the community, including voluntary and community groups, local residents, businesses, landowners, statutory agencies and others with an interest, in the planning system.
- 1.2 The planning framework at the local level, as explained in more detail in Section 2 and Appendix 1, is known as the **Hartlepool Local Development Framework**. Ultimately it is made up of a collection of 'Local Development Documents' (LDDs) setting out the planning strategy and policies for Hartlepool together with other related documents including this Statement of Community Involvement.



(Diagram 1)

- 1.3 The Statement of Community Involvement is thus an integral part of the planning Framework. Its introduction reflects the intentions of Central Government to encourage greater public involvement in the planning process, at both an early stage and throughout.

Certain requirements for consultation are set out in government regulations¹ and the SCI incorporates and goes beyond these minimum requirements for community involvement. Hartlepool Council considers that all those likely to be interested should have the opportunity to be involved in the preparation of new planning documents and in the consideration of planning applications. It therefore prepared the October 2006 SCI as its first priority under the current planning system.

b) SCI review

- 1.4 Hartlepool adopted its first Statement of Community Involvement in October 2006. The SCI was produced with the assistance of the Hartlepool community and other key stakeholders in the Borough. The document has been useful for the public and developers as it explains when and how the public can get involved in the development process and it guides developers in relation to our expectations of their commitment to public involvement.
- 1.5 Planning Policy Statement 12 - which is central government guidance that Hartlepool Borough Council had to follow was updated and published in June 2008. The Government guidance made reference to the SCI and what should be incorporated into an SCI to help engage the public, developers and any other interested party in the development of their local area.
- 1.6 The existing SCI adopted in October 2006 requires reviewing and updating so that it takes into account the new guidelines from central government.

¹ The Town and Country Planning (Local Development) (England) Regulations 2004.

- 1.7 The key principles of the SCI remain the same but the major areas of change in light of the updated PPS12 have been in:
- The Document preparation process (explained in section 5)
 - The planning application stage now incorporates information on public involvement in planning obligations
 - (section 6e), and
 - The tests of soundness have changed from nine tests to three (appendix 2).
 - Other aspects of the SCI have altered too since its adoption in 2006, so it is necessary to review all the sections to ensure the information is not only in line with government guidance and Council protocol but is up to date and remains a useful and effective tool to residents and developers.

1.8 One major change within the Council has been the endorsement of the Hartlepool Compact. The Hartlepool Compact was in the development stage when the 2006 SCI was adopted but now the compact has been agreed. The Hartlepool Compact is an agreement between the Council, The Hartlepool Partnership, local service providers and commissioners of services and the Voluntary and Community Sector. The purpose of the Compact is to set out codes of practice and terms of engagement that will improve relationships and benefit the communities within Hartlepool. Further information in relation to the Compact can be viewed in section 3c

1.9 The revised SCI firstly gives a brief introduction to the planning Framework of Local Development Documents (Section 2). The linkage between the SCI and other consultation initiatives is explained in Section 3 and the Council's strategy on community involvement is set out in Section 4. Sections 5 and 6 explain when and how the Council will involve the community and others with an interest in both the plan making process and in the consideration of planning applications. Resourcing and managing the process of community involvement is considered in Section 7 and the monitoring and review of the process is highlighted in Section 8. Finally an end-note provides information on how to get help and advice on the planning system.

A jargon buster explaining the acronyms and technical terms used in this document is included at Appendix 6.

c) Cautionary Note

1.10 Sometimes it is not possible to find solutions that satisfy everybody as planning seeks to achieve a balanced and sustainable approach to development. Further, issues such as available resources, statutory requirements and national and regional policy guidance also need to be considered. Getting involved does, therefore, not always guarantee that all of your views will prevail, but the Council will aim to consider all the issues that you and others raise.



2 The Local Development Framework (LDF)

a) Background and Contextual Information

- 2.1 Appendix 1 summarises the framework of the planning system and explains why we plan, what a Development Plan is, what new documents within the Hartlepool Local Development Framework are designed to do, and outlines the role of sustainability appraisal in the process.
- 2.2 A booklet is available from the Department of Communities and Local Government, explaining more about the planning system (<http://www.communities.gov.uk/publications/planningandbuilding/creatingbetterplaces>).

b) The Hartlepool Local Development Framework

- 2.3 New **Local Development Documents** within the **Hartlepool Local Development Framework** will over time replace the **Hartlepool Local Plan**. These together will set out the vision, objectives, spatial strategy and policies for planning and development in Hartlepool extending over a period of up to 15 years or so. They will seek to ensure that the future development of the Borough is planned in a sustainable manner.
- 2.4 The **Local Development Documents** (or **LDDs** for short) which are being prepared in consultation with the community, comprise two types:
1. Development Plan Documents (DPDs)
 2. Supplementary Planning Documents (SPDs)

22.5 **Development Plan Documents** form part of the **statutory** Development Plan for Hartlepool². The Development Plan sets out the spatial planning strategy and planning policies for the area. The DPDs that are prepared will ultimately replace the Hartlepool Local Plan and, in a similar way to the local plan, will be subject to independent public examination by a government appointed inspector.

Development Plan Documents include:

- **Core Strategy**, which will set out the key elements of the planning framework for the area,
- **Site Allocations** where land is allocated for specific uses,
- **Area Action Plans** for areas where significant change or conservation is needed, and
- **Proposals Map** showing areas affected by development plan policies

2.6 **Supplementary Planning Documents** (SPDs) are **non-statutory** documents expanding on or providing further detail to policies in a development plan document. They can take the form of design guides, development briefs, master plans or issue-based documents. Although SPDs will be subject to full public consultation, they will **not** be independently examined.

2.7 The processes for preparing these **Local Development Documents** highlighting the main opportunities for community involvement are set out in Diagrams 1 and 2 in section 5a. The process for preparing SPDs is similar to, but more simple than, that for preparing DPDs.

² The other part of the Development Plan is the Regional Spatial Strategy prepared by the North East Regional Assembly.

- 2.8 The social, environmental and economic effects of the strategies and policies contained within **Local Development Documents** must be assessed **from the start of the process of their preparation**. This continuing assessment known as a Sustainability Appraisal will be used at each stage of the preparation of LDDs to guide the strategies and policies that are being developed and ensure that they meet the government's aims for sustainable development.
- 2.9 The adoption of the **Hartlepool Local Plan in 2006** reduced the need to prepare **Local Development Documents** in the short term as there are up to date planning policies in place. All the policies within the local plan were saved until April 2009 and a number of policies within the Local Plan have been saved for a further three year period up until April 2012. Some policies were no longer required as they are covered within national or regional guidance. A list of the saved polices can be found on the council web site, (<http://www.hartlepool.gov.uk/downloads>).

- 2.10 Council officers are currently collecting detailed information on a number of key subject matters for the Core Strategy that, along with various other DPD's, will ultimately replace the Hartlepool Local Plan. The Council will be consulting the public widely to assist in the preparation of the Core Strategy and ultimately aim for adoption of the Core Strategy in 2011.
- 2.11 Development Plan Documents and Supplementary Planning Documents on a wide range of issues and areas within Hartlepool are currently being put together by the Planning Policy team. Further information on the Council's programme for the preparation of new documents can be viewed in the Local Development Scheme (2009), which is available at the Council's main offices and can be found on the Hartlepool Website (www.hartlepool.gov.uk).

(Further information on the Core Strategy and local development scheme can be found in Appendix 1).



3. How the Statement of Community Involvement Relates to Other Policies and Plan

a) Hartlepool's Community Strategy

3.1 Hartlepool's Community Strategy, "*Hartlepool's Ambition*" 2008 provides a policy framework for Hartlepool for the next 15 years. It sets out a long-term vision that:

Hartlepool will be an ambitious, healthy, respectful, inclusive, thriving, and outward-looking community, in an attractive and safe environment, where everyone is able to realise their potential.

3.2 This Vision is further articulated through a set of Aims, Outcomes, and associated Objectives grouped into eight themes:

1. Jobs and the Economy
2. Lifelong Learning & Skills
3. Health and Wellbeing
4. Community Safety
5. Environment
6. Housing
7. Culture & Leisure
8. Strengthening Communities

3.3 Delivering *Hartlepool's Ambition* relies not only on effective partnerships able to deliver excellent services but also on the decisions we take to shape our local environment. Decisions on the location and quality of social, economic and environmental change affects everything from the location of major new transport or energy facilities and employment development, through to the development of new shops, schools, houses or parks needed by local communities.

3.4 Spatial planning operates at a range of different scales of activity, from the North East Regional Spatial Strategy (RSS) to the more localised design and organisation of our town, villages and neighbourhoods set out in Hartlepool's Local Development Framework (LDF).

3.5 The Community Strategy and the LDF are strongly linked. The Community Strategy establishes Hartlepool's priorities and the LDF provides a spatial expression of these, setting out in more detail those elements that relate to the development and use of land.

3.6 The Community Strategy is prepared and overseen by the Hartlepool Partnership.³ The Partnership works through a Board and a series of Theme Partnerships. A key principle that the Partnership works to is involving all parts of the community at all stages in the development, delivery and monitoring the Strategy. The significance of this principle is fully recognised within the SCI.

3.7 The Partnership has adopted a Protocol with the Hartlepool Community Network⁴ that provides a framework to strengthen the working relationship between the two partners. Section three of the Protocol provides information on consultation activity and describes how this should be carried out.

³ The Hartlepool Partnership is the 'Local Strategic Partnership' for the town and consists of a network of partnerships linked together and representing all of the key public sector organisations, private businesses, community, voluntary and residents' groups.

⁴ The Hartlepool Community Network is an organisation funded up by Central Government to seek to influence the decision making processes in Hartlepool and particularly to support voluntary/community sector and resident input into the Hartlepool Partnership and other partnerships.

