



Statement of Community Involvement - May 2012



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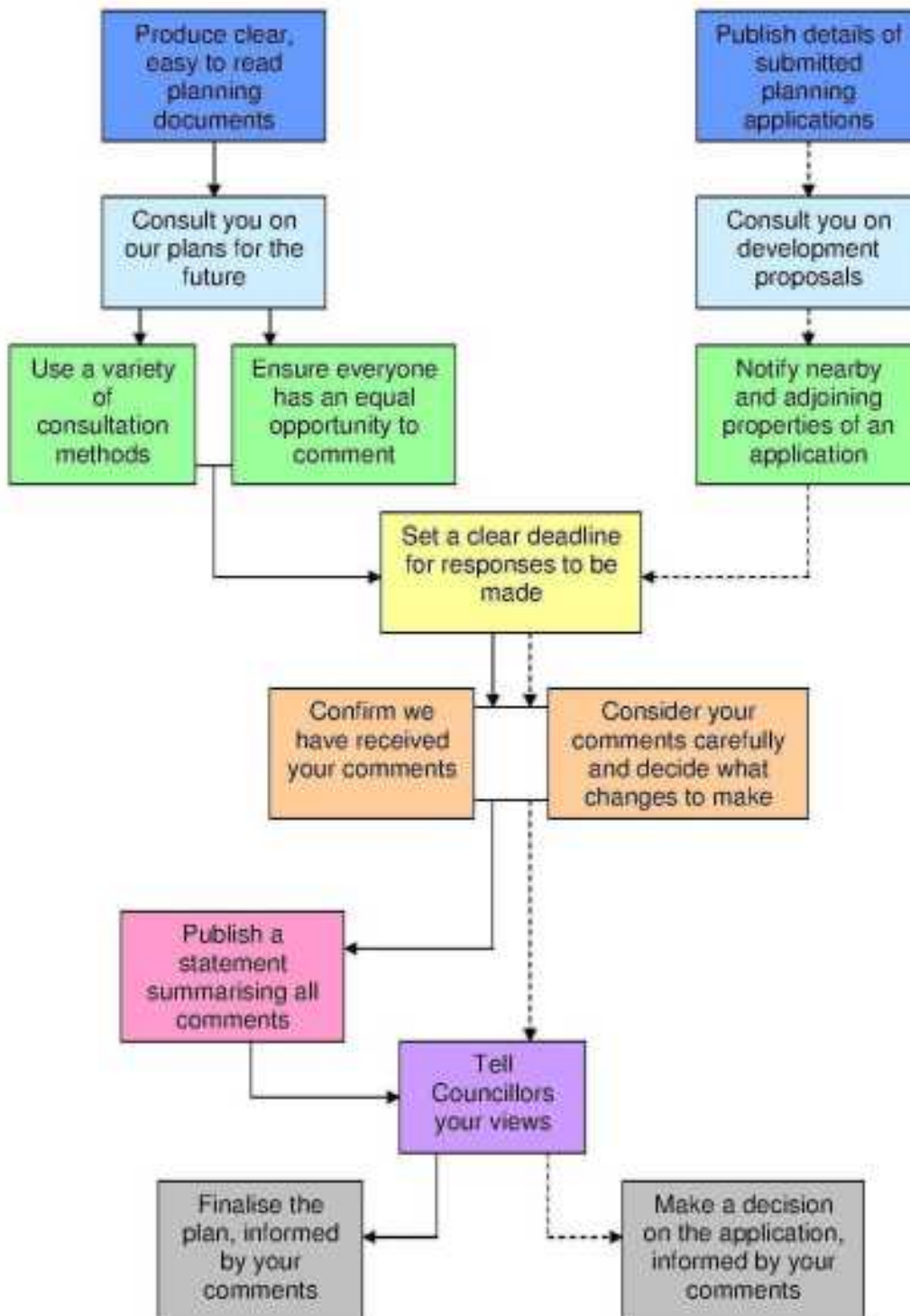
ہم درخواست کرنے پر مختلف زبانوں، بریل، اورچھاپے کے جلی حروفوں میں شائع شدہ مواد فراہم کر سکتے ہیں۔ ہمارے پاس انگریزی نہ بولنے والے افراد کے لئے ترجمانی کی سہولت بھی موجود ہے۔ معلومات کے لئے ٹیلیفون 01438 242242 یا ٹیکسٹ فون 01438 242555 پر بات کریں۔

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## 1 Summary of consultation activities

We promise that we will...



## 2 Introduction

### What is a Statement of Community Involvement?

**1** This Statement of Community Involvement (SCI) sets out how Stevenage Borough Council will involve the community in the preparation, alteration and review of local planning policy and decisions on planning applications.

**2** The council's first SCI was adopted in 2006. This provides an update to that document. Regularly reviewing the SCI allows for its effectiveness to be monitored and for amendments to be made to incorporate any policy changes, and to increase levels of public involvement, where possible.

**3** The Statement of Community Involvement aims to frontload the plan preparation process by ensuring that the community is involved earlier on than has traditionally occurred.

**4** This document therefore sets out:

- What policies and planning applications community involvement will be sought on
- How community involvement will be sought
- When involvement will be sought
- Which groups, organisations and individuals should be involved at various stages of the planning process.

### Why prepare a Statement of Community Involvement?

**5** A key objective of the town and country planning system is to strengthen community and stakeholder involvement in the planning and development process. Planning affects everyone in some way, so it is important that local people understand the process fully and are given the opportunity to get involved.

**6** In order to achieve this, The Planning and Compulsory Purchase Act 2004 requires all local authorities to produce a Statement of Community Involvement, which sets out their vision and strategy for effective community participation.

**7** The drive for greater community participation and empowerment is also on the national agenda, as outlined in the Localism Act 2011. National policy has seen an increasing emphasis on engaging local people as the planning system is evolving. Getting local opinions and help, is now widely recognised as key to creating better plans.

**8** Engaging communities early in the plan-making process should ensure that plans reflect the needs and aspirations of local people, and will allow for communities to fully understand the process from start to finish.

**9** This SCI should help to ensure that all consultation activities are carefully planned to enable a useful and effective outcome, which can be fed directly into the plan making process, offer everybody the opportunity to get involved, and ensure that resources are used efficiently. It also allows for monitoring to take place on the effectiveness of consultation activities and for new ideas and approaches to be added, where required.

**10** Our corporate Participation Strategy<sup>(1)</sup> aims to ensure that we provide the right opportunities for people to tell us what they think and to make it as easy as possible for them to influence decisions.

## What can I get involved in?

**11** Getting involved in the planning system at an early stage is essential to shaping the decisions which are made. There are two basic aspects of town planning that you can be involved in:

- **Planning applications** (Development Management) - most types of development require a planning application to be submitted and approved. Anyone can view and make comments on a planning application.
- **Plan preparation** (development plan documents) - setting the policy framework against which development proposals will be assessed.

**12** Decisions on planning applications are made in line with local planning documents, so getting involved in the production of these is essential.

## The corporate policy context

**13** The Council, as a whole, also has its own policies and aims relating to community engagement, and places a great deal of emphasis on ensuring the community has the opportunity to get involved in all areas of council work.

**14** The second Stevenage Community Strategy (Stevenage 2021 Our Town - Our Future) was adopted in December 2007 and is the product of a comprehensive process carried out to develop a shared vision for the future of Stevenage to 2021. This vision has been developed based upon the expectations of local people as well as the pressures and challenges facing Stevenage.

**15** A wide range of public, private, voluntary and community organisations have come together to form a local partnership called 'SoStevenage'. The partnership is responsible for producing our community strategy and ensuring the communities needs are met.

**16** As well as this partnership approach, a wide range of consultation activities were carried out during the production of this document in order to try and get as many people involved as possible.

**17** The Community Strategy contains a number of themes and priorities for action that are required to successfully deliver the vision for Stevenage. Our local development documents will build upon these objectives and will be the principal mechanism for delivering the land use and spatial elements of the Community Strategy.

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1 Participation Strategy 2008-2013: Encouraging Community Involvement



**18** 'Encourage community consultation' is one of the key priorities of the Corporate Plan<sup>(2)</sup>. It provides an outline as to how this will be done and lists a number of aims for the future.

*'We are committed to seeking the views of local people and to giving local people a real say in the decisions that affect their lives. We want all members of the community to have a voice and contribute to shaping and developing local services'. Corporate Plan, Making a difference: 2008-2013*

**19** A Participation Strategy<sup>(3)</sup> was produced in 2008 in order to try and achieve this Corporate Plan priority.

**20** A revised Corporate Communications Strategy was also produced in 2011<sup>(4)</sup>. This sets out the Council's co-operative principles, which aim to promote and support the close working relationships the council has with the town's residents and organisations.

**21** As a Co-operative Council, Stevenage embraces the support and partnership of organisations and residents. We work with people that use council services to explore different ways of providing and managing those services to the mutual benefit of everyone involved.

**22** The co-operative principles are:

- The Council as a strong community leader
- Working together with the community and other agencies to provide services based on needs
- Communities empowered to design and deliver services and play an active role in their local community
- A clear understanding between the Council and our communities - this is what we do, this is what we will help you to do
- Joined up and accessible services that offer value for money and focus on the customer.

**23** The SCI has been produced in accordance with all of these corporate policies, and our consultation activities will aim to meet their objectives. We will work with other departments to ensure that a consistent approach is taken to consultation. Where, appropriate, we may also link our public consultation with events and activities organised by other council departments and vice versa.

2 Corporate Plan, Making a difference: 2008-2013

3 Participation Strategy 2008-2013: Encouraging Community Involvement

4 Let's talk: Stevenage Borough Council Corporate Communications Strategy, 2011 to 2014

## 3 Community involvement in Planning Policy

### The Planning System

**24** The planning system requires local authorities to produce local development documents, which set out the spatial strategy for their local area, and provide the basis on which planning applications are determined.

**25** Planning legislation<sup>(5)</sup> sets out which documents must be produced and which are optional. Regulations<sup>(6)</sup> also exist to set out which of the documents must be developed with community input, and which must then be examined by an independent Inspector.

**26** There are two types of local development documents: Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs). DPDs set out planning policies to control land use within a local area, and SPDs provide further details to these policies.

**27** Further information regarding the council's programme for preparing development plan documents is contained in the Local Development Scheme.

**28** Copies of the Local Development Scheme are available from:

- the council's website – [www.stevenage.gov.uk](http://www.stevenage.gov.uk)
- the council's office – Daneshill House, Danestrete, Stevenage
- the council's Planning Policy team – telephone 01438 242161

**29** The Statement of Community Involvement will be used by the council to guide the development of its local planning documents.

### Development Plan Documents

#### How the Development Plan Documents will be prepared

**30** The preparation of Development Plan Documents (DPDs) involves the following stages:

<b>Stage 1</b> Development of evidence base	This stage involves us collecting an up-to-date information base on a range of social, economic and environmental matters.
<b>Stage 2</b> Public participation in the preparation of a development plan document (Regulation 18)	The results of Stage 1 are used to identify the main issues that the plan needs to deal with and the options that are available. An assessment of the plan's social, economic and environmental impacts is also produced at this point, in the form of a Sustainability Appraisal (SA).

