

**Statement of Community Involvement
Consultation Statement
July 2019**

1. Introduction

- 1.1 The Statement of Community Involvement (SCI) has been prepared by Hartlepool Borough Council. The Draft SCI was published for public consultation over a nine week period from 18 December 2018 until 22 February 2019.
- 1.2 Section 2 of this Statement outlines the consultation processes and provides details of those people and organisations that were consulted.
- 1.3 Section 3 gives an overview of the representations made within the consultation period. Appendix 1 provides a full schedule of the representations made and the Council's response to each. Where a representation has informed a revision to the SCI, this is set out.
- 1.4 Section 4 gives a brief overview of the next steps in the process of adopting the SCI.

2. Consultation Process

- 2.1 A public consultation on the Draft SCI was approved at the Regeneration Services Committee meeting of 17 December 2018.
- 2.2 The public consultation began on 18 December 2018 until 22 February 2019.
- 2.3 96 external and internal consultees were contacted. This included housebuilders, residents' associations, Parish Councils and adjacent Local Authorities. The statutory consultees Historic England, the Environment Agency and Natural England were consulted. A full list of the consultees is attached as Appendix 2.
- 2.4 Consultees were informed that a copy of the Draft SCI was available to view at the Civic Centre, Victoria Road, Hartlepool, and online on the Council's Planning Policy webpage. Hard copies were available on request.

3. Representations Made and Officer Responses

- 3.1 A total of eight consultees made representations on the Draft SPD. The consultees that made representations were:
- Hartlepool Borough Council Development Control team
 - Environment Agency
 - Savills
 - Forestry Commission
 - Natural England
 - Elwick Parish Council
 - Hartlepool Civic Society
 - Historic England

3.2 Appendix 1 includes a full schedule of representations, along with an officer response and suggested SCI amendments to reflect the representation is provided at Appendix 1.

4. Next Steps – Adoption

4.1 The representations received during the consultation period have, where appropriate, been reflected in the finalised version of the SCI prior to being presented at full Council on ?? July 2019 for adoption.

4.2 It will be important following the adoption that the SCI is kept up to date and modified to reflect any changes in government regulations and guidance.

Appendix 1: Schedule of Representations and Officer Responses

Respondent	Consultation Feedback	Proposed Action
Daniel James Hartlepool Borough Council Development Control (19/12/2018)	<p>The only new change I've noted is to delete reference to the Chair in the delegation process.</p> <p>Delegation 5.19 A Development Control Officer makes a recommendation on all planning and other applications when they are determined. Once the officers have all the relevant information regarding the application, they will come to a view as to whether to approve or refuse the application. They will take into consideration policy, representations and other material planning considerations. The route of decision making will be in accordance with the current scheme of delegation which is set out on the Council's Constitution which allows for certain applications to be determined by senior officers., or by senior officers with the agreement of the chair.</p>	Addition has been made to section 5.19 of the document.
Marion Williams Environment Agency (31/12/2018)	Thank you for referring this consultation. We have no comments to make.	No changes required.
Martin Bonner Savills (03/01/2019)	<p>Neighbourhood Planning</p> <p>It is stated at paragraph 4.19 of the consultation document that any Neighbourhood Plan should confirm with the Council's Local Plan. However, a Neighbourhood Plan has the opportunity to set some guides for development which could in turn influence and effect the delivery of key strategic sites. As such, mindful of the guidance set out in the PPG on Neighbourhood Planning which recognises the need to ensure that such plans are deliverable, we request that further detail is added into part b) of the document regarding Neighbourhood Planning.</p> <p>It is noted that paragraph 4.22 states that those "living and working" in an area will be involved in the preparation of a plan and paragraph 4.23 states that "relevant bodies" will be consulted. Both sections in relation to the preparation of and consultation upon a Neighbourhood Plan should provide additional detail to ensure that there are no contrasting objectives between the developers delivering key sites and those preparing the Neighbourhood Plan. This is in accordance with paragraph 048 of the PPG reference on Neighbourhood Planning which states:</p>	Please see addition to paragraphs 4.22, 4.23 and 4.24, and amendment to paragraph 4.17.

“Other public bodies, landowners and the development industry should be involved in preparing a draft neighbourhood plan or Order. By doing this qualifying bodies will be better placed to produce plans that provide for sustainable development which benefits the local community whilst avoiding placing unrealistic pressures on the cost and deliverability of that development.”

As an example, development at Wynyard will be delivered in accordance with a cross boundary masterplan as required by development plan policy and development at Wynyard Park is currently being delivered in accordance with a design code which has been approved via planning condition. As such, any Neighbourhood Plan at Wynyard which deviates from previously established principles, inclusive of design, infrastructure delivery or the siting of development could complicate the determination of future planning applications.

In short, we would respectfully request that specific reference is made in paragraphs 4.22 and 4.23 to the inclusion of developers and landowners at both the preparation and consultation phase of preparing a Neighbourhood Plan and that reference is added that the Local Authority (or Local Authorities) will apply appropriate scrutiny to those plans which could impact upon the delivery of strategic sites within the development plan and/or impact upon cross authority boundary matters.