- 3.8 The protocol is built on Hartlepool's COMPACT agreed between Hartlepool Borough Council and the Community and Voluntary Sector. The protocol sets out a Code of Practice for communication and consultation, to ensure effective systems and mechanisms are in place for regular exchanges of information and ideas. It also aims to encourage the fullest participation, taking into account the needs of voluntary and community groups.
- 3.9 The key principles and standards of this protocol have been developed to form the cornerstone of the SCI and are fully reflected in its guiding principles and service standards (see Section 4b and Appendix 3).

b) Corporate Consultation Strategy

- 3.10 The Council's Corporate Consultation Strategy which was adopted in 2005, outlines the purpose, needs and benefits of a consultation framework. It is available on the Council's Website (www.hartlepool.gov.uk). The Council's Corporate Strategy Section, with the assistance of individual departments coordinates a database on all of the Council's consultation activities. This assists in the co-ordination of consultation activity, helps to avoid duplication, maximises the use of resources and allows the sharing of information and expertise gained from consultation exercises. A Corporate Consultation Group, with representatives from all Council departments, contributes to the review and monitoring of the strategy and this group has helped to shape the SCI. The Councils online consultation system, Your Town Your Say (<http://consultation.hartlepool.gov.uk>) and in particular its Planning Policy section (www.hartlepool.gov.uk/planningpolicy) provides an additional way of consulting on planning issues both large and small.

c) Hartlepool Compact

- 3.11 The Hartlepool Compact was endorsed in October 2008 by Hartlepool Borough Council and the Hartlepool Partnership. The Compact is an agreement between Hartlepool Borough Council, local service providers and commissioners of services and the Voluntary and Community Sector.
- 3.12 The purpose of the Compact is to set out codes of practice and terms of engagement that organisations will agree to work to and more importantly have signed up to. This will ensure that all partners are aware of and can be responsible for the level of engagement expected from them and what they expect from others when working in partnership. This mutual agreement between partners will improve their relationships and benefit the communities within Hartlepool.
- 3.13 In addition to the Hartlepool Compact, there is a Hartlepool Compact Action Plan. This sets out agreed actions for partners outlined in the Compact to work towards, this action plan will be reviewed and updated regularly.
- 3.14 The Hartlepool Compact is available on the Councils and Hartlepool Partnership's websites. (www.hartlepool.gov.uk and www.hartlepoolpartnership.co.uk).

4. Strategy on Community Involvement in the Planning Process

a) Aim and Vision of the SCI

4.1 The Council has a good track record of consulting and involving people and, like all local authorities, is facing a growing demand for increased consultation and engagement with local communities. Some of the main benefits of community involvement are outlined below:

- it strengthens the evidence base for plans, strategies and planning decisions – local communities can bring a different perspective to planning and should be valued for their expertise, opinions, insight and local knowledge;
- it creates community commitment to the future development of an area – local people can be encouraged to make a difference in their area, with long-term benefits;
- it promotes regeneration and investment – by publicising proposals and inviting the involvement of local communities, authorities can demonstrate their commitment to improving areas and facilitating joint working to achieve better quality outcomes; and
- it fosters ownership and strengthens delivery - many elements of the Local Development Framework will require joint working between local planning authorities and local communities. Involving communities at an early stage of document preparation will help to resolve issues, thereby avoiding the need for lengthy independent examinations.

4.2 In an environment in which continuous improvement is expected of local authorities, there is a clear need to ensure that service developments are driven by local choices and preferences and that improvements in performance are judged by local people.

4.3 Reflecting this, the key aim of the Strengthening Communities theme of the Community Strategy is to:

“empower individuals, groups and communities and increase the involvement of citizens in all decisions that affect their lives”.

b) Guiding Principles

4.4 Based on the relevant elements of the Hartlepool Compact the guiding principles for the SCI are identified below. These principles are also consistent with the consultation criteria in the Government’s Code of Practice on Consultation⁵.

i. there will be a variety of consultation mechanisms but all exercises will be inclusive with every effort made to encourage the participation of the widest relevant interests;

ii. consideration will be given to the publication of a forward plan of consultation exercises to help people get involved;

iii. each consultation exercise will make clear its purpose and scope and will provide background information and contact details for additional information;

iv. information will include details of the time scale, any decisions already made, arrangements for expressing views and clarification on what influence those views will have and any other contributory factors to the final decision making;

v. there will be use of a comprehensive range of oral and written exercises to ensure that views can be collected from all sectors and communities as appropriate (different formats like languages, Braille, talking tapes, translators, large prints, readers for the visually impaired etc, will be made available, if requested);

⁵ code of practice on consultation (DCLG).

vi. once consultation is complete there will be clear and honest feedback setting out reasons for decisions made or the adoption of the specific approach. If there is a long term or ongoing process there will be regular updates;

vii. to avoid duplication and consultation fatigue, and to ensure the best use of resources, existing networks and for a will be utilised to publicise and organise consultation;

viii. there will be respect and confidentiality in relation to the privileged information that may be exchanged.

4.5 Appendix 3 sets out detailed service standards in relation to the preparation of documents within the Local Development Framework and to the consideration of planning applications. Council officers will examine how well these service standards are met by introducing and implementing appropriate monitoring systems.

c) Who will be consulted

4.6 Government Regulations⁶ identify bodies that will be consulted at specified stages in the preparation of **Local Development Documents** (see Appendix 4). These are included in the 'LDF consultees database' detailing these and other groups, organisations and businesses which the Council considers should normally be consulted. The database is updated as necessary and will be expanded to include any individuals or new groups who have expressed an interest.

4.7 In addition the Council is required by law⁷ to consult a number of other agencies about certain planning applications. For example, we will consult Natural England on a proposal which could affect a Site of Special Scientific Interest (SSSI). The Council also seeks the views of a wide range of other agencies from time to time on certain types of applications. For example, we will consult Tees Archaeology if we feel a site is potentially of archaeological interest. Appendix 5 identifies statutory and other main consultees for planning applications.

4.8 Beyond these specified organisations the Council in accordance with the equality and diversity scheme (2008-2011) recognises that it should put in place consultation measures which are accessible to all who might have an interest in a plan or planning application, including those groups who might face particular barriers to participation, for example young people, people with disabilities, the elderly, people with learning or communication difficulties and black and ethnic minority groups.

4.9 The Council will aim to develop a flexible, sensitive, customised approach to facilitate involvement.

4.10 In addition the Council welcomes any invitations for Council officers to attend groups/meetings to give advice and answer questions to secure the involvement of under represented groups.

4.11 The Council is also keen to raise the general awareness of what planning does and will talk, on request, to schools and colleges, parish councils and other interested parties (see Section 9 How to get Help and Advice).

⁶ The Town and Country Planning (Local Development) (England) Regulations 2004 - (Regulations 17, 25 and 26). The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008.

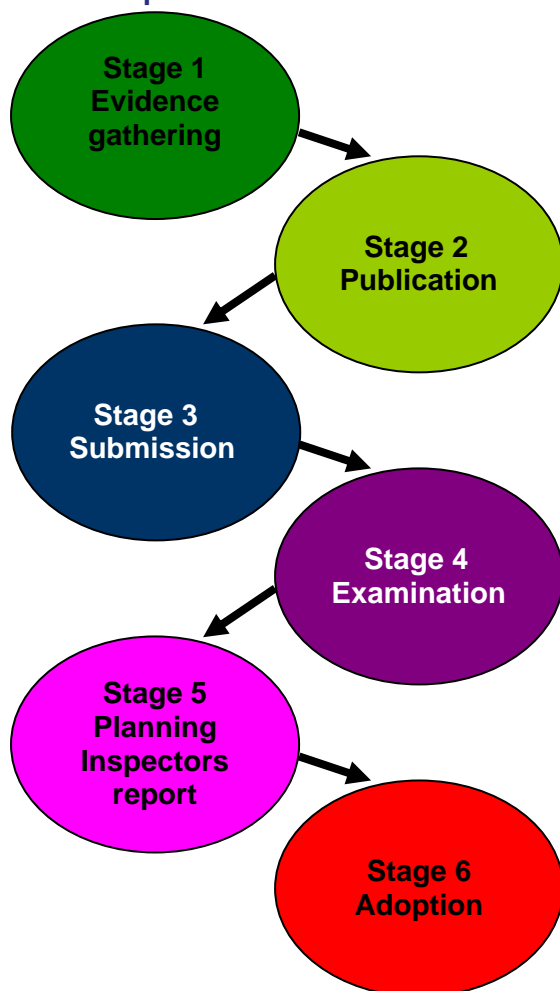
⁷ The Town and Country Planning Act 1990 and related Regulations.

5 How the Council plans to involve YOU in different stages of the plan making process

a) The Plan Making Process and Opportunities for Involvement

5.1 The Council wants to encourage as much involvement as possible throughout the plan making process. The methods used will vary according to the type of and stage of preparation of each development document. Diagrams 2 and 3 below outline the processes for the preparation of Local Development Documents (DPDs and SPDs).

Diagram 2: Process for the Preparation of Development Plan Documents.



Stage 1: Preparation (evidence gathering)

- 5.2 This stage is concerned with gathering evidence about the area or topic. The preparation stages are the time where the community and other bodies with an interest in the planning process can influence the content of the document and their input is crucial.
- 5.3 The Council will publicise its intention to prepare a DPD and consult relevant groups and organisations and the local community.
- 5.4 The evidence collecting stage can vary depending on the document subject. For some DPDs it may be necessary to carry out an Issues and Options public consultations stage and a Preferred Options consultation stage; however for others it may only be necessary to carry out one consultation stage during the preparation process. All consultation events will run for at least 8 weeks where practicable and in some cases maybe longer depending on the DPD subject.
- 5.5 The Council will have regard to representations received and set out in a 'Statement of Compliance' how it has addressed the main issues raised. Appropriate amendments will be made to the DPD to prepare it for publication. The Sustainability Appraisal will be finalised in the context of the amended DPD. During this stage a Strategic Environmental Assessment (SEA) and a Sustainability Appraisal (SA) will be carried to will help inform the evidence for policies and to help shape the final document. The SA/SEA will assess the likely social, environmental and economical impacts of the policies with the DPDs. A scoping report to ascertain whether or not an appropriate assessment is required will also be carried out.