5 The Planning and Compulsory Purchase Act 2004, The Planning Act 2008 and the Localism Act 2011

6 The Town and Country Planning (Local Planning) (England) Regulations 2012

	<p>At this stage, we are required to notify each of the specific consultation bodies that we consider may have an interest in the proposed DPD, and any general consultation bodies that we consider appropriate, as to the subject of the proposed DPD, and invite them to make representations.</p> <p>Local residents and businesses may also be informed, and invited to comment.</p> <p>The local authority must take into account any representations received as a result of preparing the development plan document. This is a duty which may technically be fulfilled up to the time of its publication.</p>
<p><b>Stage 3</b></p> <p>Preparation of DPD</p>	<p>At this stage we continue to develop our plan. This includes considering any comments from Stage 2 and the findings of any new studies.</p>
<p><b>Stage 4</b></p> <p>Publication of a development plan document (Regulation 19)</p>	<p>We publish the plan in what we think should be the final version. A more detailed assessment of the plan's social, economic and environmental impact (SA), and a draft proposals map, showing any changes that would result from the adoption of the plan, is also published.</p> <p>A public consultation will be held for a period of at least six weeks.</p> <p>A statement of consultation will also be produced, to provide a summary of the main issues raised by the representations. This will allow officers to review the representations and to consider what, if any, changes should be made to the draft development plan document before submission (Stage 5).</p>
<p><b>Stage 5</b></p> <p>Formal consideration of objections</p>	<p>We will consider any points raised by the consultation. If minor changes are required, then we will make these. If there are significant issues, we may withdraw the plan and return to Stage 3. Once we have dealt with all of the issues raised in Stages 4 and 5 we can go on to Stage 6.</p>
<p><b>Stage 6</b></p> <p>Submission to the Secretary of State (Regulation 22)</p>	<p>We will send the plan and any supporting documents to the Secretary of State to be examined.</p>
<p><b>Stage 7</b></p> <p>Independent examination (Regulation 24)</p>	<p>An Inspector appointed by the Government will carry out an independent examination of the 'soundness' of the plan. Those who object to the plan may be allowed to appear in front of the inspector in person.</p>
<p><b>Stage 8</b></p> <p>Receipt of Inspector's report and adoption (Regulations 25 and 26)</p>	<p>The inspector goes away, writes a report of the examination, and decides what changes (if any) need to be made. Once we receive the inspector's report we have to change the plan in line with their recommendations. It is this version of the plan that will be adopted.</p>

31 The following consultation methods are likely to be used to involve the community during the preparation of the Development Plan Documents:

32 The methods which are required by the Town and Country Planning (Local Planning) (England) Regulations 2012 are highlighted.

✓	Regulation requirement
✓	Likely consultation method

	Evidence Base	Regulation 18	Preparation of DPD	Regulation 19	Submission to Secretary of State	Examination	Inspector's Report & Adoption
Information available on Council's website	✓	✓	✓	✓	✓	✓	✓
Documents available for inspection at the Council's Danestrete office, the Customer Service Centre and local libraries		✓		✓	✓	✓	✓
Letters to statutory, general and other consultees listed in Appendix A		✓		✓	✓	✓	✓
Use of local media (e.g. advertisements, media releases)		✓		✓	✓	✓	✓
Facebook/Twitter		✓		✓	✓	✓	✓
Leaflets, flyers and brochures		✓		✓			
Public exhibition / displays		✓		✓			
Qualitative research (e.g. surveys)		✓					
One-to-one meetings	✓	✓		✓			
Presentations to groups, organisations and stakeholders		✓		✓			
Focus group meetings		✓					
Use of pre-existing Panels		✓		✓			✓

## Strategic Environmental Assessment

**33** The planning system requires DPDs to go through a process called a Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA). The purpose of SEA/SA is to assess the effects of the plan's proposals on the environment.

**34** An SEA/SA scoping report will be produced at the start of DPD preparation, which will be consulted on to allow for interested parties to have their say in what our SA should contain.

**35** An SA will be undertaken whilst preparing each stage of a DPD, and a report will be consulted on throughout the plan-making process, at the same time as the DPD itself.

**36** An SA is not required for Supplementary Planning Documents (SPDs).

## Supplementary Planning Documents

**37** The preparation of Supplementary Planning Documents (SPDs) follows slightly different regulation requirements and involves the following formal stages:

<p><b>Stage 1</b> Development of evidence base</p>	<p>This stage involves us collecting up-to-date information on a range of social, economic and environmental matters.</p>
<p><b>Stage 2</b> Preparation of draft SPD</p>	<p>A draft version of the SPD is produced, based on the evidence collected at stage 1.</p>
<p><b>Stage 3</b> Consultation on draft SPD (Reg 12)</p>	<p>Once the draft has been produced, we will consult on this document for a period of between 4 to 6 weeks.  Any representations made will be considered and amendments will be made to the document, where required.</p>
<p><b>Stage 4</b> Adoption (Reg 14)</p>	<p>The SPD is adopted in line with Regulation 14 requirements.</p>

38 The table below outlines the likely methods that will be used to involve the community during the preparation of SPDs:

✓	Regulation requirement
✓	Likely consultation method

	Evidence Base	Prepare draft SPD	Draft SPD consultation	Prepare final SPD	Adoption
Information available on Council's website			✓	✓	✓
Documents available for inspection at the Council's Danestrete office, the Customer Service Centre and local libraries			✓	✓	✓
Letters to statutory, general and other consultees listed in Appendix A			✓		
Use of local media (e.g. advertisements, media releases)			✓		
Leaflets, flyers and brochures			✓		
Public exhibition / displays			✓		
Qualitative research (e.g. surveys)	✓	✓	✓		
One-to-one meetings		✓	✓		
Presentations to groups, organisations and stakeholders		✓	✓		
Facebook/Twitter			✓		✓

## Who we will consult

**39** The Town and Country Planning Regulations<sup>(7)</sup> require local authorities to meet a minimum level of community involvement and specify a number of organisations which must be consulted if the Council considers that they will be affected, known as statutory consultees and general consultation bodies.

**40** In addition to meeting its statutory obligations, the Council is committed to ensuring that local groups, organisations and individuals are provided with the best possible opportunity to become involved in the preparation of local development documents.

**41** The Council's Corporate Communications Strategy lists our key stakeholders as:

- Residents of Stevenage
- People and organisations who use the council's services
- Stevenage Borough Council staff
- Stevenage businesses and their staff
- Schools and colleges in Stevenage
- Visitors to Stevenage
- Stevenage councillors
- The council's partner organisations
- Regional and national media
- Voluntary groups
- Local organisations
- Our neighbouring local authorities
- Hertfordshire County Council

**42** We currently have a database of around 1500 consultees, who have either commented upon, or expressed an interest in being involved with the production of our local development documents.

**43** This database will be used to keep registered individuals, organisations and groups informed on the production of any local planning documents. New consultees will be added to the consultation database as requested. The Data Protection Act will be followed to ensure that personal data is kept securely and personal details are not disclosed.

**44** A list of statutory consultees, general consultation bodies, and other organisations and groups the Council proposes to involve in the plan-making process is included in Appendix A.

## Consultation methods

**45** Since the publication of the last Statement of Consultation the ways in which the Council engages with the community have developed and improved. One of the main changes has developed through the use of increased information technology. Over the past year the Council has increased its use of social networking sites, such as Facebook and Twitter, to communicate with residents. Over 600 people now receive regular updates from the Council through these sites.

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7 The Town and Country Planning (Local Planning) (England) Regulations 2012

**46** The Communications Strategy<sup>(8)</sup> sets out a list of the main consultation methods that the Council currently uses. This has been used, and built upon, to outline our own consultation activities that we will use when consulting people about our planning documents.

**47** A variety of methods will be used at various stages of the planning process to enable community involvement in the Local Development Framework. These methods include, but are not limited to:

- **The website** - our consultation activities will be publicised through the Council's website, on both the Planning Policy pages, and on its dedicated 'Have Your Say' consultation page. This will also provide a place for all local development documents and background studies to be made available for download. Our consultation portal will be available for people to read the documents and provide comments online.
- **Inspection points** - documents will be made available for inspection at the Council's Danestrete office and local libraries during consultation periods. (Documents can be made available outside of these times upon request).
- **Emails** - notifications will be sent to statutory bodies, stakeholders, relevant groups and other individuals and organisations on our consultation database. An email address<sup>(9)</sup> provides direct access to the Council's planning policy team.
- **Letters** - notifications will be sent to statutory bodies, stakeholders, relevant groups and other individuals and organisations on our consultation database.
- **Local newspapers** - often, we will advertise in the local press. Advertisements will include details on when and where planning documents can be inspected, how copies can be obtained, the closing date for representations and where to send them.
- **The Chronicle** - where possible, we will place notices and articles in the Chronicle magazine which is delivered to all homes in Stevenage four times a year.
- **Leaflets** - leaflets, flyers and brochures may be distributed separately, or with other Council correspondence, to summarise detailed information.
- **Public exhibitions/displays/roadshows** - for larger consultation events, we may promote our consultation event at a public exhibition, display or a roadshow. This has the ability to target members of the community who may not get involved through more formal methods.
- **One-to-one meetings** - with individuals, groups and organisations as appropriate, to provide an opportunity for face-to-face discussion and sharing of ideas. However, it will remain the responsibility of the individual, group or organisation to submit written comments after the meeting if they so wish.
- **Presentations** - to groups, organisations and stakeholders as appropriate, to target particular people in the community who may be interested in a specific issue.

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8 Let's Talk: Stevenage Borough Council Communications Strategy 2011-2014

9 [planningpolicy@stevenage.gov.uk](mailto:planningpolicy@stevenage.gov.uk)



- **Questionnaires/Surveys** - use of questionnaires, surveys and/or focus groups to determine attitudes towards particular issues and options. Such research can target groups and individuals with particular interests or citizen's panels with multiple interests.
- **Community/resident meetings and groups** - use of pre-existing community/resident meetings, and meetings of community groups to target people with particular characteristics/interests.
- **Interactive workshops** - use of interactive workshops to identify and focus discussion around difficult issues and key themes. These can reach people who might not get involved in more formal groups but who may respond to this kind of contact.
- **Facebook and Twitter** - our consultation events will be advertised on our Corporate Facebook and Twitter pages.
- **Council meetings** - where appropriate, we will take our plans to relevant council meetings, for feedback from local Councillors.

**48** The Town and Country Planning Regulations<sup>(10)</sup> set out the minimum requirements for public participation in the preparation of a development plan document. We aim to go over and above these requirements in order to ensure that our local community participation objectives are met.

**49** We recognise that some of the methods outlined above may not be suitable for everyone, however, it is hoped that the variety of methods utilised will enable a wide range of people to get involved in the consultation process.