Paragraph 074 of the PPG on this matter suggests use of the term “general conformity” with the development plan with the following definition below. The Statement of Community Involvement that is being consulted upon would benefit from its inclusion at paragraph 4.17 to ensure clear cross reference:

“When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:

Whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with.

The degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy.

Whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy.

The rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach”.

<p>Forestry Commission (14/01/2019)</p>	<p>Local Plans and ancient woodland – Forestry Commission approach</p> <p>The Forestry Commission is not in a position to input into the consultation process for Local Plans. However, the information below is provided to assist you in assessing the appropriateness of sites for future development, and to highlight opportunities for achieving your renewable energy obligations.</p> <p>A summary of Government policy on ancient woodland</p> <p>Natural Environment and Rural Communities Act 2006 (published October 2006).</p> <p>Section 40 – “Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”.</p> <p>National Planning Policy Framework (published March 2012).</p> <p>Paragraph 118 – “planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss”.</p> <p>National Planning Practice Guidance – Natural Environment Guidance. (Published March 2014)</p> <p>This Guidance supports the implementation and interpretation of the National Planning Policy Framework. This section outlines the Forestry Commission’s role as a non-statutory consultee on “<i>development proposals that contain or are likely to affect Ancient Semi-Natural woodlands or Plantations on Ancient Woodlands Sites (PAWS) (as defined and recorded in Natural England’s Ancient Woodland inventory), including proposals where any part of the development site is within 500 metres of an ancient semi-natural woodland or ancient replanted woodland, and where the development would involve erecting new buildings, or extending the footprint of existing buildings</i>”</p> <p>It notes that ancient woodland is an irreplaceable habitat, and that, in planning decisions, Plantations on Ancient Woodland Sites (PAWS) should be treated equally in terms of the protection afforded to ancient woodland in the National Planning Policy Framework. It highlights the Ancient Woodland Inventory as a way to find out if a woodland is ancient.</p> <p>Standing Advice for Ancient Woodland and Veteran Trees. (Published April 2014)</p> <p>The Forestry Commission has prepared joint standing advice with Natural England on ancient woodland and veteran trees which we refer you to in the first instance. This advice is a material consideration for planning decisions across England. It explains the definition of ancient woodland, its importance, ways to identify it and the policies that relevant to it. It also provides advice on how to protect ancient woodland when dealing with planning applications that may affect ancient woodland. It also considers ancient wood-pasture and veteran trees.</p> <p>The Standing Advice website will provide you with links to Natural England’s Ancient Woodland Inventory, assessment guides and other tools to assist you in assessing potential impacts. The</p>	<p>The provided information is not relevant to the SCI, no changes required.</p>
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assessment guides sets out a series of questions to help planners assess the impact of the proposed development on the ancient woodland. **Case Decisions** demonstrates how certain previous planning decisions have taken planning policy into account when considering the impact of proposed developments on ancient woodland. These documents can be found on our [website](#). [The UK Forestry Standard](#) (3rd edition published November 2011).

Page 24 “Areas of woodland are material considerations in the planning process and may be protected in local authority Area Plans. These plans pay particular attention to woods listed on the Ancient Woodland Inventory and areas identified as Sites of Local Nature Conservation Importance SLNCIs).

[Keepers of Time](#) – A Statement of Policy for England’s Ancient and Native Woodland (published June 2005).

Page 10 “The existing area of ancient woodland should be maintained and there should be a net increase in the area of native woodland”.

[Natural Environment White Paper “The Natural Choice”](#) (published June 2011)

Paragraph 2.53 - This has a “renewed commitment to conserving and restoring ancient woodlands”.

Paragraph 2.56 – “The Government is committed to providing appropriate protection to ancient woodlands and to more restoration of plantations on ancient woodland sites”.

[Biodiversity 2020: a strategy for England’s wildlife and ecosystem services](#) (published August 2011).

Paragraph 2.16 - Further commitments to protect ancient woodland and to continue restoration of Plantations on Ancient Woodland Sites (PAWS).

Renewable & low carbon energy

The resilience of existing and new woodland is a key theme of the Forestry Commission’s work to Protect, Improve and Expand woodland in England we will continue to work with Forestry / Woodland owners, agents, contractors and other Stakeholders to highlight and identify, pests and diseases and to work in partnership to enable Woodlands and Forests are resilient to the impacts of Climate Change.

Woodfuel and timber supplies continues to be an opportunity for local market growth whilst also enabling woodlands to be brought back into active management.

Flood risk

The planting of new riparian and floodplain woodland, can help to reduce diffuse pollution, protect river morphology, moderate stream temperature and aid flood risk management, as well as meet Biodiversity Action Plan targets for the restoration and expansion of wet woodland.