Stage 2: Publication

- 5.6 The Council will publish the DPD (the Submission DPD), together with the Statement of Compliance and the Sustainability Appraisal and invite formal representations. There will be a minimum six week period allowed for these formal representations to be made.

Stage 3: Submission for Independent Examination

- 5.7 The Council will consider the representations received at Stage 2. In response, it may make 'focused' changes to the DPD.

- 5.8 If the Council wishes to make a focused change it will:

- prepare a report setting out the proposed change to the submission DPD
- conduct a sustainability appraisal of the implications
- consult the community and stakeholders on the changes for a period of 6 weeks. At the close of this consultation the Council will submit to the Secretary of State the following:
 - the proposed submission DPD,
 - the first representations,
 - the report on the changes and the
 - responses to the changes to the DPD.

Stage 4 Independent Examination

- 5.9 An independent planning inspector will consider whether the DPD is 'sound' (see Appendix 2). Persons and organisations making formal representations (at stage 2) will have the right to be heard at a public examination. Procedural arrangements for the examination will be established by the inspector at a pre-examination meeting.

Stage 5: Planning Inspectors Binding Report

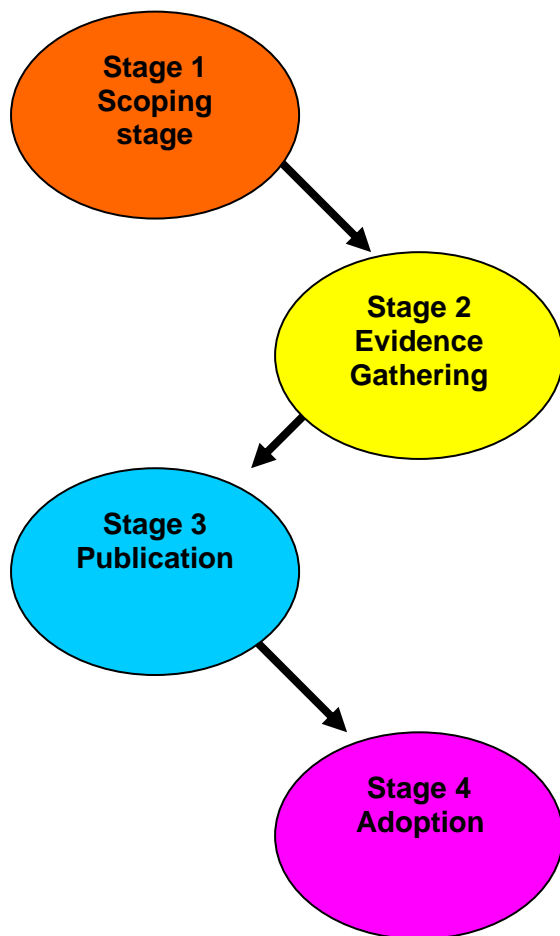
- 5.10 Following the end of the examination, the Inspector will submit his/her report to the Council. This report will recommend either that the DPD is 'unsound', 'sound' or can be made sound if specific changes are made to it. The report's recommendations will be binding on the Council.

Stage 6: Full Adoption by the Council

- 5.11 Provided that the DPD receives a 'sound' rating from Inspector's Report, the Council will then adopt the DPD as part of its statutory Local Development Framework.



Diagram 3: Process for the Preparation of Supplementary Planning Documents



Stage 1: Scoping Stage

5.12 Pre-production scoping to establish the need for the SPD and secure its inclusion in the Local Development Scheme. The Council will welcome input of relevant stakeholders and others at this stage and may seek input in the form of meetings, and written representations, dependent on the issues concerned. Involvement at this stage is expected to be targeted at particular groups or individuals.

Stage 2: Preperation (evidence gathering)

5.13 This stage is concerned with gathering evidence about the area or topic. The Council will publicise its intention to prepare an SPD and consult relevant groups and organisations and the local community for a period of no less than eight weeks.

5.14 The community and stakeholders will be encouraged to participate at this stage to ensure their early involvement in the preparation of the document.

The level and type of involvement will depend on the type and scope of the SPD. This stage is therefore likely to need a range of involvement, consultation and information approaches to attract the appropriate level of input.

5.15 As part of the process of preparing the draft SPD, the Council will assess the main issues arising out of the consultations undertaken at stage 1 and prepare a consultation statement which will set out how these issues have been addressed.

The Council will also prepare a Strategic Environmental Assessment (SEA) unless the statutory consultees all agree that it can be screened out, a Sustainability Appraisal (SA) if necessary and a scoping report to ascertain whether or not an appropriate assessment is required (further information on appropriate assessments can be viewed in Appendix 1 Section E Habitats Regulations).

Stage 3: Publication

5.16 The Council will publish the draft SPD together with the consultation statement and sustainability appraisal and invite representations. There will a minimum of six weeks allowed for these representations to be made.



Stage 4: Adoption of the SPD

5.17 The Council will consider all valid representations made and make any appropriate changes to the SPD before it is adopted. The adopted SPD will be published together with a statement of the consultation undertaken (which will also set out the representations received and the Council's response to these). The publication period will last for no less than four weeks and no more than six weeks. The final report of the sustainability appraisal will be published at the same time.



b) Methods for Involving the Community

5.18 Details of the ways in which the Council will involve the community and others with an interest in the plan-making process are set out in Table 1 below. In consulting with the community, the Council will take account of the nature of the interest of the individual or group being consulted and the extent of their knowledge of the process. In addition any documents at any of the stages will be available, on request from the Council, in different formats such as large print, Braille and different languages. Translators can also be made available on request.



Table 1: Methods of engaging and informing the community during the preparation of Local Development Documents

Offer advice and assistance to, and develop the knowledge and skills of, people and groups with little previous experience of the planning system:	
At all stages of preparation as necessary.	<ul style="list-style-type: none"> • provide officer advice and help; • arrange 'orientation' events for representatives of hard-to-reach groups, as required; • work with the Hartlepool Partnership and the Hartlepool Community Network to develop their roles as 'champions', encouraging participation in planning matters in their local communities and providing a community view on planning matters; and • promote the services offered by Planning Aid North amongst disadvantaged communities, the black and minority ethnic population, people with disabilities, young people and the elderly.
Seek views on the subject matter of the local development document:	
During the early stages of the preparation of Local Development Documents.	<ul style="list-style-type: none"> • by holding open participation events/exhibitions where planners will be available to discuss issues on an individual basis • by holding events, such as focus groups, for invited community representatives, organisations and individuals; • where invited and where possible, by attending other organisation's meetings; • by arranging specific events for groups who need particular encouragement to get involved, as required • by giving presentations at the Council's Neighbourhood Consultative Forums and Hartlepool Partnership, inviting discussion and comment; and • by contacting organisations with a specific interest in the subject matter of the document.
Make available background documents used as part of the preparation process for Local Development Documents:	
At issues and options, alternative sites, preferred options and submission stages for DPDs.	<p>Council's website in a downloadable form;</p> <ul style="list-style-type: none"> • by distributing all relevant documents to statutory consultees as required by the regulations (see Appendix 4); • by making paper copies of the documents available either free or at a reasonable charge – where there is a charge additional copies of a document will be placed in the Central Library for lending purposes; • by placing paper copies of associated / background documents available to view in the Council's principal offices and the local libraries.
Publicise the availability of documents:	
When documents are published.	<ul style="list-style-type: none"> • by notices / press releases in the local paper, on the Council's website and where possible in the Council newsletter (Hartbeat); • by notices in libraries and the main Council offices; • by direct letter or e-mail to statutory consultees and to other relevant bodies, organisations and individuals included in the LDF consultees database; and • where a document identifies a proposal relating to a specific area of land, by posting notices in prominent locations within the area and / or by distributing leaflets / letters to those most likely to be affected.

Provide opportunities for informal representations during preparation of documents:

<p>At main stages during the preparation of Local Development Documents.</p>	<ul style="list-style-type: none"> • by holding open participation events/exhibitions where planners will be available to discuss issues on an individual basis; • by holding events, such as focus groups, for invited community representatives, organisations and individuals; • where invited and where possible, by attending other organisation's meetings; by arranging specific events for groups who need particular encouragement to get involved, as required; and • by giving presentations at the Neighbourhood Consultative Forums, Hartlepool Partnership meetings and inviting comment.
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Publicise opportunities for views to be expressed in the presence of elected members of the Council:

<p>When issues are being considered at Council Forums etc.</p>	<ul style="list-style-type: none"> • by publishing all main documents on the internet • by press releases highlighting when different aspects related to the preparation of proposals in Local Development Documents are to be considered at meetings of the Council, Cabinet and Planning Committee, relevant Council Scrutiny Forums and Neighbourhood Consultative Forums; and • by issuing invitations to attend such meetings to members of the public or organisations whose views Council members particularly wish to hear, together with guidelines about the nature and scope of the speaking opportunity.
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Provide opportunities for formal representations:

<p>When DPDs are submitted.</p>	<ul style="list-style-type: none"> • by publishing at least one public notice in the local press (usually the Hartlepool Mail and the Northern Echo); • by sending to any statutory consultees a copy of the document and any associated documents, together with a notice saying where the document can be inspected; • by writing to relevant persons or organisations included on the LDF consultees database and to all those making comment at earlier stages of the document's preparation and attaching a notice indicating that a new document has been published, and where and when it can be inspected – some of these consultees will also be supplied with a copy of the document; • by distributing forms for formal responses with all documents dispatched and to all local libraries, main Council offices and other appropriate locations where the submitted DPD / draft SPD has been placed for inspection; • by placing a statement on the website indicating where the document(s), can be viewed, together with when, how and to whom any formal representations should be sent; • where a document identifies a proposal relating to a specific area of land, by posting notices in prominent locations within the area and / or by distributing leaflets / letters to those most likely to be affected; and • by making forms for formal comments available on the website, with the facility to complete and reply on-line.
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Try to Build Consensus and Mediate between Parties with Opposing Views:

As necessary.	<ul style="list-style-type: none">• hold meetings, as required, with selected individuals and groups to explore particular issues in more depth, and secure agreement on detailed policy wording; and• facilitate the exchange of agreed and disputed information.
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Publicise the Council's decisions on representations received:

After each stage where comment and other representations have been invited.	<ul style="list-style-type: none">• by publishing a report setting out relevant comments and representations received at each stage of the preparation process and the Council's response to these;• by notifying directly by e-mail or post individuals and organisations submitting comments or formal representations to the Council – in some instances the Council will also send a copy of the report or relevant extracts;• by sending copies of the report to relevant statutory consultees;• by publishing the report on the Council's website;• by making copies of the report available at the main Council offices, libraries and at any other locations where a related version of the local development document and associated documents (eg Sustainability Appraisal) were made available for viewing;• by making printed copies of the report available for a nominal charge; and• by advertising publication of the report in the local press and also in Hartbeat (the Council's magazine) if possible.
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Publicise the arrangements and timing of events in relation to the independent examination of a Development Plan Document:

When dates for the pre-examination meeting and public examination have been determined.	<ul style="list-style-type: none">• by notifying directly those who have outstanding objections to the development plan document;• by placing an item on the Council's website;• by publishing at least one public notice in the local press (usually the Hartlepool Mail and the Northern Echo);• by issuing press release(s) to the local media;• where possible, by placing an item in Hartbeat; and• by posting notices in the main Council offices and local libraries.
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6 Planning Applications

a) Background

- 6.1 When people want to carry out building works or change the use of buildings or land this involves “development”. Successive Governments have put procedures in place to ensure the effects of development are controlled. This takes the form of the need to obtain permission (from the Local Planning Authority i.e. Hartlepool Borough Council), most commonly called planning permission. Many development proposals require planning permission. Others need different types of permission, e.g. listed building consent for works to buildings identified as being of architectural and/or historical interest. Some minor developments, however, require no permission at all.
- 6.2 Development Control involves:
- the provision of informal advice on development proposals;
 - the consideration of formal applications for new development, where necessary;
 - the monitoring of development as it proceeds; and
 - enforcement action where breaches of control take place.
- 6.3 This section of the SCI deals with the first two of these and sets out how the Council will consult the community on new development proposals. The Government has prescribed minimum standards for publicity on planning applications. This is a legal requirement. It also encourages Councils and developers to undertake pre-application discussions and community involvement on a voluntary basis. On occasion developers may be encouraged to submit their own Statement of Community Involvement showing how they have interacted with the community and how it has helped shape the development. All of the above are encouraged where appropriated, however none are a legal requirement.

b) Pre-application Enquiries

- 6.4 The Council provides free advice to anyone who wishes to carry out a development proposal (the One Stop Shop (OSS) approach). The OSS aims to give a rapid and comprehensive assessment of the permissions, necessary (if any) to carry out the development, provides clear advice on the merits of the proposal and where appropriate, provides suggestions which would make the proposal more acceptable.
- 6.5 The majority of proposals are relatively minor and pre-discussion sometimes takes place between neighbours before a request for advice is sought. As indicated there is no legal requirement to do this although the Government and Hartlepool Borough Council wish to encourage community involvement and discussion particularly on significant developments.
- 6.6 Accepting the voluntary nature of this approach the Council cannot be prescriptive but will seek to:
- encourage anyone wishing to carry out minor development proposals to discuss them with their immediate neighbours;
 - strongly encourage anyone wishing to carry out major development⁸ to carry out consultation with the community reflecting the nature and scale of the proposed development including:
 - notifying immediate local residents and businesses by letter of the proposed development;

⁸ Major developments are housing developments of 10 or more dwellings or consideration of the principle of residential development on a site of at least 0.5ha, and other development with a floor area of 1000 sq m or a site area of 1ha or more or any development that requires the submission of an Environmental Assessment.

- placing an advert in the local newspaper (The Hartlepool Mail) detailing the proposed development;
- contacting local community groups and interest groups who may have a specific interest in a particular proposal. The Council will provide relevant information;
- (We will make clear to community groups that there is a weekly list of applications on the internet and if they check it and ask to be consulted we will respond accordingly. We will provide copies of the weekly list to any group that requests it. Whilst this system currently works well e.g. with Hartlepool Access Group, discussions will take place with Hartlepool Voluntary Development Agency (HVDA)⁹ to see how improvements could be introduced);
- contacting relevant ward Councillors and Parish Councils by letter detailing the proposed development;
- providing information on the Internet (the Council's website may be available, if necessary); and
- organising venue(s) to display and explain material detailing the developer's proposals.

6.7 Some agencies (Natural England, English Heritage, The Highways Agency, Natural England) comments have significant bearing on the determination of planning applications. Depending on the nature of the proposal, developers are encouraged to engage with appropriate statutory consultees (see list in appendix 5) at an early stage to discuss their development. Developers are also encouraged to consult Durham Tees Valley Airport in relation to any proposals for wind turbines within a radius of 30 km of the airport.

⁹ Hartlepool Voluntary Development Agency (HVDA) are an umbrella voluntary organisation.

6.8 All methods of public/community involvement should seek to give sufficient information for those considering it to fully understand what is proposed and give clear advice on how and when comments can be made (preferably not less than 10 days after the consultation event). In any subsequent planning application the developer should provide a statement of what has been done and how any comments have been addressed.



c) Planning and Other Applications

- 6.9 As already indicated, the Government specifies for the Council the minimum standards of publicity for planning applications. These take the form of:
- letters to neighbours (for schemes which could affect immediate neighbours);
 - site notices (for schemes that will affect more than immediate neighbours); and/or
 - press adverts (for schemes of much wider significance).
- 6.10 A minimum of 21 days is normally allowed for representation on planning applications. English Heritage is, in some cases, allowed a slightly longer period of time in which to comment on an application where this period is prescribed by legislation.
- 6.11 The results of any such consultation will be reported and taken into account in decisions made by, and on behalf of, the Council.
- 6.12 Those who have made representations on a planning application will be informed of the decision within two working days.
- 6.13 Hartlepool Borough Council employs all these methods to varying degrees, quite often carrying out more than the minimum requirement. It will continue with this practice.
- 6.14 However the Council's Development Control Service is fully available on the Internet through its Public Access portal. This is available by logging on the Portal at: <http://eforms.hartlepool.gov.uk:777/portal>. The site is updated on a daily basis. People can view applications, plans, supporting statements and replies from neighbours and consultees. Anyone can easily track the progress of an application and/or comment on it via the website.
- 6.15 To ensure that information is widely available and public involvement is encouraged the Council will:
- produce a list of applications received by the Council on a weekly basis which will be circulated to all Councillors, Parish Councils, local press, resident and interest groups (on request using the system described in 6(b) ii), and made available in main Council offices, libraries and the Council's Development Control web site: (<http://eforms.hartlepool.gov.uk:7777/portal/servlets/WeeklyListServlet>)
 - if possible publish details of applications of major town wide significance in the Council's magazine, Hartbeat, which is circulated to all households in the Borough on a quarterly basis;
 - Make available copies of reports to the Council's Planning Committee in advance, on request, and on the Council's Development Control web site; (http://www.hartlepool.gov.uk/site/scripts/meetings_committees.php?headerID=18)
 - encourage members of the public to comment on applications at the Council's Planning Committee if they wish when the Committee is asked to consider particular applications. Planning Committee normally meets every 4 weeks at 10am in the Civic Suite in the Civic Centre, Victoria Road. The dates are available in advance on the Council's website.
 - arrange appointments for Planning Officers to visit neighbours or others, who are unable to get to the office, to explain plans (see Section 9 - How to get Advice and Help for contact details).

d) Appeals

- 6.16 Where a planning application has been refused; only applicants have a right of appeal. A person or organisation that has objected to a proposal has no right of appeal if an application is approved or refused.
- 6.17 Everyone who wrote to object or support the application will be notified in writing of the appeal and how to make their views known. If they had already written to the Council, their letter will also be copied and sent to the Planning Inspectorate.

e) Community Involvement in Planning Obligations

What are planning obligations?

- 6.18 Planning obligations are legally binding agreements entered into between a developer and the Council normally under section 106 of the Town and Country Planning Act thus they have commonly been referred to as Section 106 Agreements.
- 6.19 One of the uses of obligations is to secure planning gain which have been offered by developers or required by local authorities, which are beneficial and reasonably relevant to the development concerned. However, they are far more widely used to ensure that a variety of critically essential matters are secured, particularly off-site infrastructure, which are fundamental to any grant of permission and which cannot be achieved by a conventional planning condition.

6.20 Every planning obligation must accord with the government's guidance and meet the following tests:

- It must be relevant to planning;
- It must be necessary to make the proposed development acceptable in planning terms;
- It must be directly related to the proposed development;
- It must be fairly and reasonably related in scale and kind to the proposed development;
- It must be reasonable in all other respects.

6.21 For example, developers of residential developments where no on-site play facilities are proposed may be asked to contribute to play facilities in the vicinity of a development. The developer contributions would be legally secured through a planning obligation.

Pre-Application

6.22 The Government and the Council wish to encourage community involvement and discussions about new development proposals. The Council will seek to encourage developers to engage in consultation with the local community prior to the formal submission of any planning application. This is not a statutory requirement but is encouraged to ensure that local people benefit from development within their area.

6.23 The developer will be encouraged to involve the local community, through discussion, to assess the impact of a development on the locality and to come to a view on what planning obligations if any, should apply.

6.24 At the same time the community should be encouraged to assess the priority that should be placed on the planning obligations they have identified. These views should be set out by the developer in written comments and incorporated into the Community Involvement Statement submitted as part of the planning application

Application Stage

6.25 In addition to planning obligations identified in any Community Involvement Statement submitted in support of an application, the Local Planning Authority will advertise any planning applications in accordance with established procedures inviting comments from the local community.



6.26 This presents a further opportunity for the community to identify any planning obligations they considered appropriate. In determining an application officers will assess which planning obligations are appropriate taking into account the community's views, national, regional and local policy (SPD Planning Obligations).

6.27 Officers will accordingly negotiate with developers to ensure that planning obligations are legally secured, through the completion of an appropriate legal agreement, prior to the grant of any planning permission.