**50** In line with the Council's Participation Strategy, all of our publications, will be written clearly and concisely, avoiding technical language, and using images and pictures, where practicable. A Translation Facilities box will be included on the inside front cover of all consultation documents and adopted DPDs and SPDs. We will also offer an appropriate timescale for representations to be received to allow everyone to have the chance to participate.

## Equalities and Diversity

**51** The Equality Act (2010) defines nine 'protected characteristics': age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. We will aim to ensure that these characteristics do not affect people's ability to respond to our consultations and to have their voice heard.

**52** The Council recognises that some groups are harder to engage with than others. In more specific terms, these hard-to-reach groups include: people whose first language is not English, people with disabilities, children and young people, older people, ethnic minorities, asylum seekers, gypsies and travellers, religious groups, the homeless, substance abusers and people who have experienced domestic violence (this list is not intended to be exhaustive). Such groups may not be engaged by, or may be unable or generally unwilling to engage in, traditional consultation methods.

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10 Town and Country Planning (Local Planning) (England) Regulations 2012

**53** We will take into account the barriers faced by these groups and try to overcome these by using alternative methods of consultation, or by asking the affected groups/individuals how they would like to be involved.

**54** We will use the expertise and networks of communication already established throughout different areas of the Council to engage such groups. Where appropriate, the Planning Policy team will hold meetings and host presentations with such groups at a mutually convenient time and venue.

**55** Appendix A provides a list of some of the key community and voluntary organisations in Stevenage and wider Hertfordshire. They have been included for their relevance to equality and diversity groups to assist with consultation and engagement (but note this is not intended to be an exhaustive list).

### **What we do with any comments received**

**56** All written comments received by the Council on DPDs and SPDs will be acknowledged in writing. At the end of each consultation period, officers will consider all of the representations received and make changes to the plan if appropriate.

**57** All of the comments that you send us will be public documents. This means they will be available for other people to see on request. We cannot accept confidential or anonymous comments. We will not reveal personal data such as signatures, email addresses or telephone numbers but we cannot keep your name or address secret.

**58** We will not accept any comments that are offensive, obscene, racist or illegal. We may pass any such material to the police.

**59** A Statement of Consultation will be produced which contains an overview of the consultation activities undertaken, a summary of the responses received and how we have taken these into account when producing the final version of the document. A copy of the statement will be placed on the Council's website and will be made available to view at our Daneshill House offices.

**60** Officers will then prepare a report to the Council's Executive that outlines the main issues raised in submission and makes recommendations for future action. Where the Council considers it appropriate, the substance of the comments will be reflected in changes being made to proposed policies and proposals.

**61** When submitting a DPD to the Secretary of State, the Council is also required to submit a Statement of Compliance setting out which bodies and other persons have been consulted, how they have been consulted, the main issues that were raised and how these issues have been addressed.

## 4 Community involvement in Development Management

**62** Development management decisions shape the character of the borough and the areas where people live, work and spend their leisure time. In 2010/11, the Council determined over 400 planning applications ranging from household extensions and fences, listed building applications, to major new housing estates and business premises.

### What opportunities exist for me to get involved?

**63** Opportunities exist for informing and consulting the community on development proposals and planning applications at pre-application stage, application stage and after a decision has been made.

### Pre-application stage

**64** The council encourages pre-application discussions. These discussions may vary from a short chat with a staff member from the Council's Development Management team over a household extension to a series of meetings with various council departments over a large-scale development proposal. The council considers pre-application meetings a useful way of resolving early design and development problems (thereby avoiding possible public objections at a later stage), and ensuring that high quality applications (containing sufficient information) are lodged. All pre-application meetings are private and confidential.

**65** Since April 2011, pre-application advice has been subject to the payment of an appropriate fee. Fees have been set out based on the size and type of development. Details of the fees, and further information, can be found on the councils website<sup>(11)</sup>.

**66** As there can be significant resource implications associated with pre-application discussions, applicants proposing large-scale development schemes are encouraged to carry out their own pre-application community consultation and involvement exercises, and report any findings as part of their planning submission. The council's Development Management team is available to suggest ways to involve and inform the community.

**67** It is important to note that any views expressed by council staff members during pre-application discussions are informal and are not binding on any future decision made by the council.

### Application stage

**68** Once an application has been lodged with the council, it will be registered and included on the weekly application register. The register is available on the council's website<sup>(12)</sup> or can be received by emailing the Planning department<sup>(13)</sup>. All active planning applications (i.e. those that are awaiting a decision) may also be viewed at the council's Danestrete office.

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11 <http://www.stevenage.gov.uk/planning/planning-permission/pre-application-advice/>

12 [www.stevenage.gov.uk](http://www.stevenage.gov.uk)

13 [planning@stevenage.gov.uk](mailto:planning@stevenage.gov.uk)

**69** The council is required to consult with the community on planning applications under the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2010. The council carries out consultation for all applications, even those where the applicant has undertaken their own pre-application consultation, to ensure there is no bias.

**70** For certain types of planning applications, the council is also required to consult specific organisations and groups. A list of the statutory consultees, and details of the regulation requirements, is set out in Appendix B.

**71** Nearby and adjoining property owners and tenants affected by a development proposal will be notified of an application by letter from the council and/or a notice will be posted on, or close to, the development site. For larger development proposals and some statutory applications, such as listed buildings, a Public Notice will be placed in the section of the local newspaper. The letter, notice and/or advertisement will contain details of the planning application proposal and information on where plans (and any supporting information accompanying the application) can be viewed. It will also explain how to make comments about the application and the period allowed for returning them to the council.

**72** From time to time, planning applications are revised after they have been submitted. Often this is in response to concerns raised by council staff or matters raised in objections. In these cases, the council will re-consult those people originally notified of the permit application in order for them to be given an opportunity to comment on the amended design. Given the eight week statutory time limit within which the council has to determine most applications, a 14 day response period will usually apply for re-consultations. Any person who lodges an objection to an application will be notified of any decision made by the council on the proposal.

## **Post-application stage**

**73** Once a decision has been made on an application, the council will send a letter to all statutory consultees and interested persons who made representations informing them of the decision. Decisions also appear on the weekly decision register and for applications submitted after 1 December 2005, a copy of the decision notice will be made available on the council's website.

**74** Where an applicant is unhappy with the council's decision, they have the right to appeal. Applicants must lodge an appeal with the Planning Inspectorate who will determine its validity before initiating proceedings and setting a start date. Where an appeal is accepted, the council has two weeks from the start date to notify all statutory consultees and interested persons and to submit a completed appeal questionnaire. Statutory consultees and interested persons then have six weeks from the start date in which to make any additional comments on the application. The council will submit all relevant information and an appeal statement to the Planning Inspectorate within the same six week period. It is then a matter for the Inspectorate to re-evaluate the information and determine whether the council's decision was correct. The Inspectorate has the right to overturn the council's decision.

## Consultation methods

**75** As every planning application is individual and is treated as such, the community involvement and consultation techniques used for each application will vary. While it is impossible to detail every type of planning application, the table below outlines what action the council will take in order to provide the community with an opportunity to put forward their views on applications both prior to and during the development management approval process.

	Major & Departure Applications	Minor Applications	Other Minor Applications
Advertise receipt of application on website	Always	Always	Always
Copy of application available for inspection at council's Danestrete office	Always	Always	Always
Erection of on-site notice	Always	Normally	As appropriate
Letters sent to neighbours	Always if neighbour adjoining	Always if neighbour adjoining	Always if neighbour adjoining
Letters sent to statutory and non-statutory consultees	As appropriate	As appropriate	As appropriate
Advert in local newspaper	Always	As appropriate	If it affects a Listed Building, Conservation Area or Right of Way
Public exhibitions/displays	Occasionally depending on proposal	Occasionally depending on proposal	
Press release	Occasionally depending on circumstances	Occasionally depending on circumstances	
Public meeting to allow the applicant to present proposals and answer questions from the public	Occasionally depending on circumstances *	Occasionally depending on circumstances *	Very occasionally *
Application considered at Planning and Development Committee	Always	Occasionally	Occasionally
* Undertaken by the applicant			

**76** For the purposes of the table on the previous page:

Application type	Definition/details
Major applications	<ul style="list-style-type: none"> <li>• 10 or more dwellings or where the site area is more than 0.5 hectares</li> <li>• For all other uses, where the floorspace created is more than 1,000m<sup>2</sup> or the site is more than 1 hectare</li> <li>• Applications are normally determined within 13 weeks</li> </ul>
Departure applications	<ul style="list-style-type: none"> <li>• Proposals which must be submitted to DCLG for their consideration.</li> <li>• They include applications that are considered to be in breach or may significantly compromise the delivery of local planning policy.</li> </ul>
Minor applications	<ul style="list-style-type: none"> <li>• Less than 10 dwellings</li> <li>• For all other uses, where the floorspace is less than 1,000 m<sup>2</sup></li> <li>• Normally determined within 8 weeks</li> </ul>
Other minor applications	<ul style="list-style-type: none"> <li>• Normally determined within 8 weeks</li> <li>• Includes:                             <ul style="list-style-type: none"> <li>• Applications for advertising consent</li> <li>• Applications for tree works</li> <li>• Conservation Area consent</li> <li>• Listed Building consent</li> <li>• Any householder application</li> <li>• Change of use for non-major developments where no building or engineering works is proposed</li> </ul> </li> </ul>

## What happens to any comments received?

**77** All written comments received by the council will be acknowledged in writing. At the end of the consultation period all responses will be considered.

**78** Where the council considers it appropriate, the comments will either be reflected in changes being made to the proposal and/or adding conditions to address particular issues if permission is granted, or they may result in refusal of the application. As there are nearly always differing views and competing interests on development proposals, it is the council's role to make an informed decision on what outcome will be in the best interest of the community, having regard to the local planning policies for the area and the amenity impacts of the proposal.

**79** For major, significant and controversial applications, decisions are made by Councillors through the Planning and Development Committee. In these circumstances, the council's Development Management officers will prepare a report for the Committee that outlines the proposal, issues raised in submissions and recommendations regarding whether approval should be given (and if so, what conditions should be imposed).

**80** For most minor and householder applications, decisions are determined by the Head of Planning and Regeneration under powers delegated by the Planning and Development Committee. However, any Member of the council may request, under a call-in procedure, that a particular application is decided by the Planning and Development Committee if they consider there to be exceptional circumstances surrounding it. In the event of an application being referred to the Committee, there is an opportunity for people to put their views directly to the Committee.

**81** Any person who lodges an objection to the proposal will be notified when an application is to be reported to the Planning and Development Committee for determination. Any person who objected to a planning application will be notified of any decision made by the council. A copy of the Development Management report will be made available on request.

**82** On occasions where the Secretary of State calls-in an application, the council will provide copies of all correspondence to the Secretary of State. Objectors will be notified of the call-in and given the chance to comment directly to the Secretary of State.

## **Can my Councillor or I speak at the Planning and Development Committee?**

**83** All Councillors are informed of the date of receipt of an application via distribution of the weekly applications register. Councillors have 28 days from the date of receipt of an application to request that it be considered by the Planning and Development Committee. During this time the Councillor is required to justify why Committee consideration of the application is essential.