	<p>The Forestry Commission is keen to work in partnership with Woodland / Forest Stakeholders to develop opportunities for woodland creation to deliver these objectives highlighted above. In the wider planning context the Forestry Commission encourages local authorities to consider the role of trees in delivering planning objectives as part of a wider integrated landscape approach. For instance through:</p> <ul style="list-style-type: none"> . the inclusion of green infrastructure (including trees and woodland) in and around new development; and . the use of locally sourced wood in construction and as a sustainable, carbon lean fuel. 	
<p>Jacqui Salt Natural England (16/01/2019)</p>	<p>Thank you for your consultation on the above dated 18 December 2018 which was received by Natural England on 18 December 2018.</p> <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>We are supportive of the principle of meaningful and early engagement of the general community, community organisations and statutory bodies in local planning matters, both in terms of shaping policy and participating in the process of determining planning applications.</p> <p>We regret we are unable to comment, in detail, on individual Statements of Community Involvement but information on the planning service we offer, including advice on how to consult us, can be found at: https://www.gov.uk/guidance/protected-species-how-to-review-planning-applications</p> <p>We now ask that all planning consultations are sent electronically to the central hub for our planning and development advisory service at the following address: consultations@naturalengland.org.uk. This system enables us to deliver the most efficient and effective service to our customers.</p>	<p>No changes required.</p>
<p>Diane Atkins Elwick Parish Council (30/01/2019)</p>	<p>I have read the document but cannot find reference to the Wynyard Master Plan. I would have expected to find this listed in section 1.3.</p> <p>I know the plan is not yet written but as it was heavily relied upon in the Stockton Local Plan assessment, with assurances from the Hartlepool representative (Matthew King) that this</p>	<p>The emerging Wynyard Masterplan has been added to section 1.3. There</p>

	document was to go ahead in the near future, I would expect to see it referred to as an emerging plan at least.	has also been an addition under section 4 of the document to detail the process for the production of area-specific Masterplans.
Hartlepool Civic Society (18/02/2019)	Committee members had studied the document and at the meeting last night we decided that we are quite contented with the present system of involvement which works very well and we feel we can offer no further benefit to the Consultation. We appreciate being asked for our views.	No changes required.
Historic England (18/02/2019)	Thank you for consulting Historic England on the Statement of Community Involvement. Our only comment relates to Appendix 3, section 9.1, with reference to the Material Considerations. There is a typo in the reference to 'listed buildings', but it would also be more accurate to reference <u>all</u> heritage assets in this bullet – not just listed buildings and conservation areas. The glossary of the NPPF defines a heritage asset as: <i>A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).</i> The NPPF (paragraph 194) also refers to heritage assets being an irreplaceable resource, and needing to be conserved in a manner appropriate to their significance. Paragraphs 193-197 then reference the tests that apply to both <u>designated</u> and <u>undesignated</u> assets. This section of Appendix 3 should therefore make it clear that <u>all</u> heritage assets (whether designated or undesignated) are a material consideration in planning decisions. Thank you again for consulting Historic England, and if you require further details, please do not hesitate to contact me.	Please see amendment to section 9.1 in Appendix 3.

Appendix 2: List of Stakeholders Consulted during Consultation

Natural England	Northern Gas Networks
Environment Agency	Northumbrian Water
Historic England	RSPB
Highways England	Tees Archaeology
Able UK	Tees Valley Wildlife Trust
Airport Planning and Development	The Crown Estate
Association of North East Councils	West View Advice and Resource Centre
British Wind Energy	Tees Valley Combined Authority
Civil Aviation Authority	Building Control
Cleveland Police	Teesmouth Bird Club
Cleveland Fire Brigade	Middlesbrough Council
Dalton Piercy Parish Council	EDF Energy
Department for Transport	Tees Valley Nature Partnership
Durham Heritage Coast	Darlington Council
Cleveland Emergency Planning	Redcar and Cleveland Borough Council
Greatham Parish Council	Durham Bird Club/Campaign to Protect Rural England
Hartlepool Centre for the Deaf	SSA Planning
Hartlepool Civic Society	Plan info
Headland Parish Council	Durham County Council
Hartlepool Water	Elwick Parish Council
HMS Trincomalee Trust	Hart Parish Council
Homes England	Castle Eden Parish Council
National Planning Casework Unit	Fishburn Parish Council
Northern Powergrid	Grindon Parish Council
Network Rail	Haswell Parish Council
North East Chamber of Commerce	Hutton Henry Parish Council

Monk Heselden Parish Council
Trimdon Foundry Parish Council
Trimdon Parish Council
Wingate Parish Council
Wolviston Parish Council
Wynyard Park
Coal Authority
Martin Bonner
NLP
Merit Estates
Prism Planning
BDP
Arup
AAD Limited
Stovell & Millwater Ltd
McGough Planning Consultants Ltd
England, Lyle and Good
Barton Willmore
Lambert Smith Hampton
W H Abbott

NFU North East
Andrew Abbott
Hydrochem
Hartlepool United Supporters Trust
Persimmon Homes
Hartlepool Rural Plan Working Group
Park Residents Association
Sport England
Wynyard Residents Association
Hydrochem Group
Education Funding Agency
Health and Safety Executive
Home Builders Federation
Story Homes
Woodland Trust
Southbrook Farm
Gladman Developments
Fens Residents Association
Friends of Rossmere
Canal and River Trust