After Permission is Granted

6.28 Once the legal Agreement is entered into, the Planning Authority will record the details on the Planning Applications Register and ensure this is open to public inspection. Legal Agreements, financial contributions received and progress on the spending of contributions will be monitored annually as part of the Annual Monitoring Report so that details of implementation are made readily available to members of the public, the developer and Committee.



7 Resourcing and Managing The Process of Community involvement

a) Resources

- 7.1 The Statement of Community Involvement has been drawn up having regard to resources (both staff and financial), Council processes and experience of the effectiveness of various methods of consultation carried out by the Council, both within and outside the planning system.
- 7.2 The Council's Planning Policy and Information Team will be responsible for managing the process of community involvement in the preparation of **Local Development Documents**. Where such involvement requires more intensive consultation, such as open participation events, staff in the Council's Regeneration Team will assist in activities. A number of staff in this team are also professionally qualified Town Planners. If external specialist agencies or consultants are used to carry out consultation activity on behalf of the Council at least one planning officer from the Council will be present.
- 7.3 The Council's Development Control Team is responsible for processing planning applications including the associated consultation processes.
- 7.4 Resources have been allocated in the Council budget to cover initial preparatory work on **Local Development Documents**, including any associated community involvement, and provisional costs for future years have been factored into the Council's longer-term budget review. The Council's mainstream budget, supplemented by planning application fees, also provides resources for the various consultation processes associated with Development Control.

In addition, specific funding received from the Government¹⁰ has been and will continue to be used to ensure that the Council can effectively and efficiently deliver its planning service.

b) The Role of Councillors

- 7.5 Hartlepool Borough Council Councillors will not make decisions on **Local Development Documents** or on planning applications without considering and having regard to comments and representations received as part of the process of community consultation.
- 7.6 Ward and Parish Councillors can help residents in their areas to express views. They can be contacted directly by phone, e-mail, by letter, or in person or at their ward surgery¹¹. Although many Councillors generally pass on comments made in these ways to the planning officers, it is important to remember that comments have to be made in writing to the designated Planning Officer within specified timescales for them to be taken into account at any relevant Committee, meeting of the Council, Public Inquiry or Examination.

¹⁰ Housing and Planning Delivery Grant (HPDG) is a performance related government grant allocated to assist local authorities improving performance in their planning functions including delivery of housing.

¹¹ Details of Ward and Parish Councillors can be obtained from the Council (Tel: 01429 266522 or www.hartlepool.gov.uk).

8 Monitoring and Review of Community Involvement

8.1 The ways of involving the community suggested in this SCI are based on the experience of the effectiveness of a wide variety of consultation methods used in relation to the planning process, regeneration and other aspects of the Council's functions. It proposes some new ways of involving the community that have not been used previously in the planning process, but have been successful in other areas of the Council's activities.



8.2 An annual review of consultation is undertaken by the Council's Corporate Strategy Section to ascertain how well all consultation is working in Hartlepool and whether or not the Corporate Consultation Strategy is achieving its goals.



8.3 More specifically, with regard to the SCI, the effectiveness of each community involvement initiative undertaken in relation to the planning process will be assessed and a statement on key findings published alongside the feedback on how comments have been considered. A representative sample of responses from consultation exercises will be analysed to identify any problems in engaging with traditionally under-represented groups. The LDF Annual Monitoring Report will highlight where the assessment findings indicate that a fundamental change in methods is required. In such circumstances, the SCI may need to be reviewed. A review of the SCI may also be needed to reflect emerging best practice and government requirements, or to respond to changing local expectations with respect to community involvement.



9 How to Get Advice and Help

9.1 The planning system can look complicated and can put people off getting involved in plan making or commenting on planning applications.

9.2 Where can you turn to for help?

The first point of contact should be a member of the Council's planning staff who can answer queries and offer advice.

Useful Contacts:

a) Council Contacts

9.3 Planning Officers are available to discuss the Local Development Framework, Statement of Community Involvement and planning applications at Bryan Hanson House, Hartlepool.

9.4 This office is open as follows:
Monday – Thursday 8.30am – 5.00pm
Friday 8.30am – 4.30pm

9.5 The Statement of Community Involvement and other documents within Local Development Framework are being produced by the Urban Policy Section:

Write to: Urban Policy Section
Hartlepool Borough Council
Bryan Hanson House
Hanson Square
Lynn Street
Hartlepool
TS24 7BT

Telephone: 01429 523532

Fax: 01429 523285

E-mail: planningpolicy@hartlepool.gov.uk

Web site: www.hartlepool.gov.uk

9.6 Officers from the Urban Policy Section can be available outside normal office hours by prior arrangement

9.7 **For information regarding planning applications please contact the Development Control Section as below:**

9.8 For telephone enquiries please contact the Council's Contact Centre in the first instance:

Contact Centre telephone:
01429 284317

9.9 For information relating to current planning applications please contact the relevant case officer (if you have previously been advised who he/she is), the Contact Centre, or you can track the application via our web site.

Web site: www.hartlepool.gov.uk

Alternatively you can contact the Development Control team

Write to: Development Control Section
Hartlepool Borough Council
Bryan Hanson House
Hanson Square
Lynn Street
Hartlepool
TS24 7BT

E-mail:
developmentcontrol@hartlepool.gov.uk

9.10 **b) Further Information**
Information and guidance on the planning system is available on the Internet on the Planning Portal at:
www.planningportal.gov.uk

9.11 **National Planning Policy**
(Planning Policy Statements) can be viewed on the website of the Department of Communities and Local Government:
www.communities.gov.uk

The Royal Town Planning Institute

Has planning news on its website at:
www.rtpi.org.uk

9.8 **Professional Advice**

Such as from a qualified planning consultant (see Yellow Pages or Leaflet in Reception at Bryan Hanson House)

9.9 **Planning Aid**

A charity (supported by central government and administered by the Royal Town Planning Institute) offering free and unbiased advice to groups and individuals unable to afford a planning consultant.

Write to: Planning Aid North
Joint Professional Centre for
Planning & Landscape
3rd Floor, Claremont Tower
University of Newcastle upon
Tyne
Claremont Road
Newcastle upon Tyne,
NE1 7RU

Helpline: 0870 850 9803

Telephone: 0191 222 5669

Website: www.planningaid.rtpi.org.uk

c) Other Useful Contacts

9.10 **Hartlepool Community Network** The Hartlepool Community Network is the means by which the community is brought together to influence the work of the Hartlepool Partnership and shape the delivery of the Community Strategy. The Network brings together voluntary/community and residents together in a way that adds value to the Hartlepool Partnership. The aim is to bring the voluntary/community and resident's views into the development of the decision making process and to encourage wider resident participation in neighbourhood renewal.

Write to: Hartlepool Community Network (HCN)

c/o Rockhaven,
36 Victoria Road,
Hartlepool,
TS26 8DD

Telephone: 01429 262641

E-mail: communitynetwork@hvda.co.uk

9.11 **Hartlepool Voluntary Development Agency - (HVDA)**

An umbrella organisation who can help groups of residents to come together to respond to planning issues.

Write to: HVDA
Rockhaven
36 Victoria Road
Hartlepool
TS26 8DD

Telephone: 01429 262641

Fax: 01429 265056

9.12 **UNITE**

Provide mediation services for neighbour disputes.

Write to: UNITE
Southlands Centre
Ormesby Road
Middlesbrough
TS3 0HB

Telephone: 01642 327583

e-mail: enquiries@unite-mediation.org

Website: www.unite-mediation.org

9.13 **Hartlepool Access Group**

Write to: Shopmobility Centre
Unit 120
Middleton Grange Shopping
Centre
Hartlepool
TS24 7RJ

Telephone: 01429 861777

e-mail: management_hag@hotmail.com

9.14 **Your Local Elected Ward Councillor**

Telephone: 01429 266522 (for further details)

Website:
www.hartlepool.gov.uk/site/scripts/council_democracy_index.php

9.15 **Your local Member of Parliament**

Write to: Hartlepool Constituency Office
23 South Road
Hartlepool,
TS26 9HD

Telephone: 01429 224403

9.16 **d) Complaints**

Any consultee or group of consultees who would like to make a complaint against the Council about the standards of service, actions or lack of action by the Council or their staff should write to:

Assistant Director of
Planning and Economic
Development
Hartlepool Borough Council
Bryan Hanson House
Lynn Street
Hartlepool
TS24 7BT

Telephone: 01429 523597

9.17 If you feel that the local council has made a procedural or administrative mistake in its decision-making process then you can contact the Local Government Ombudsman who will investigate:

Write to: Local Government
Ombudsman
Beverley House
17 Shipton Road
York YO30 5FZ

Telephone: 01904 380200

Fax: 01904 380269

Website: www.lgo.org.uk/contact.htm

APPENDIX 1

Summary of the current Planning System

a) Why Plan?

- 10.1 Spatial Planning provides the process for influencing the future of communities in both urban and rural areas. The framework of land use in Britain is largely provided by the Town and Country Planning system. This aims to secure the most efficient and effective use of land in the public interest. Although planning is a land use function it can help individuals, groups and businesses respond to social, economic and environmental challenges.
- 10.2 Planning has always encouraged community involvement and in the past it was one of the very few policy arenas where there was a statutory requirement to involve the public. The 2004 Planning Act has put even greater emphasis on public involvement and Hartlepool Borough Council supports this approach.
- 10.3 Spatial Planning does not seek to prevent development and change, and does not represent the interest of just one group or individual, but seeks to achieve the integration of various interests as a means of securing sustainable development. Spatial planning plays a central role in the overall task of place shaping and in the delivery of land, uses and associated activities and underpins the wider corporate strategy of the Council and Local Strategic Partnership. Spatial planning brings together a very wide range of different services and through public participation ensures that strategies are based on the community's views.
- 10.4 A Government Publication '**Creating better places to live: A guide to the planning system in England**' provides an introduction to the planning system and is available, free of charge, from the Council or directly from the Department of Communities and Local Government, (www.communities.gov.uk).