**84** Once a decision has been made for an application to be considered by the Planning and Development Committee, all objectors will be notified of the Committee meeting date.

**85** Any person who lodged an objection to the planning application may apply to speak against the proposal at the Committee meeting. If however more than one objector wishes to speak, then a representative should be nominated to express the combined views of all objectors. If any objector elects to speak to the Committee then a similar right will be granted to the applicant or his/her agent. You may address the Committee for a maximum of 3 minutes. An applicant may only speak to the Committee meeting where an objector is also speaking.

**86** The council's Development Management team have produced a short brochure on how to have your say on planning applications. Please telephone 01438 242268 if you would like a copy of this brochure.



### 5 Monitoring and review

**87** Public consultation on previous local planning documents has been effective in engaging a wide variety of individuals and organisations in their production, and has had a positive impact on the creation of these plans.

**88** The contents of the Statement of Community Involvement will be regularly reviewed in order to keep up to date with any changes in policy, to update the consultee groups, where necessary, and to review the relative success of the various community involvement measures undertaken.

**89** Our online consultation portal allows for registered consultees to input equal opportunities monitoring data when signing up to the system. If completed, this will help us to monitor the effectiveness of our policies surrounding equal opportunities and to make changes where required. In addition, we will include an optional monitoring form alongside the consultation response forms.



## 6 Planning Aid

**90** Planning Aid is a network of planning volunteers who provide free and independent advice to community groups and individuals who are unable to afford a consultant. The East of England branch of Planning Aid can be contacted on:

- Email – [eecw@planningaid.rtpi.org.uk](mailto:eecw@planningaid.rtpi.org.uk)
- Telephone – 0870 850 9801
- Address - East of England Planning Aid, 38 Cambridge Place, Cambridge, CB2 1NS.

## 7 Complaints procedure

### Customer Complaints Procedure

**91** If you are not happy with the service you have received, you should contact the Planning Policy team in the first instance. However, if you are dissatisfied with the response, you can make a formal complaint through the Council's Complaint Procedure. There are 3 stages to the procedure:

#### Stage 1

**92** Contact the Customer Service Centre (CSC) with the details of your complaint. The CSC will record a formal complaint at Stage 1 of the council's complaint procedure and acknowledge the complaint within 2 working days of receipt, stating which officer is dealing with your complaint. You should receive a reply within 10 working days.

#### Stage 2

**93** If you are not satisfied with the Stage 1 reply, contact the CSC to refer your complaint to Stage 2 of the complaint procedure. The CSC will acknowledge your complaint within 2 working days of receipt, stating which officer is dealing with your complaint. The officer will carry out an investigation. You should receive a reply within 15 working days.

#### Stage 3

**94** Within 4 weeks of receiving the Stage 2 reply, if you are still dissatisfied with the Council's response to your complaint, you must contact the CSC to make a Stage 3 complaint. The CSC will acknowledge your complaint and refer it to a Strategic Director who will reply to you within 20 working days.

**95** If you have been through all of the stages of the complaints procedure and you are still dissatisfied you can appeal to the Local Government Ombudsman.

### Local Government Ombudsman

**96** The Local Government Ombudsman investigates complaints of injustice arising from misadministration by Local Government and certain other bodies. The Ombudsmen can investigate complaints about how the council has done something. But they cannot question what a council has done simply because someone does not agree with it.

Local Government Ombudsman  
10th Floor,  
Millbank Tower,  
Millbank,  
London,  
SW1P 4QP

Tel: 0845 602 1983

Or you can visit the Local Government Ombudsman's website at [www.lgo.org.uk](http://www.lgo.org.uk)

## Appendix A: Stakeholders to be involved in the development of local planning policy

Please note that these lists refer to successor bodies where re-organisation occurs.

### Statutory Consultees

The specific consultation bodies which the Regulations<sup>(14)</sup> require the Council to consult are:

- Community and Parish Councils (Including Aston Parish Meeting, Datchworth Parish Council, Graveley Parish Council, Great Ashby Community Council, Knebworth Parish Council, Langley Parish Council, St Ippolyts Parish Council, Walkern Parish Council, Weston Parish Council and Wymondley Parish Council)
- East Hertfordshire District Council
- Hertfordshire Constabulary
- Hertfordshire County Council
- Marine Management Organisation\*
- Natural England
- NHS Hertfordshire
- North Hertfordshire District Council
- Relevant communications companies
- Relevant electricity and gas companies
- Relevant sewerage and water undertakers
- The Coal Authority\*
- The Environment Agency
- The Highways Agency
- The Historic Buildings and Monuments Commission for England (English Heritage)
- The Homes and Communities Agency
- The Secretary of State for Transport

\*Unlikely to be relevant for Stevenage Borough Council.

### General Consultation Bodies

The Regulations also require the Council to consult general consultation bodies, where appropriate. For Stevenage, these include:

- Community/resident groups
- Developers, house builders, the development industry and their agents
- FOSTA
- Local business groups (including local business forums)
- Local community action groups
- Local community transport groups
- Local disability groups

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14 The Town and Country Planning (Local Planning) (England) Regulations 2012

- Local education trusts and associations
- Local environmental groups (e.g. Hertfordshire Biological Record Centre, Hertfordshire and Middlesex Wildlife Trust)
- Local health associations
- Local housing groups and associations
- Local history and conservation groups (e.g. Friends of Forster Country)
- Local leisure and sport groups
- Local racial, ethnic or national groups
- Local registered social landlords
- Local religious groups
- Local resident associations
- Local retail associations
- Neighbourhood Watch groups
- Older persons groups
- Voluntary organisations
- Youth groups, schools and colleges

We will also involve local residents and the following organisations, where necessary:

- DCLG
- Home Office
- Department for Education
- Department for Environment, Food and Rural Affairs
- Department for Transport
- Department for Health
- Department of Business, Innovation and Skills
- Department for Culture, Media and Sport
- Department for Work and Pensions
- Ministry of Defence
- Ministry of Justice
- Office of Government Commerce
- Age UK
- Airport operators
- Chemical Business Association
- British Geological Survey
- Centre for Ecology and Hydrology
- British Chambers of Commerce
- Church Commissioners
- Civil Aviation Authority
- CABE and the Design Council
- Crown Estate office
- Diocesan Board of Finance
- Disabled Persons Transport Advisory Committee

- Environmental groups at national, regional and local level, including Council for the Protection of Rural England (CPRE), Friends of the Earth, Royal Society for the Protection of Birds (RSPB), the Woodland Trust and other Wildlife Trusts
- Equality and Human Rights Commission
- Fields in Trust
- Fire and rescue services
- Forestry Commission
- Freight Transport Association
- Gypsy Council
- Health and Safety Executive
- Home Builders Federation (HBF)
- Learning and Skills Council
- Local public transport operators
- Network Rail
- Rail companies and the Rail Freight Group
- Regional housing boards
- Road Haulage Association
- Sport England
- Tenancy Services Authority
- Gypsy and Traveller Law Reform Coalition
- Women's National Commission

The Council retains a large consultation database of all interested groups and bodies allowing it to target consultation exercises accordingly.

## **Hard-to-Reach Groups**

The Council intends to specifically target and engage the following groups who represent hard-to-reach sectors of the community we have traditionally struggled to involve in the plan-making process. Please note, this is not an exclusive list: (the Council will look to work with any other groups that come to light during consultation periods)

### Older people's groups

- Age Concern Information Centre
- Douglas Drive Senior Citizens Association
- Stevenage Senior's Forum

### Young people's groups

- Bowes Lyon House Youth Centre
- Connexions Stevenage
- Hertfordshire Association Of Young People
- Hertfordshire Care Trust
- Herts Young Homeless Group

- Stevenage Youth Council
- YMCA Space Stevenage

#### Women and men's groups

- Gujerati (over 60s) Hindu Men's Association and Satsang Mandal (Hindu over 60's ladies).
- Hightown Praetorian Association Women's Refuge
- Stevenage and North Herts Women's Resource Centre

#### Disability and carer groups

- Alzheimer's Society (Stevenage and North Herts)
- Carers in Hertfordshire
- Crossroads Care (Hertfordshire North)
- Disability Information Service Herts
- Hertfordshire Action on Disability
- Hertfordshire Hearing Advisory Service
- Hertfordshire Society For The Blind
- Mind in Mid Herts
- Motor Neurone Disease Association (North and East Hertfordshire)
- MS Society, Mid-Herts Branch
- North Herts People First
- POhWER
- REACT Disability Group
- Stevenage Depression Alliance
- Stevenage Learning Communities Disabilities Team
- Stevenage Shop Mobility
- TRACKS (Autism)

#### Religion and belief groups

- Ahmadiyya Muslim Association
- Buddhist Centre Letchworth
- Churches Together in Stevenage
- Gujerati (over 60s) Hindu Men's Association and Satsang Mandal (Hindu over 60's ladies).
- Stevenage Mosque and Muslim Community Centre
- Stevenage Sikh Cultural Association
- The Baha'i Community of Stevenage

#### Race, nationality and ethnicity groups

- Dyes Lane Gypsy and Traveller Site
- Stevenage and North Herts Indian Cultural Society
- Stevenage Caribbean and African Association
- Stevenage Irish Network

- Stevenage Polish Association
- Stevenage World Forum for Ethnic Communities

### Gay, Lesbian, Bisexual and Transgender (LGB&T) groups

- Cortex
- Herts Gay Community
- Women's Link
- Young Pride in Herts

### Other groups

- Citizen's Advice Bureau Stevenage
- FOSTA
- Hertfordshire Association for the Care and Resettlement of Offenders
- Independent Custody Visitors Scheme
- Relate Centre (Central and North Hertfordshire)
- Stevenage CVS
- Stevenage Haven
- The Living Room



### Appendix B: Stakeholders to be involved in Development Management

The regulations<sup>(15)</sup> require the Council to consult specific consultation bodies when considering some planning applications.

The statutory consultees for Development Management include:

- Local highway authorities
- Local planning authorities
- Natural England
- Parish councils
- Rail network operators
- Regional development agencies
- The British Waterways Board
- The Coal Authority
- The English Sports Council
- The Environment Agency
- The Health and Safety Executive
- The Historic Buildings and Monuments Commission for England
- The National Park authority
- The Secretary of State for the Environment, Food and Rural Affairs
- The Secretary of State for Transport
- The Theatres Trust

However, the statutory consultees which need to be consulted vary depending on the type of application submitted, and the specific site circumstances. Therefore, the detailed table within Schedule 5 of The Town and Country Planning (Development Management Procedure) (England) Order 2010 should be referred to for more detailed information.

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15 Article 16 of The Town and Country Planning (Development Management Procedure) (England) Order 2010

## Appendix C: Non-technical glossary of town planning terms and acronyms

**This appendix is not designed to provide an exhaustive, legally definitive or comprehensive anthology of all terminology used within the town and country planning process. Rather it is designed to provide short, non-technical summaries of the terms and acronyms most widely used in the preparation of development plans or in determining planning applications. More detailed and technical information can be sought from legally competent, authoritative and academic sources widely available in libraries and on the Internet.**

**Adoption:** The formal adoption, by Council, of a local plan (cf) or Development Plan Document (cf) following public examination (cf) and receipt of a positive report from the Planning Inspectorate (cf) is the final formal stage in the evolution of a statutory planning document. Once a plan is adopted it has full legal weight in the determination of planning applications.

**Allocation:** Formal identification of a land parcel for a specific use through a development plan (cf). Most commonly associated with housing allocations.

**Amenity:** A positive element, or elements, that contribute to the overall character or enjoyment of an area. For example, open land, trees, historic buildings and the inter-relationship between them, or less tangible factors such as tranquillity.

**Ancillary use:** Where a building or plot of land is in a variety of uses (as defined by the Use Classes Order (cf)), the principal use will be the defined use of the land in planning law terms. For example, a furniture-making factory may have a storage building, offices, a staff restaurant and over-the-counter sales to the public. All of the other uses are ancillary to the predominant use of the planning unit ~ a factory falling within Use Class B2. If there is no one dominant use a mixed use will exist. Changes in the balance of uses in both instances may constitute a material change of use (cf) and, therefore, require planning permission (cf).

**Annual Monitoring Report (AMR):** This measures how the council is progressing with the timetable set out in the Local Development Scheme (cf). It also assesses the effectiveness of the various policies contained in the Development Plan Documents and monitors key indicators, such as house-building, employment land take-up, etc.... The Localism Act will remove the statutory requirement to produce this document.

**Appeal:** Within a set time of a planning application being determined, or if the Council has failed to determine the application within the statutory timeframe, an aggrieved applicant may ask for a decision to be (re)considered by the Planning Inspectorate (cf). The appeal may be conducted (i) in writing, (ii) by an informal discussion led by the Inspector or (iii) by a formal public inquiry, with cross-examination of witnesses and perhaps barristers to present the respective parties' cases. The Planning Inspectorate decision is binding (but may be challenged by judicial review (cf)).

**Application form:** Each planning application must be accompanied by a formal application form. These forms follow a national standard and include the name and address of the applicant, the location of the development and details of the proposal. Must be accompanied by: a signed

ownership certificate; a plan of the proposal at an appropriate and recognised scale; and usually by a variety of other information eg, Design and Access Statement (cf). May also be accompanied by an Environmental Impact Assessment (cf).

**Approved plans:** A plan at a recognised scale that shows the development permitted by a grant of planning permission (cf). Any significant variation in the built form from that shown on the approved plans may require a further planning application (cf) or may lead to enforcement action (cf), which could include the demolition of the offending buildings or cessation of the aberrant use(s). See also 'Decision Notice'.

**Area Action Plan (AAP):** These provide the planning framework for areas where significant change or conservation is needed or anticipated. These plans have Ordnance Survey based maps, which will act as insets to the main proposals map. These are voluntary plans that, if written, are statutory documents. AAPs will effectively cease to have statutory support once the related provisions of the Localism Act come into force.

**Betterment:** The issue of to whom the increase in the value of land or buildings accrues as a result of a planning decision: the issue being 'should a private individual benefit from a public decision'. This has bedevilled the planning system since 1947 and no satisfactory result has ever been achieved. Currently, Section 106 agreements (cf) and the Community Infrastructure Levy (cf) represent the nearest that the English planning system has to a betterment tax.

**Biodiversity:** The 1992 United Nations Earth Summit defined biological diversity or biodiversity as "*the variability among living organisms from all sources, including, 'inter alia', , , and other , and the ecological complexes of which they are part: this includes diversity within species, between species and of ecosystems terrestrial, , and other , and the ecological complexes of which they are part: this includes diversity within species, between species and of ecosystems marine, and other , and the ecological complexes of which they are part: this includes diversity within species, between species and of ecosystems aquatic ecosystems, and the ecological complexes of which they are part: this includes diversity within species, between species and of ecosystems*". The term covers species diversity; ecosystem diversity; genetic diversity; and molecular diversity. Many industrial materials derive directly from biological sources. Biodiversity is also important to the security of resources such as water, timber, paper and food. As a result, biodiversity loss is considered to be a significant risk factor. Consequently, it is a pertinent consideration in planning matters. A Biodiversity Action Plan (BAP) for Stevenage was created in 2010.

**Blight:** The reduction, or perceived reduction, in value of a building or piece of land as the result of a planning decision.

**'Brownfield first':** A principle established in Planning Policy Statements (cf) that says that brownfield land (cf) should be used for development before greenfield sites (cf) are used. One of the key principles that underpins sustainable development (cf) in UK planning.

**Brownfield land:** Land which has been previously developed. Often associated with urban land but equally relates to previously developed land in the countryside and the Green Belt (cf). May be contaminated by pollutants which require remediation before re-use and redevelopment occur. The precautionary principle (cf) may be applied to the need for, and scale of, remediation where former industrial land is to be re-used for housing.

**Brundtland Commission/definition:** The United Nations World Commission on Environment and Development, chaired by three-time Norwegian Prime Minister Gro Harlem Brundtland, whose 1987 report defined 'sustainable development' (cf).

**Building control/regulations:** An entirely separate and distinct regime from planning, with its own procedures, fees and decision-making process. Many forms of development do not require express planning permission but will require building control approval. The national Building Regulations ensure that buildings are safe, fuel and energy efficient, reduce CO<sub>2</sub> emissions and provide access for people with disabilities. Building Control exists in both public and private sectors (the latter being known as Approved Inspectors), with the two sectors competing for business. Local authorities are required to provide a Building Control service for use by the public.

**Call-in:** Some planning applications must be notified to the Secretary of State (cf) to give her/him the opportunity to 'call-in' an application for her/his own determination. The Secretary of State also has powers to call-in any application and may direct us to hand it over to them. The application is considered at a public inquiry by one or more members of the Planning Inspectorate (cf) who make recommendations to the Secretary of State, who decides whether or not to allow the application.

**Campaign to Protect Rural England(CPRE):** A registered charity with over 60,000 members and supporters. Formed in 1926, the CPRE claims to be one of the longest running environmental groups. CPRE campaigns using its own research to lobby the public and all levels of government. Credited with being a prime mover in the creation of the Green Belt (cf), National Parks, Areas of Outstanding Natural Beauty and the 'brownfield first' (cf) sequential test (cf).

**Capacity study:** A study designed to identify what capacity or 'headroom' there is for a particular form of development. Uses population projections and other statistical data/assumptions to identify whether there is a gap between the current amount of provision and the level of provision projected as being necessary (usually at some point in the future). Most commonly associated with retail capacity studies, where a developer wants to show that there is the capacity for a new store that will not undermine existing stores. But see also 'Urban capacity study'.

**Carbon emissions/footprint:** See 'Greenhouse effect'.

**Carbon neutral:** Has a nil-net effect on carbon emissions. See also 'Greenhouse effect'.

**Carbon offsetting/trading:** A reduction in emissions of carbon dioxide or greenhouse gases made to compensate for, or to offset, an emission made elsewhere. There are two markets for carbon offsets. In the compliance market, companies, governments, or similar buy carbon offsets in order to comply with caps on the total amount of carbon dioxide they are allowed to emit. This market exists in order to achieve compliance with obligations under the Kyoto Protocol (cf). In the voluntary market, individuals, companies, or governments purchase carbon offsets to mitigate their own greenhouse gas emissions. Offsets are typically achieved through financial support of projects that reduce the emission of greenhouse gases in the short- or long-term. The most common project is renewable energy, such as wind farms, biomass energy (burning biological material from living, or recently living organisms or solid municipal waste), or hydro-electric dams. Other examples include large-scale tree planting schemes in Third World countries.

**Change of use:** Planning permission is usually required to change the use of a building or land to another use class (cf). Intensification of a use may constitute a change of use.

**Climate change:** See 'Greenhouse effect'.

**Code for Sustainable Homes:** A national standard for sustainable design and construction of new homes launched as an aspirational voluntary standard above the Building Regulations in December 2006. The code works by awarding new homes a star rating from 1 to 6, based on their performance against eight sustainability criteria which are combined to assess the overall environmental impact. Six stars are the highest achievable score, reflecting exemplary developments. Code level 3 compliance became mandatory in September 2010 for new-build residences, effectively making redundant the use of code levels 1 and 2. Currently, compliance with higher levels of the Code is voluntary.

**Community Infrastructure Levy (CIL):** A new means of securing planning obligations (cf), currently being introduced by the government. CIL will be secured by the creation of new DPDs (cf) by each LPA, which set out how the levy is calculated and apportioning sums of money towards various infrastructure projects, which may be wider than of local significance. CIL will be a flat-rate 'roof tax' and, therefore, more predictable than individually negotiated Section 106 agreements.

**Comparison shopping:** Shopping for non-essential items, generally of a higher value (such as furniture and electrical goods) but also extends to clothing, books, cosmetics, etc... Comparison shopping has traditionally been conducted in town centres, but since the 1980s has also been carried out in retail [warehouse] parks and, most recently, on-line. See also: 'Convenience shopping' and 'Town centres first'.

**Compulsory Purchase Order (CPO):** An Order issued by the government, or a local authority, for the enforced acquisition of land or buildings for public interest purposes. For example, for the construction of a major road or the redevelopment of certain brownfield sites. The purchasing authority needs to be capable of demonstrating that they have tried to acquire the property by negotiation before a CPO can be issued. Most CPOs are preceded by a CPO Inquiry conducted by a member of the Planning Inspectorate (cf), who will either confirm or reject the Order.

**Conditions:** Planning permission is usually granted subject to conditions, all of which must be complied with. Conditions should only be imposed when permission would otherwise have to be refused. It is the responsibility of the developer to ensure that the terms of all conditions are met.

**Conservation area:** A defined area, designated by a local council, which is to be preserved or enhanced because of its special architectural or historic interest. There are seven conservation areas in Stevenage. A special planning regime operates in conservation areas.

**Conservation Area consent:** Alterations to buildings (including total or substantial demolition), advertising and trees cannot be undertaken in conservation areas (cf) without permission from the council. No planning fee (cf) is charged for such applications but pre-application discussions (cf) attract a flat fee.



**Convenience shopping:** Shopping for goods of an essential day-to-day nature, such as food, newspapers, tobacco, etc... Most convenience shopping today is conducted in out-of-centre supermarkets and superstores. See also 'Comparison shopping'.

**Decision notice:** The official document, issued by the Local Planning Authority (cf), Planning Inspectorate (cf) or the Secretary of State (cf), that grants or refuses planning permission. Development may not legally begin before the decision notice has been issued. Reasons for permitting or refusing development, and for any conditions (cf) imposed on a permission, are always given. In conjunction with the approved plans (cf), this is the definitive statement of the development that has been granted or refused permission.

**Delegation/delegated decision:** Decisions on planning applications where officers make decisions rather than an elected planning committee. The overwhelming majority of decisions are made in this way, provided that there are no complex issues, or the proposal is wholly acceptable in planning terms. It is also used for refusal when an application is clearly not in accordance with planning policies or practice. Decisions which would otherwise be made under delegated powers can be called-in by elected councillors for determination by the Planning & Development Committee, within 28 days of the application's appearance on the weekly list (cf) and where the application raises issues of local importance.