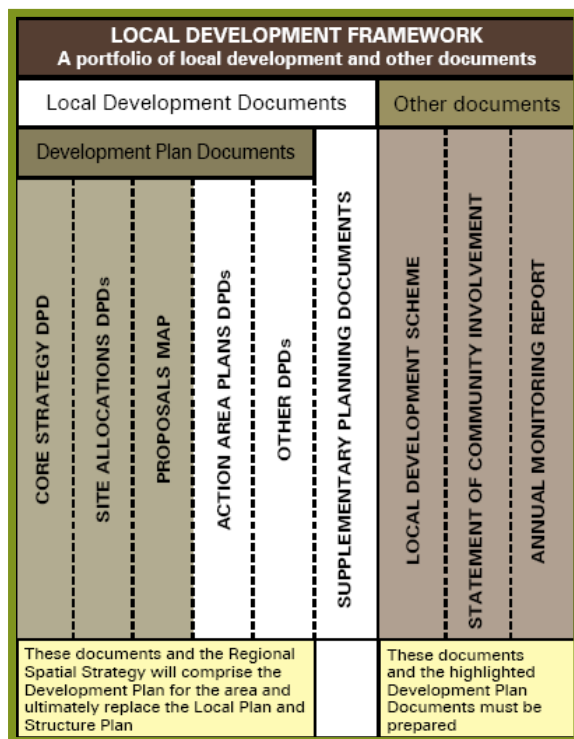
b) What is a Development Plan?

- 10.5 Decisions on whether to allow proposals to build on land or to change its use are made by local planning authorities. The Development Plan identifies the basis of criteria to determine planning applications to build on land or change its use. Development Plans set out each Local Planning Authority's policies and proposals for the development and use of land in their area. Decisions on planning applications are made in accordance with this Development Plan and any other material considerations in given circumstances.
- 10.6 The planning system, to which this document relates, was introduced in 2004 under the Planning and Compulsory Purchase Act.
- 10.7 Under the old planning system, the Statutory Development Plan was made up of two plans – in Hartlepool these were the Tees Valley Structure Plan setting out the strategic policies for the area and the Hartlepool Local Plan identifying specific areas of land to be developed or protected and setting out detailed policies to guide and control development proposals.
- 10.8 Some policies in the Hartlepool Local Plan have been 'saved' until replaced by new policies included in **Development Plan Documents** prepared under the current planning system. The policies are saved until April 2012 and can be viewed on the Council web site, (<http://www.hartlepool.gov.uk/downloads>).
- 10.9 The Tees Valley Structure Plan has been replaced by the North East of England Regional Spatial Strategy (RSS) that was adopted in July 2008 and is now part of the Development Plan for Hartlepool.

- 10.10 Under the current planning system the development plan will comprise:
- **The Regional Spatial Strategy** setting out the broad spatial development strategy for the north east region, and
 - A series of **Development Plan Documents** within the **Local Development Framework**.

c) Local Development Framework

10.11 The **Local Development Framework (LDF)** is the name given to a collection of documents related to the plan-making system as illustrated in the diagram below:



There are basically two types of documents within the LDF:

10.12 **Local Development Documents** setting out the spatial strategy and planning policies for the area and **Other** documents relating to the plan making process.

10.13 Like the existing Local Plan the purpose of Local Development Documents within the LDF is to establish a framework for the consideration of planning applications for the development or use of land. These will need to ensure the most efficient use of land by balancing competing demands, within the context of sustainable development.

10.14 In summary Local Development Documents can be split into two groups:

Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs)

10.15 **i. Development Plan Documents (DPDs)**

A. Development Plan Document which together with the Regional Spatial Strategy will make up the statutory Development Plan for and deliver the spatial planning strategy for Hartlepool. Development Plan Documents will be subject to independent public examination. Eventually there will be a number of different types of Development Plan Documents as follows:

- **Core Strategy** DPD - setting out the spatial vision, spatial objectives and core policies for Hartlepool;
- **Proposals Map** - illustrating each of the detailed policies and proposals, defining sites for particular developments or land use. The proposals map will be updated as each new DPD is adopted;
- **Site Specific Allocations** DPDs - identifying areas of land for development such as new housing or employment sites;
- **Action Area Plans** - (where needed) relating to specific parts of Hartlepool where there will be comprehensive treatment or to protect sensitive areas;
- **DPDs - containing waste and minerals** policies; and

any other DPDs considered necessary.

10.16 The Core Strategy must generally conform with the North East Regional Spatial Strategy and all other Development Plan Documents must conform with the Core Strategy.

10.17 **ii. Supplementary Planning Documents (SPDs)** – these are non-statutory documents expanding on or providing further detail to policies in a **Development Plan Document** – they can take the form of design guides, development briefs, master plans or issue-based documents. Although SPDs will be subject to full public consultation, they will not be independently examined.

Other documents included in the LDF

10.18 **i. The Local Development Scheme (LDS)** – setting out the details of each of the Local Development Documents to be started over a period of three years or so and the timescales and arrangements for preparation. The current Hartlepool Local Development Scheme can be viewed on the Council's website at: www.hartlepool.gov.uk.

10.19 **ii. Statement of Community Involvement (SCI)** – setting out the policy for involving the community and others with an interest in the development process both in the preparation and revision of Local Development Documents and with respect to planning applications.

10.20 **iii. Annual Monitoring Report** – assessing the implementation of the Local Development Scheme and the extent to which policies in Local Development Documents are being achieved.

In addition to the change in format, the emphasis of plan making has changed. Planning is now required to more consciously and deliberately take into account the economic, social and environmental implications when weighing up competing demands for land. The new emphasis, known as spatial planning, encourages community involvement in the early stages of plan making and provides a greater scope to promote and manage looked-for change.

d) Sustainability Appraisal

10.21 Local Development Documents should contribute to the achievement of sustainable development. Further, European Union (Strategic Environmental Assessment) Directive 2001/42/EC requires that a formal strategic environmental assessment is carried out for certain plans and programmes that are likely to have a significant effect on the environment including planning and land use documents.

10.22 **Local Development Documents** will therefore be subject to a sustainability appraisal (SA) which will incorporate the requirements of the Sustainable Environment Assessment (SEA). This will be a continual and integrated process starting when a new (or revised) local development document is to be prepared.

10.23 The SA/SEA process requires an examination of the baseline information of the Borough as it is now together with data on how it may change in the future. Sustainability objectives and indicators will be developed and used to test policies and proposals contained in **Local Development Documents**. The policies can then be adjusted accordingly to ensure that they are as sustainable as possible.

10.24 Appraisals at each stage of a document's preparation will inform the direction adopted at the next stage and sustainability appraisal reports will be subject to consultation alongside the document as it is developed.

e) Habitats Regulations explained

- 10.25 Local planning authorities have a duty, in the exercise of LDF document production and planning applications, to have regard to the 92/43/EEC Habitats Directive on the conservation of natural habitats and of wild fauna and flora.
- 10.26 The Regulations provide for the designation and protection of 'European Sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites.
- 10.27 All local development documents other than the SCI should be subject to a Habitats Regulations Assessment under the Habitats Regulations where the plan is likely to have a significant effect on a European Site.



11 Appendix 2

Testing Soundness

11.1 The independent examinations that will be carried out on **Development Plan Documents** will primarily test their 'soundness'. The following tests of soundness are extracted from Planning Policy Statement 12 which sets out the government's policy on Local Development Frameworks. Further guidance has been developed by the Planning Inspectorate.

11.2 In assessing whether the Development Plan Documents are sound, the inspector will determine whether the document is:

- (i) Justified
- (ii) Effective, and
- (iii) Consistent with national policy

(i) Justified

11.3 For a DPD to be 'justified' it needs to be:

Founded on a robust and credible evidence base involving:

- evidence of participation of the local community and others having a stake in the area
- research/fact finding – the choices made in the plan are backed up by facts

(ii) Effective

11.4 All DPDs should be effective which means they are

- Deliverable
- Flexible and
- Can be monitored

Deliverability

11.5 A DPD should show how the vision, objectives and strategy of the particular subject will be delivered and by whom, and when. This includes making clear which resources are needed to support the strategy, that those resources will be provided, and ensuring that what is in the plan is consistent with other relevant plans and strategies within Hartlepool Borough Council. This evidence must be strong enough to stand up to independent scrutiny.

Flexibility

11.6 A DPD is unlikely to be effective if it cannot deal with changing national, regional or local circumstances. In the arena of the public involvement, resource allocation and evidence gathering, many issues may change over this time and Hartlepool Borough Council has to be prepared should those changes occur.

Monitoring

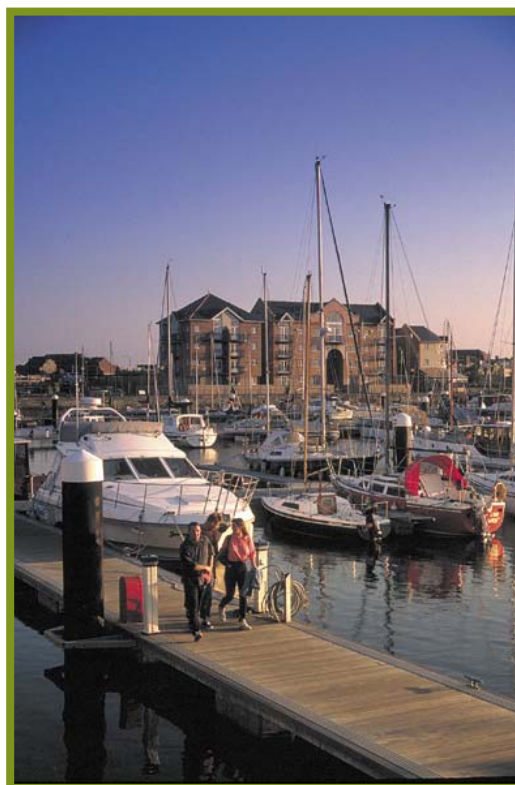
11.7 A DPD must have clear arrangements for monitoring and reporting results to the public and civic leaders. Without these it would be possible for the strategy to start to fail but the Authority and indeed the public would be none the wiser. Monitoring is essential for an effective strategy and will provide the basis on which the contingency plans within the strategy would be triggered.