**Demolition:** Requires planning permission only in certain circumstances (such as homes), but planning permission is normally required to rebuild on the site. Demolition of listed buildings (cf) requires Listed Building Consent and special provisions apply in conservation areas (cf).

**Density:** In the case of residential development, a measurement of either the number of habitable rooms (any room used or intended to be used for sleeping, cooking, living or eating purposes i.e. NOT bathrooms, hallways, utility rooms) per hectare or the number of dwellings per hectare [dph]. With the increased emphasis on brownfield development (cf) over the last twenty years, housing densities have risen, leading to an increase in flatted developments and a reduction in terraced houses.

**Department for Communities and Local Government (DCLG):** Government department responsible for, *inter alia*, preparing primary and secondary legislation on town planning and for preparing guidance to direct and assist in the day-to-day interpretation and operation of the statutory town planning system, such as the National Planning Policy Framework (cf). Also determines called-in (cf) or recovered planning applications.

**Departure:** A proposed development that is not in accordance with the adopted development plan (cf), but for which the Local Planning Authority (cf) proposes to grant planning permission (cf) subject to no intervention from the government.

**Design & Access Statement:** Prepared by applicants for planning permission. Describes the development and explains how the design was arrived at, what local planning policies have been observed, how any public engagement has been reflected in the design, and how relevant principles of good design have contributed to the proposal. This document enables the lay public to understand how the finished proposal was arrived at, and acts as a check upon the quality of the decision-making process which led to that proposal by the developer concerned.

**Detailed application/'Details':** A planning application seeking full permission for a development proposal, with no matters reserved for later planning approval. Antithesis: outline application (cf).

**Development:** Defined in the 1990 Act as “*the carrying out of building, engineering, mining or other operations in, on, over or under land*” (known as operational development) or “*the making of any material change of use of any buildings or other land*”. Not all development requires planning permission ~ see ‘Permitted development’.

**Development Brief:** See ‘Masterplan’.

**Development Management:** The new name for development control. The act of determining planning applications (and similar) in conformity with the development plan (cf) and material considerations (cf).

**Development Plan Document (DPD):** Statutory documents produced by LPAs (cf) that must be taken into account in determining planning applications (cf). Currently, planning permission (cf) must be granted in accordance with these documents unless material considerations (cf) indicate otherwise. Development Plan Documents must be subjected to examination (cf) by a member of the Planning Inspectorate (cf) before being adopted. The Core Strategy is the principal DPD under the 2004 Act, but Core Strategies are to be removed under the Localism Act.

**District Plan (SDP2R):** See ‘Local Plan’.

**East of England Development Agency (EEDA):** Established in April 1999, EEDA is a quango charged with the responsibility of ensuring economic prosperity across the East of England region. EEDA brings together the work of partners and businesses at a regional level, enabling the spread of best practice. From 2010, being wound up as part of the so-called ‘Bonfire of the Quangos’.

**East of England Plan (EoEP):** The Regional Spatial Strategy (cf) for the East of England. Under preparation from 2002 and adopted, following public examination and various amendments, in May 2008. Due to be revoked under the Localism Act. Will cease to have any relevance in planning after revocation.

**Ecology:** The scientific study of the relations that living organisms have with respect to each other and their natural environment. Variables of interest to ecologists include the composition, distribution, amount (biomass), number, and changing states of organisms within and among ecosystems (cf).

**Ecosystems:** Ecosystems are functional units in a given area consisting of: (i) living things, (ii) the non-living chemical and (iii) physical factors of their environment, all linked together through (iv) the nutrient cycle and by (v) energy flows. Central to the ecosystem concept is the idea that living organisms interact with every other element in their local environment. Ecosystems are sustained by the biodiversity (cf) within them. Because the impact of development on ecosystems and biodiversity can be unpredictable, even when assessed through an Environmental Impact Assessment (cf), many people advocate the use of the precautionary principle (cf) when determining planning applications.

**Edge of centre:** A location that is within easy walking distance (often considered 200-300 metres) of the primary shopping area (cf).

**Enabling development:** Development that is usually contrary to established planning policies but which is exceptionally permitted because it has been demonstrated to be necessary to generate funds to enable the conservation of a Listed Building (cf) or its setting and where the indirect benefit of the enabling development clearly outweighs any direct harm that it would cause.

**Enforcement:** The investigation and resolution of alleged breaches in planning control, usually undertaking development without permission or failing to observe conditions (cf). An otherwise acceptable breach of planning control can be corrected by a retrospective planning application (cf). Formal enforcement action, which could include issuing of an Enforcement Notice to require the demolition of any offending buildings/structures or cessation of any aberrant use(s), may only be undertaken if the development would not be permitted and it is considered “expedient” to take action. Can ultimately lead to action in the County Court against the defaulting party if negotiation and service of an Enforcement Notice fails to remedy the breach of planning control.

**English Heritage:** Quango responsible for overseeing the historic built environment of England, advising local authorities on such matters and acting on behalf of the government (the Department for Culture, Media and Sport) in matters such as registering listed buildings (cf).

**Environment Agency (EA):** Quango, established in 1973, to protect and improve the environment and to promote sustainable development. Has a particular focus on climate change, water, land and air quality. Has roles as a regulator, operator, monitor and advisor. A key consultee.

**Environmental Impact Assessment (EIA):** Likely to be required for nationally defined large-scale developments. Undertaken by the developer when applying for planning permission, the EIA assesses the social, economic and environmental impacts of the development and identifies what remedial measures may be necessary to counter any negative impacts. Used as an informative to decision-making rather than a determinant of whether permission should be granted. An EIA was undertaken for Stevenage West.

**Environmental Information Regulations 2005 (EIR):** Provide a statutory right of access to environmental information held by public authorities. Covers information about air, water, soil, land, flora and fauna, energy, noise, waste, emissions and information about decisions, policies and activities that affect the environment. Very similar provisions to Freedom of Information (cf) but with some notable differences. One is that requests can be made verbally. The exemptions from publication that can be claimed are, in many cases, narrower in their scope and application. As with Fol, public authorities have 20 working days from the receipt of a request to provide the information.

**Examination:** See ‘Public examination’.

**Express planning permission:** See ‘[Planning] permission’ and ‘Permitted development’.

**Fee:** Nationally set fees are required for a planning application to be determined. Locally-set fees are payable for pre-application discussions (cf) and advice. In both cases, the fees vary depending upon the scale and nature of the development being proposed. On average, planning application fees make-up about 4% of the total costs of development. The fee income is kept by the Borough



Council and offset against the costs of providing the planning service. There are limited exemptions from paying planning application fees, including householder applications (cf) by registered disabled persons.

**Fossil fuels:** Carbon-rich fuel (coal, oil and natural gas) formed from the remains of ancient animals and plants. Their combustion is considered to contribute to the 'greenhouse effect' (cf).

**Freedom of Information (Fol) request:** The Freedom of Information Act 2000 creates a general right of access, on request, to information held by public authorities. On receipt of a freedom of information claim a public authority has two corresponding duties. First, a duty to inform a member of the public whether or not it holds the information requested, and second if it does hold that information, to communicate it to the person making that request. However, there are numerous exemptions. Some of these are absolute bars to disclosure; some are qualified. Most planning information is covered by the Environmental Information Regulations (cf), rather than Fol.

**Full application:** See 'Detailed application'.

**General Permitted Development Order (GPDO):** The Town and Country Planning (General Permitted Development) Order 1995 allows for the extension of, or changes to, a property without the need for express planning permission, within certain guidelines. This includes small domestic extensions which comply with pre-determined measurements.

**Grampian-type condition:** A negative condition (cf) imposed on a planning permission barring development from happening until a particular action on another piece of land not owned by the applicant has been performed (usually highways works). Named after a court case involving Grampian Regional Council in 1984.

**Green Belt:** Probably the most high profile, best-loved and most widely misunderstood part of the planning system. Green Belts are specifically designated (viz, they are not automatic and do not cover all countryside areas. Green field does not equal Green Belt) to prevent urban sprawl by keeping land permanently open. Green Belt does not have to be attractive; it does not have to be in agricultural or leisure use; it does not have to be greenfield (cf). Green Belt boundaries are set in local plans and should be set so that they can endure over the long-term (this means that land needs to be removed from the Green Belt to allow for longer-term development). The majority of Hertfordshire is in the Green Belt (but the bulk of East Herts District is not and there are parts of North Herts and Dacorum which also lie outside the Green Belt).

**Greenfield land:** Land which has not previously been developed (hence antithesis: brownfield land). Most commonly associated with land in the countryside but could equally apply to an undeveloped site within an urban area.

**Greenhouse effect:** A process by which thermal radiation from Earth's surface is absorbed by atmospheric greenhouse gases, and is re-radiated in all directions, including back towards the surface. As a result, the surface temperature is higher than it would be if direct heating by solar radiation were the only warming mechanism. Since the beginning of the Industrial Revolution, the burning of fossil fuels (wood, coal, gas, oil) has contributed to the increase in carbon dioxide in the atmosphere from 280ppm to 390ppm. If this process continues, many ecosystems (cf) will be

damaged and become uninhabitable for Mankind. As a part of sustainable development (cf) there is a current drive towards reducing carbon emissions. Hence terms such as “reducing the carbon footprint” and “zero carbon homes” (cf).

**Headroom:** See ‘Capacity study’.

**Highways Agency:** See ‘Highway Authority’.

**Highway Authority:** The county council are the Highway Authority for Hertfordshire. They are charged with the statutory responsibility of adopting, maintaining, designing, making safe and constructing all roads, footways and public rights of way other than trunk roads and motorways – such as the A1(M) [which are looked after by the Government’s Highways Agency]. A major consultee on planning applications and in the preparation of DPDs (cf).

**Homes and Communities Agency (HCA):** Quango that is the national housing and regeneration agency. Founded in December 2008, superseding English Partnerships and the Housing Corporation. Its role is to create opportunity for people to live in high quality, sustainable places. They provide funding for affordable housing, bring land back into productive use and improve quality of life by raising standards for the physical and social environment.

**Householder application:** A, generally smaller-scale, application to alter or enlarge a house, including works within the garden of a house which are not permitted development (cf). Nationally these form the majority (60%) of the applications received by LPAs: the Stevenage statistic is 46%.

**Infrastructure deficit:** Infrastructure is the basic physical and organizational structures needed for the operation of a society. The term typically refers to the technical structures such as roads, water supply, sewers, gas and electrical grids, telecommunications, etc... Hence, if it is perceived that there is a shortfall in the infrastructure provision, there is said to be an infrastructure deficit. The Hertfordshire Infrastructure Investment Study (2010), commissioned by all eleven local councils, identified the scale and nature of the infrastructure deficit in the county and the level and nature of the investment needed to remedy it.

**Inquiry:** See ‘Appeal’.

**Judicial Review (JR):** A challenge to the High Court by any aggrieved and affected party against a [planning] decision made by, for instance, the council, the Planning Inspectorate (cf) or the Secretary of State (cf). Can only be made on points of law (viz, not planning judgments) and must be made “expeditiously” after the decision to be challenged has been made. This means that applications for JR must be made within 3 months, at most.

**Kyoto Protocol:** A United Nations sponsored protocol, signed in December 1997 and which came into force in February 2005, designed to reduce the four principal greenhouse gas emissions (cf ‘Greenhouse effect’). The USA, Afghanistan, Andorra and South Sudan are the only countries that have declined to ratify the protocol. Countries are allowed to trade emissions with other countries to avoid reducing their own emissions. The protocol is due to end on 31 December 2012 and talks on a replacement protocol are not proceeding well.

**Landbank:** A stock of land (for housing, for example) which has planning permission but has yet to be developed. Housebuilders commonly have considerable landbanks, which bolster their value on the Stock Exchange..

**Lawful Development Certificate (LDC):** A specialist type of application that determines: (i) whether the existing use of land or buildings is lawful for planning purposes or (ii) confirms that a proposal does not require express planning permission (cf). Often necessary to confirm that the use, operation or activity named in it is lawful when land or property is placed on the market for sale. A fee (cf) is charged for an LDC. Is not the same as a planning permission (cf). Sometimes used in enforcement cases (cf). Forms 4-5% of all applications in Stevenage.

**Listed Building:** A building or structure on the Statutory List of Buildings of Special Architectural or Historic Interest run by English Heritage (cf). Listing began in 1950 and currently protects 500,000 across England and Wales. By reason of their significance, Listed Buildings fall into three categories of descending importance: Grade I, Grade II\* and Grade II, of which the majority - over 90% - are Grade II. A listed building may not be demolished, extended or altered without permission from the local planning authority (cf). No fee (cf) is charged for such Listed Building Consent but a flat fee is charged for pre-application discussions. Enabling development (cf) may be contemplated in order to secure the preservation of a Listed Building.

**Local Development Framework (LDF):** This statutory document, prepared by LPAs (cf), comprises a number of different types of planning and plan-related document. Introduced in 2004 but being removed as a part of the Localism Act.

**Local Development Scheme (LDS):** This document sets out which documents are part of the Local Development Framework (cf) and the timetable for their review and the preparation of new documents. This is a statutory document.

**Local Plan:** A document produced under the pre-2004 planning system that set out all the council's policies on the development and change of use of land and buildings. Since December 2007 only certain policies and provisions of the Stevenage District Plan Second Review continue to have statutory force. The commencement of the related provisions of the Localism Act will mean a return to local plans.

**Local Planning Authority (LPA):** A local authority charged by central Government with the statutory duty to prepare development plan documents (cf) and undertake other duties under the Planning Acts (cf). District Councils, sometimes styled as Borough or City Councils, have planning powers for all development in their administrative areas with the exceptions of minerals and waste. County Councils have planning powers for minerals and waste proposals within their administrative areas.

**Localism Act:** Contains many changes to the planning system, including the revocation of regional strategies (cf), the return of local plans (cf) and the introduction of neighbourhood plans (cf). Enacted 15 November 2011.

**Major application:** Involves any one or more of the following: (i) mineral deposits; (ii) waste development; (iii) a site for 10 or more new homes or where the site area for new homes is 0.5ha or more; (iv) the provision of a building or buildings where the floorspace to be created is 1,000m<sup>2</sup> or more; or (v) any other development carried out on a site with an area of 1 hectare or more.

**Masterplan:** A widely used and abused term. Usually applied to a comprehensive written and/or cartographic representation of a potential development scheme. Sometimes a masterplan may be SPD (cf) or it may be submitted with a planning application (cf). Alternatively, land-owners or developers often prepare masterplans to guide their own, or other party's, development. It is always best to inquire as to the status and intent of a masterplan in order to ascertain how much weight to place upon it.

**Material considerations:** Factors considered in the determination of applications for planning permission, alongside the statutory development plan (cf). Includes residential amenity, highway safety, traffic, noise, smell, design and appearance, conservation and listed buildings and any relevant planning comments made by consultees. In order to be material a consideration must relate to the use and development of land and to the planning merits of the development in question. Non-planning comments and the number of objections received are not material considerations. What is considered to be material may be subject to appeal (cf) and/or judicial review (cf) but the weight to be attached to a material consideration is solely for the decision-maker and will not be challenged by the courts.

**Minerals Local Plan/LDF:** A statutory long-term development plan framework for mineral extraction and associated development (such as railheads and storage facilities). Covers oil, coal, gas, sand, gravel, crushed rock and chalk. All minerals planning powers reside with county or unitary councils (i.e. not with district councils) ~ both plan-preparation and development management (cf).

**National Land Use Database (NLUD):** National database, compiled annually as a government initiative from various public sources (including local authorities), to provide information on the amount of brownfield land (cf) that may be available for development.

**National Planning Policy Framework (NPPF):** From 1 April 2012 [subject to confirmation] this 50 page document will replace 2,000+ pages of national government policy, advice and guidance contained in Planning Policy Statements and Planning Policy Guidance Notes (cf) and their annexes. Until up-to-date local plans [or LDFs] are put in place, planning applications must be determined in accordance with the presumption in favour of sustainable development (cf) contained within the NPPF.

**Natural England:** Quango responsible for ensuring that England's natural environment, including its land, flora and fauna, freshwater and marine environments, geology and soils, are protected and improved.

**Neighbourhood plans:** To be introduced under the planning provisions of the Localism Act. Parish Councils (or authorised groups of local individuals in unparished areas) will be able to prepare statutory development plans (cf) against which planning applications will have to be assessed. Must be in general conformity with the strategic policies of the local plan (cf). After public examination (cf), if found sound (cf) must be subject to a local referendum before being adopted by the LPA (cf).

**Net migration:** Takes into account natural change in the population (births and deaths) and also those people who have moved into, and out of, the locality. Stevenage has seen net out migration in recent years as more people have moved out of the town than have moved into it: this is unusual as one would normally expect in-migrants to exceed out-migrants. A well accepted population projection model. See also: 'Nil-net migration' and 'Population projections'.

**Nil-net migration:** Takes into account natural change in the population (births and deaths) but not those people who have moved into, and out of, the locality. In this model in-migrants are mathematically forced to equal out-migrants. A controversial basis for population projection modelling. See also: 'Net migration' and 'Population projections'.

**Non-determination:** If the council fails to make a decision on a planning application within the set time, the applicant may appeal (cf) to the Planning Inspectorate (cf) who then make the decision, rather than the council.

**Objections:** Representations received by the Local Planning Authority (cf) or any other determining body in respect of either a planning application (cf) or a development plan (cf) which opposes all or part of the proposals. In order for the objections to be considered and given weight they must raise legitimate planning matters (see 'Material considerations'). The number of objections received is not a legitimate ground for refusing planning permission (cf).

**Off-setting:** Where the negative impact of a development or activity in one location is off-set or traded against a positive impact or activity implemented elsewhere, usually to obtain a nil-net effect. Most widely used in carbon trading (cf) but now spreading to the fields of biodiversity (cf) and ecology (cf) more generally.

**Outline application:** An application for planning permission primarily designed to establish that a development is acceptable in principle, subject to subsequent approval of detailed matters (cf). Usually applies to major developments where it is either uncertain whether the proposal is in conformity with the development plan (cf) or where the scale of the development is such that it is inappropriate to be exact in every detail at the time of applying for planning permission.

**Out of centre:** In retailing terms, a location that is clearly separate from the primary shopping area of a town centre but not outside the urban area.

**Out of town:** In retailing terms, a location clearly outside the current urban boundary.

**Overbearing:** A term used to describe the impact of a development or building on its surroundings, particularly a neighbouring property, in terms of its scale, massing and general dominating effect.

**Over-development:** An often pejorative term describing an amount of development (for example, the quantity of buildings or intensity of use) that is considered excessive in terms of demands on infrastructure and services, or impact on local amenity and character.

**Overlooking:** A term used to describe the effect when a development or building affords an outlook over adjoining land or property, often causing loss of privacy.



**Overshadowing:** The effect of a development or building on the amount of natural light presently enjoyed by a neighbouring property, resulting in a shadow being cast over that neighbouring property.

**Performance targets:** Local Planning Authorities (cf) have nationally set performance targets to meet, principally revolving around the time taken to determine different types of planning applications (cf). These were originally set as Best Value Performance targets.

**Permitted development:** Building works and uses as defined by the General Permitted Development Order (cf) and Use Classes Order (cf) that can be undertaken without the need for express planning permission from the local planning authority (cf).

**Planning Acts:** The first Planning Act was in 1909 but the modern planning system was introduced by the Town and Country Planning Act of 1947. There have been a series of further Acts over the succeeding years, with the main ones in use today being the four 1990 Acts, the Planning and Compulsory Purchase Acts of 1991 and 2004 and the Planning Act of 2008. To these will be added the planning provisions of the Localism Act (which may not be commenced). Supplementing the Acts are various circulars, statutory instruments (such as the Development Plans (England) Regulations), guidance notes, policy statements (cf), ministerial announcements and, from 1 April 2012, the National Planning Policy Framework (cf).

**Planning Advisory Service (PAS):** A part of the LG Group that advises Local Planning Authorities (cf) how to improve their planning service. Includes peer review, best practice notes, etc...

**Planning Aid:** A government-subsidised service, offered by the RTPI (cf), that provides free and independent advice and support to community groups and individuals unable to afford to employ a planning consultant.

**Planning application:** A planning application is necessary in order to secure express planning permission (cf) from the relevant Local Planning Authority (cf) for development (cf) that is not otherwise permitted development (cf). See also 'Application form'.

**Planning for Real:** A term broadly, and inappropriately, used to refer to any consultation method involving creative exercises (for example, the use of maps and model buildings) to engage the public in plan-making and place-shaping. The term is commercially copyrighted and licensed: it should not be confused with similar consultation methodologies not provided by the copyrighted owners of the term.

**Planning gain/obligations:** Securing the delivery of community benefits by legal agreement following negotiation with applicants for planning permission, without which any development would be unacceptable. May include the physical construction of facilities, the provision of land or the payment of a fee in lieu of on-site provision. The building of affordable housing and the payment of monies towards the provision of new school places are the most common examples. Also known as Section 106 agreements. May not be used to remedy existing infrastructure deficiencies: may only be used to meet the needs generated by the development being permitted. To be largely replaced by 2013 by the Community Infrastructure Levy (cf).

**Planning Inspectorate (PINS):** A quango that undertakes planning and enforcement appeals (usually against Local Planning Authority (cf) refusal of permission or non-determination of planning applications). Holds evidence-gathering, quasi-judicial examinations into both planning applications and local plans (cf) and DPDs (cf). PINS decisions on planning applications are binding on all parties except Government, but all of its decisions may be overturned by the courts on limited technical grounds following judicial review (cf).

**Planning Officers' Society (POS):** Body that represents senior professionals and managers of planning functions in the public sector serving the English Local Planning Authorities (cf). Provides advice, best practice and training opportunities.