(iii) Consistent with National Policy

11.8 All DPDs should be consistent with national policy. Where national policy has not been followed, Hartlepool Borough Council must provide clear and convincing reasoning to justify their approach.

11.9 A Development Plan Document will be sound if it meets the above tests and the further three tests below:

- it has been prepared in accordance with the Local Development Scheme;
- it has been prepared in compliance with the Statement of Community Involvement,
- the plan and its policies have been subjected to a Sustainability Appraisal.



Appendix 3

Service Standards for the Local Development Framework & Planning Applications

- 12.1 Hartlepool Borough Council is committed to making dealings with everyone who gets involved with the planning process fair, transparent, accessible and timely. Council officers will treat you fairly and considerately and the table below sets out the standards which you can expect when dealing with the Council on matters to do with the Local Development Framework and planning applications.

1. Spatial Planning Standards

If You Council officers will, where possible...

Write to us

- 12.2 Acknowledge it within 3 working days and reply in full within 15 working days of the date it was received.

Telephone us

- 12.3 Try to answer your query immediately over the phone, provided you call within normal office hours. If your query relates to a specific site, you may be asked to send a map by post or fax. This is to make sure that the advice given is actually for the site that interests you. In certain circumstances officers may request these verbal requests are put in writing for the avoidance of doubt/misunderstanding.

E-mail us

- 12.4 Provided you use the e-mail address - planningpolicy@hartlepool.gov.uk an automatic acknowledgement will be sent to ensure that your e-mail has been received. There will be no automatic acknowledgement of e mails sent directly to an officer, however they will aim to send a full reply by e-mail within 15 working days of the date the e-mail was received.

Fax us

- 12.5 (Only apply if you use the fax no 01429 523285). Acknowledge it within 3 working days and reply in full within 15 working days of the date it was received. It often helps if you contact the Council first by phone or e-mail so a fax can be expected.

Meet us face to face

- 12.6 Try to answer your query immediately. If this is not possible, you will receive an explanation and you will be informed as to when you can expect a follow up response to your query. You will be asked how you wish further contact to be made. In certain circumstances officers may request these verbal requests are put in writing for the avoidance of doubt / misunderstanding.

2. Spatial Planning Specific Actions

If You... Council officers will, where possible...

Ask for planning and/or environmental information

- 12.7 If required, provide information on your rights under the Freedom of Information Act (January 2005) and what the Council is required to make available under the new Environmental Information Regulations (the Aarhus Convention).

Request a document

- 12.8
- Tell you where you can already view the document.
 - Tell you whether there is a charge, and if so what it is.
 - Post it out to you within 24 hours (if it is free of charge) or on receipt of your payment (if there is a cost).

Have submitted comments on any planning document

- 12.9 Provide feedback either directly and / or in a published statement setting out the issues raised by respondents and the Council's response to each issue raised.

Submit formal representation

Acknowledge it within 3 working days and provide feedback either directly or through a summary report of all representations prepared for Councillors and subsequently published.

3. Planning Application standards

If You... Council officers will, where possible...

Write to us

- 12.10 Acknowledge receipt within 3 working days and provide a reply within 15 working days, if you are asking advice on a development proposal.

Telephone us

- 12.11 Most enquiries about development proposals are complex and can have legal implications. You will therefore be asked to put your request in writing.

E-mail

- 12.12 Provide advice on development proposals within 15 working days.

Meet us face to face

- 12.13 Most enquiries about development proposals are complex and can have legal implications. You will therefore be asked to put your request in writing.

4. Planning application specific actions

If You... Council officers will, where possible...

Have submitted comments on a planning application

- 12.14 Acknowledge receipt within 3 working days. You will be given the opportunity to put your comments to the Council's Planning Committee if it is asked to consider the application, (if more than one person wishes to speak you will be asked to consider appointing a spokesperson). We will advise you of the decision on an application within 2 working days of the decision being issued.

Have submitted an informal enquiry about a development proposal

- 12.15 Acknowledge receipt within 3 working days and provide a reply within 15 working days.

The following will be applied to all communications:

- Information will be of good quality and will be timely to allow individuals sufficient time and opportunity to gain access and understanding;
- In practical terms, meetings will be held at suitable times, in accessible places with associated support to maximise attendance and participation;

- When communicating in written form every effort will be made to ensure documents and literature are written in plain language that will be understood by the intended audience, are concise, are clearly laid out and are without jargon; Acknowledge receipt within 3 working days.
- Every effort will be made to see that documents are clear about their purpose, and are available in an accessible format having regard for specific needs (i.e. large print, Braille, translated in different languages);
- Consideration will be given to the widest use of formats including use of IT, the Internet, use of current networks and Forums, as well as use of focus groups, one to one activity, and community planning exercises.



APPENDIX 4

Consultation Bodies for: Local Development Documents

13.1 The Government Regulations¹² relating to the preparation of Local Development Documents require that certain minimum standards should be met for consulting on pre-submission DPDs (Regulations 25 and 26) and on draft SPDs (Regulation 17).

13.2 These regulations make reference to: Specific consultation bodies which must be consulted where the proposed subject matter of the LDD affects that body, general consultation bodies which should be consulted if the local planning authority considers it appropriate and other consultation bodies

13.3 The defined consultation bodies are listed below.

13.4 a) Specific Consultation Bodies:

- the regional planning body (currently the North East Assembly);
- a relevant authority any part of whose area is in or adjoins the area of the local planning authority
(this includes the parish councils within Hartlepool, Durham County Council, Easington and Sedgfield District Councils, Stockton on Tees, Middlesbrough and Redcar and Cleveland Borough Councils together with relevant town and parish councils within these adjoining Borough and District Councils);
- The Environment Agency;
- Highways Agency;
- The coal authority
- The Historic Buildings and Monuments Commission for England; (English heritage)
- Natural England;
- Network rail

¹² The Town & Country Planning (Local Development) (England) (Amended) Regulations 2008.

- a Regional Development Agency whose area is in or adjoins the area of the local planning authority (*currently One North East*);
- any person to whom the electronic communications code applies by virtue of a direction given under Section 106 (3)(a) of the Communications Act 2003 (*eg British Telecom*);
- any person who owns or controls electronic communications apparatus situated in any part of the area of the local planning authority (*eg. British Telecom, NTL Orange*); and
- any of the bodies from the following list who are exercising functions in any part of the area of the local planning authority:
 - Strategic Health Authority;
 - person to whom a licence has been granted under Section 7(2) of the Gas Act 1986 (*eg. British Gas*);
 - sewage undertaker (*eg. Northumbrian Water*); and
 - water undertaker (*eg. Hartlepool Water Company*).

13.5 b) General consultation bodies

- voluntary bodies some or all of whose activities wholly or partially benefit any part of the authority's area (*eg. Hartlepool Voluntary Development Agency, resident's associations and tenants groups etc*);
- bodies which represent the interests of different racial, ethnic or national groups in the authority's area (*eg. Salaam Centre, Circle of Life*);
- bodies which represent the interests of different religious groups in the authority's area (*eg. Churches Together*);
- bodies which represent the interests of disabled persons in the authority's area (*eg. Hartlepool Access Group.*); and
- bodies which represent the interests of persons carrying out business in the authority's area (*eg. Hartlepool Economic Forum, North East Chamber of Commerce, House Builders' Federation*).

c) other consultation bodies

13.6 The key principle is that the Council should carry out public participation that is appropriate for the particular Development Plan Document being produced.

13.7 Depending on the plan being produced, it may be appropriate to consult with other agencies and organisations in addition to those identified as specific or general consultation bodies.

13.8 Some other consultation bodies may include:

- Age Concern;
- Auto Cycle Union;
- British Chemical Distributors and Trade Association;
- British Driving Society;
- British Geological Society;
- British Horse Society;
- British Trust for Conservation Volunteers;
- Byways and Brileways Trust;
- Campaign to Protect Rural England;
- Centre for Ecology and Hydrology;
- Chambers of Commerce, Local CBI and local branches of Institute of Directors;
- Church Commissioners;
- Civic Societies;
- Community Groups;
- Council for the Protection of Rural England;
- Country Land and Business Association;
- Commission for Racial Equality;
- Disability Rights Commission;
- Disabled Persons Transport Advisory Committee
- Durham Tees Valley Airport;
- England's Community Forests;
- Equal Opportunities Commission;
- Fire and Rescue Services;
- Freight Transport Association;
- Friends of the Earth
- Gypsy Council;
- Hartlepool Access Group;
- Help the Aged;

- Housing Corporation;
- Housing Hartlepool;
- Learning and Skills Council;
- Local Buildings Preservation Trust
- Local Transport Authorities,
- Local Transport Operators; and
- Local Race Equality Councils;
- Natural England
- National Farmers Union
- National Playing Fields Association;
- North Eastern Electricity Board;
- Open Space Society;
- Passenger Transport Authorities;
- Passenger Transport Executives;
- Post Operators;
- Regional Development Agencies;
- Regional Housing Boards;
- Road Haulage Association;
- Royal Commission on Ancient and Historical Monuments;
- Royal Society for the Protection of Birds (RSPB);
- Society for the Protection of Ancient Buildings
- Sport England
- Tees Valley Local Access Forum
- Tees Valley Wildlife Trust;
- The Crown Estate;
- The House Builders Federation;
- The Marine Conservation Society
- The Ramblers Association;
- Transco;
- Traveller Law Reform Coalition;
- Twentieth Century Society;
- Water Companies
- Women's National Commission
- Woodland Trust

APPENDIX 5

Consultees for: Planning Applications STATUTORY CONSULTTEES

14.1

- Ancient Monuments Society;
- Headland Parish Council;
- Dalton Piercy Parish Council;
- Elwick Parish Council;
- Cleveland Emergency Planning Unit;
- Twentieth Century Society;
- Greatham Parish Council;
- Hart Parish Council;
- Newton Bewley Parish Meeting;
- Coal Authority
- Council for British Archaeology;
- Department for Environment Food and Rural Affairs (DEFRA);
- The Historic Buildings and Monuments Commission for England; (English Heritage)
- Natural England;
- Environment Agency;
- Government Office for the North East;
- Health and Safety Executive;
- Highways Agency;
- Highways Division, Hartlepool (the Local Highway Authority);
- One North East;
- Post Office Property Holdings;
- Network Rail;
- National Grid;
- Association of North East Councils (ANEC)
- Sport England;
- The Georgian Group;
- The Society for the Protection of Ancient Buildings;
- The Theatres Trust;
- The Victorian Society;
- Woodland Trust



14.2 b) MAIN OTHER CONSULTTEES

- Hartlepool Borough Council departments (as relevant)
- Ancient Monuments Society
- Commission for Architecture and the Built Environment (CABE);
- Cleveland Constabulary (Architectural Liaison Officer);
- Crown Estates;
- Durham Tees Valley Airport
- Garden History Society;
- Northumbrian Water;
- Ministry of Defence;
- Ramblers Association
- Sustrans;
- PD Teesport
- Tees Archaeology;
- Tees Valley Joint Strategy Unit (JSU);
- Tees Valley Regeneration (TVR);
- The Twentieth Century Society
- West Central Hartlepool New Deal for Communities Partnership (NDC);
- Wind Farm Enquires 02-49 Ofcom;

APPENDIX 6

Jargon Buster (Acronyms and Technical Terms Used in The SCI)

AAP	Action Area Plan	A type of Development Plan Document relating to specific areas of major opportunity and change or conservation.
	Adopt	The final confirmation of a plan as a statutory document by the local planning authority.
	Allocation of Land	The identification of how land should be developed or built on in the future, e.g. new housing development.
AMR	Annual Monitoring Report	Report submitted to Government on the progress of preparing the Local Development Framework and the extent to which policies are being achieved
	Appeals	The process whereby an applicant can challenge an adverse decision on an application by means of written representations, as in a formal hearing or formal inquiry proceedings.
	Best Practice	Proven, practical and successful solutions to common problems.
	Circular	A government publication setting out policy approaches.
CEN	Community Network	The Hartlepool Community Network is the means by which the community is brought together to influence the work of the Hartlepool Partnership and shape the delivery of the Community Strategy. The Network brings together voluntary/community and residents together in a way that adds value to the Hartlepool Partnership. The aim is to bring the voluntary/community and resident's views into the development of the decision making process and to encourage wider resident participation in neighbourhood renewal.
	Community Strategy	Provides the planning framework for all services in Hartlepool, including the regeneration and neighbourhood renewal activity. Sets out a long term vision and details the principles and 7 priority aims necessary to achieve the

		vision and improve services.
	Compact	An agreement between local government (eg HBC) and the voluntary and community sector to improve relationships for advantage to all parties.
	Consultation	Seeking people's views to guide decision-making.
	Core Strategy	A Development Plan Document setting out the spatial vision and objective of the planning framework for the area, having regard in particular to the Community Strategy. All other Development Plan Documents must conform with the Core Strategy.
	Corporate	With reference to the Local Authority, all departments and interests acting as a united group.
	Corporate Consultation Group	Brings together representatives from all council departments to contribute to the review of the Corporate Consultation Strategy (see below).
	Corporate Consultation Strategy	Corporate Consultation Strategy Outlines the purpose, needs and benefits of a consultation framework.
CLG	Department of Communities and Local Government	Government department responsible for town and country planning, policy and administration (previously the Department for Transport, Local Government and the Regions, DTLR).
DPD	Development Plan Document	A local development document in the local development framework which forms part of the statutory development plan. The core strategy, documents dealing with the allocation of land, action area plans and the proposals map are all development plan documents.
	Development Plan	Documents setting out the policies and proposals for the development and use of land and buildings. Under the new planning system it comprises the Regional Spatial Strategy and Development Plan Documents, whilst under the transitional arrangements it comprises the Structure Plan and Local Plan.

	Empower	Development of confidence and skills of individuals or communities to enable them to take on decision making roles.
	Feedback	Reporting back information on something that has been done.
	Freedom of Information Act 2000	Details the general right of access to information held by public authorities
	Hartlepool Partnership	The Local Strategic Partnership (LSP). Set up in 1999 to bring together a range of organisations to give the town a strong united voice. Main aim is to improve social, economic and environmental well-being by providing existing services more effectively, improving areas and setting a vision for the future guided by the Community Strategy.
	Independent Examination	The process by which an Independent Planning Inspector publicly examines the soundness of a DPD and any representations made against it before issuing a binding report.
	Consultees Database	A list containing details of groups, organisations and individuals to be consulted on planning policy documents. To be included on the list contact the Urban Policy Section of the Council at Bryan Hanson House (tel 01429 523280 or e-mail planningpolicy@hartlepool.gov.uk)
	Local Authority	Organisation governing the area, e.g. the Borough Council, County Council, Town Council, Village Council.
	Local Planning Authority	The Local Authority that is empowered by law to exercise planning functions. Normally the Borough Council or District Council.
LDF	Local Development Framework	The overarching term given to the collection of Local Development Documents which collectively will provide the local planning authority's policies for meeting the community's economic, environmental and social aims for the future of the area where this affects the development and use

		of land and buildings. The LDF also includes the Local Development Scheme and the Annual Monitoring Report.
LDS	Local Development Scheme	A public statement setting out the programme for the preparation of Local Development Documents. Initially it will also identify the programme for the completion of the local plan and also which policies of the local and structure plan are to be saved and/or replaced.
	Local Plan	A statutory development plan prepared under previous legislation, or being prepared under the transitional arrangements of the new Act. (A legal document containing all the policies and standards that will be used to determine decisions on planning applications received by the Development Control Section).
LDD	Local Development Document	An individual document in the Local Development Framework. It includes Development Plan Documents, Supplementary Planning Documents and the Statement of Community Involvement.
	Material Considerations	A matter which should be taken into account in deciding on a planning application or on an appeal against a planning decision.
	National Planning Policy	Government policy contained within Planning Policy Guidance (PPG) and Planning Policy Statements (PPS).
	Neighbourhood Consultative Forum	A non-statutory forum for discussing neighbourhood issues and needs. Members may be publicly elected or nominated by organisations represented under the constitution.
	Neighbourhood Renewal	A national strategy setting out the Government's vision for narrowing the gap between deprived neighbourhoods and the rest of the country, to reduce disadvantage.
	Non Statutory	Not strictly required by written law.
	Planning and Compulsory	Government legislation

	Purchase Act 2004	introducing a new approach to development planning.
	Planning Application	An application for permission from the local planning authority to commence building work or change of use of buildings.
	Planning Committee	A panel of 16 members of the Council whose role is to consider difficult or complicated planning and other applications. Normally meets every four weeks.
	Planning Obligations	Legally binding agreement entered into between a developer and the Council
PPG	Planning Policy Guidance	Government documents providing policy and guidance on a range of planning issues such as housing, transport, conservation etc. PPGs are currently being replaced by Planning Policy Statements.
PPS	Planning Policy Statements	Planning Policy Statements Government documents replacing PPGs and designed to separate policy from wider guidance issues.
	Policies	Legal guidance document.
	Protocol	Official procedures.
	Proposals Map	Illustrating on an Ordnance Survey base the policies and proposals of development plan documents and any 'saved' policies of the local plan.
RPG	Regional Planning Guidance	Planning policy and guidance for the region issued by the Secretary of State. RPG became the Regional Spatial Strategy upon commencement of the Act.
RSS	Regional Spatial Strategy	Statutory regional planning policy forming part of the Development Plan and prepared by the regional planning body. The Local Development Framework must be in conformity with the RSS.
	Residents Association	A group of residents bound by a written constitution that represent resident views within a certain area.
	Saved Policies	Policies within the Local Plan and the Structure Plan that remain in force for a time period pending their replacement as necessary by development plan documents or the Regional Spatial Strategy.
	Scrutiny Forum	An advisory panel, which

		considers reports and carries out investigations into issues arising.
	Section 106 Agreement	Legally binding agreement entered into between a developer and the Council
	Six Week Period	The statutory time period individuals and groups have to make any comments on LDF documents.
	Soundness	In the process of examining a planning document an inspector assesses whether the document is Justified, Effective (deliverable, flexible and possible to monitor) and Consistent with national policy.
	Spatial Planning	Taking into account the economic, social and environmental implications when weighing up competing demands for land.
	Statutory	Required through written law, usually through an Act of Parliament.
	Sustainable	To maintain the vitality and strength of something over a period of time.
SA	Sustainability Appraisal	Identifies and evaluates social, environmental and economic effects of strategies and policies in a local development document from the outset of the preparation process. It incorporates the requirements of the Strategic Environmental Assessment (SEA) Directive.
SCI	Statement of Community Involvement	Sets out the standards to be achieved in involving the community and other stakeholders in the preparation, alteration and review of Local Development Documents and in significant development control decisions.
SEA	Strategic Environmental Assessment	A generic term used internationally to describe environmental assessment as applied to policies, plans and programmes.
SPD	Supplementary Planning Document	A local development document providing further detail of policies in development plan documents or of saved local plan policies. They do not have development status.
SPG	Supplementary Planning Guidance	Provide additional guidance, expanding on policies in a local

		plan. SPGs will remain relevant where they are linked to saved policies but will ultimately be replaced by supplementary planning documents.
	Structure Plan	A statutory development plan setting out strategic policies for environmental protection and development and providing the more detailed framework for local plans. Policies in the structure plan will be saved for a time period under the transitional arrangements of the Act.
	Third party right of appeal	A third party, a neighbour or other objector has no right to appeal.
	Transitional Arrangements	Government regulations describing the process of development plans begun before, and to be completed after, the Planning and Compulsory Purchase Act 2004.
	Vision	A long term view, an image of how things might be in the future.
	Voluntary Sector	A wide variety of non-statutory organisations controlled by people who are unpaid.



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