**Planning permission:** The consent given by the local planning authority (cf), the Planning Inspectorate (cf) or the Secretary of State (cf) for development (cf). Usually given with conditions (cf) and with a time limit for the beginning of development. May be subject to planning obligations (cf). Reasons for permission will be given on the decision notice (cf). Will be closely based on the information given in the planning application form (cf) and the ancillary information supplied by the applicant.

**Planning Policy Statements (PPS) and Planning Policy Guidance Notes (PPGs):** Prepared by Department of Communities and Local Government (cf) arm of Government. Designed to set national planning policy, explain the Planning Acts (cf) and to provide national guidance on the intended interpretation of planning policies. LPAs (cf) must take their content into account when preparing DPDs (cf) and determining planning applications (cf). PPGs began to be issued in 1988; and started to be superseded by PPS' from 2004. The government is proposing to replace PPS' and PPGs with a single National Planning Policy Framework (cf) in 2012.

**Planning Portal:** A Government sponsored web-site from which much useful generic information about the statutory town and country planning and building control (cf) systems can be gathered. Most LPAs (cf) are connected to the Planning Portal via hyperlink, such that it acts as a 'one stop shop' for developers and the public wishing to gain access to the planning pages of their local authority's web-site. Many local authorities, including the Borough Council, offer electronic submission of planning applications (cf) and the payment of fees (cf) via the Planning Portal.

**Planning unit:** An identifiable parcel of land or (part of) a building usually identifiable by the coincidence of ownership, occupation and use to which a unique planning history (or permissions) attach. Can be a vexed question. A house would, for instance, usually be a planning unit. Its subdivision into two flats would create two new planning units and extinguish the previous planning history of the house.

**Population projections:** The principal basis of determining the future development needs of an area when preparing a development plan (cf). A number of different models of population projection are available, including net-migration (cf) and nil-net migration (cf). Alternatives to population-based projections are economic-derived models, although these are less widely used, projecting past performance, assessing affordable housing needs and policy-led models (in which planning policy constraints are overlaid, generally to constrain the housing requirement). The antithesis of using population projections or other demand-led projections as a basis for determining development levels is the urban capacity model (cf).

**Pre-application discussions/fees:** An opportunity for councils and developers to work together to achieve developments that deliver benefits to the community and the economy. These discussions are provided for a fee, for officer time, but in the long-term they can save time, costs and frustration and optimise the potential of a site.

**Precautionary principle:** If an action or policy has a suspected risk of causing harm to the public or to the environment, in the absence of a scientific consensus that the action or policy is harmful, the burden of proof that it is not harmful falls on those taking the action. The principle implies that there is a responsibility to protect the public from exposure to harm when scientific investigation has found a credible risk. These protections can be relaxed only if further scientific findings emerge that provide sound evidence that no harm will result. Underpins much EU environmental policy but the application of the precautionary principle is not enshrined in UK planning law.

**Presumption in favour of (sustainable) development:** The Planning Acts (cf) have included a presumption in favour of development since 1947, as this was part of the post-war 'quid pro quo' that saw land and property owners' rights to develop their property as they wished nationalised without compensation. The presumption was amended to include the term 'sustainable development' (cf) following the work of the UN's Brundtland Commission (cf).

**Previously Developed Land (PDL):** See 'Brownfield land'.

**Primary Shopping Area (or Primary Shopping Frontage):** A designated area where the number of Use Class (cf) A1 shops is most concentrated in a town centre. Beyond the primary shopping area will lie secondary and tertiary shopping areas, where shop uses become more diluted by other A-use classes (such as pubs, restaurants, banks) and other town-centre type uses (such as assembly and leisure uses).

**Prior Approval:** A procedure where permission is deemed granted if the Local Planning Authority (cf) does not respond to the developer's application within a certain time. Often relating to telecommunication or agricultural developments.

**Public examination:** An interrogatory process led by one or more members of the Planning Inspectorate (cf), held to examine the soundness (cf) of a DPD (cf). Similar to an informal hearing: see 'Appeal'.

**Public [local] inquiry (PLI):** See 'Appeal'.

**Quango:** Quasi-Autonomous Non-Governmental Agency. Semi-detached agency of government, funded by – but nominally independent of direct - government control or influence. Examples include: the Planning Inspectorate (cf), the Environment Agency (cf) and English Heritage (cf).

**Refusal of planning permission:** The guiding principle in determining planning applications is that development should be permitted, having regard to the development plan (cf) and all other material considerations (cf), unless the proposed development will "*cause demonstrable harm to interests of acknowledged importance*". The person making the decision will issue a decision notice (cf) detailing the reasons for refusal. Within a set time, aggrieved applicants have the right to appeal (cf) against the refusal of planning permission.



**Regional Strategy (RS):** This is the successor to both the non-statutory Regional Planning Guidance and to the statutory Structure Plan. It sets the strategic context for development across the region, including setting the level of new housing to be accommodated. See also 'East of England Plan'. RS' are due to be abolished under the Localism Act.

**Retrospective planning application:** Occasionally a Local Planning Authority (cf) may receive, or in some enforcement cases (cf) encourage, those parties that have undertaken unauthorised development (cf) to submit a planning application (cf) to regularise the situation. Attempting to sell land or buildings upon which unauthorised development has occurred can lengthen the process and reduce the price received.

**Royal Town Planning Institute (RTPI):** Professional body representing town and country planners. Members of the RTPI must have a qualification recognised by the body and suitable post-qualification practical experience. Members are required to continually update their professional knowledge and skills by undertaking (and keeping a record of) Continuing Professional Development throughout their careers.

**Satellite dishes:** Do not require express planning permission (cf), subject to certain caveats. Seek guidance from the Planning Portal (cf).

**Saved policies:** Policies within a development plan (cf) that the Secretary of State (cf) has allowed to continue to have legal force, following passage of the 2004 Act (cf), during the production of replacement Development Plan Documents. Approximately two-thirds of the policies of the District Plan Second Review are 'saved'. The non-saved policies – which replicated national and regional policies in force at December 2007 - are no longer in use.

**Secretary of State:** Head of the government's Department for Communities and Local Government (cf) or another government department.

**Section 106 agreements:** See 'Planning gain/obligations'.

**Sequential test:** The process of demonstrating that development is to occur on the most preferable location for the appropriate use. Most commonly associated with the 'town centres first' policy (cf) and the 'brown before green' test for housing development (wherein brownfield sites have to be used before greenfield ones).

**Site Notice:** Statutory notice posted on, or close to, a development site for at least 21 days, providing public notice of the existence of a planning application on the site. Usually accompanied by the publication of the same notice in a newspaper circulating in the locality.

**Soundness, tests of:** At a public examination (cf) held by one or more members of the Planning Inspectorate (cf), local plans (cf) will in future be checked against four tests of soundness [whether they have been positively prepared, are justified, effective and consistent with national policy] and whether the plan has been prepared in accordance with the duty to co-operate, legal and procedural requirements. Neighbourhood plans (cf) will be tested against fewer tests. These criteria are established in the draft National Planning Policy Framework (cf).

**Statement of Community Involvement (SCI):** This sets out the council's policy on involving the community in policy-making and major planning applications.

**Stop Notice:** Notice served by an LPA on a land-owner where there is a breach of planning control that requires to be stopped. Serving a stop notice must follow an enforcement notice (cf). Does not come into force for three days and gives reasons why the stop notice is necessary.

**Strategic Environmental Assessment (SEA):** Required to be prepared for plans and policies under the terms of the European directive 2001/42/EC for "environmental assessment of certain plans and programmes". Undertaken in conjunction with the Sustainability Appraisal (cf). All but the least important of planning documents now have to be subject to SA/SEA.

**Strategic Flood Risk Assessment (SFRA):** Study to provide a reference and policy document to inform the local plan; and to ensure that the Council meets its legal obligation to keep new development (especially housing) from being built in areas of (serious) flood risk.

**Strategic Housing Land Availability Assessment (SHLAA):** Study to determine the availability and viability of possible future housing sites. Usually undertaken every year.

**Strategic Housing Market Assessment (SHMA):** Study to provide evidence on the types of housing that are needed to meet current and future demand in North Hertfordshire and Stevenage. Used to inform both the local plan (cf) and development management (cf) decisions. Usually undertaken every 2-3 years.

**Structure Plan:** Documents produced by County Councils under the planning system pre-2004. Now largely superseded by Regional Strategies. The few remaining residual policies of the Hertfordshire Structure Plan 1998 will be revoked under provisions of the Localism Act.

**Sui generis use:** A use in, and of, itself not falling within any Use Class (cf). Any change of use requires express planning permission (cf).

**Supplementary Planning Document (SPD):** There is no legal requirement to take these documents into account in determining planning applications, so their nature is to provide guidance to applicants wishing to develop land. The community will be involved in their preparation, but there is no independent examination of the document. Under the NPPF (cf) councils are discouraged from producing SPD unless it will speed up the development process and not add to the costs of development.

**Sustainability Appraisal (SA):** An assessment of the impact the proposals contained within a DPD would have on the environment, economy and society. It is carried out in conjunction with the Strategic Environmental Assessment (cf).

**Sustainable Development:** Although there are several definitions in use, the one most widely applied in planning is the definition of the Brundtland Commission "*Our Common Future*", the United Nations World Commission on Environment and Development, published in 1987. This states that sustainable development is "*development that meets the needs of the present without compromising the ability of future generations to meet their own needs.*" This continues to appear in the draft National Planning Policy Framework (cf).

**Sustainable Homes:** See 'Code for Sustainable Homes'.

**Television aerials:** See 'Satellite dishes'.

**Temporary Stop Notice:** Served by an LPA on a landowner where a breach of planning control needs to be stopped immediately. Lasts for 28 days, during which the LPA must decide whether to issue an Enforcement Notice (cf). Must specify the activity to be halted. See also 'Stop Notice'.

**Third party rights of appeal:** The right of an aggrieved party, other than the applicant, to appeal to an independent body against the grant of planning permission by a Local Planning Authority (cf). There are third party rights of appeal in Eire but not in the UK. A judicial review (cf) of the decision (which could see the permission over-turned) or a complaint to the Local Government Ombudsman on the grounds of maladministration (which would not see the decision over-turned) are the usual means open to an aggrieved third party in the UK.

**Town and Country Planning Association (TCPA):** Founded by Sir Ebenezer Howard in 1899 to promote the idea of the Garden City, the TCPA is Britain's oldest charity concerned with planning, housing and the environment. Now a limited company with corporate and individual membership, it campaigns for the reform of the UK's planning system to make it more responsive to people's needs and aspirations and to promote sustainable development.

**'Town centres first':** A sequential locational test that developers and LPAs (cf) have to demonstrate has been followed in the placing of new shopping, leisure and office developments. The preferred order in the sequential test (cf) is: town centre; edge of centre; out of centre; out of town. Only if it can be clearly demonstrated that the development cannot be placed in a location higher in the preferential scale can the development be placed in a less favoured location lower in the hierarchy.

**Tree Preservation Order (TPO):** A means of securing the preservation of a single or a group of trees of acknowledged amenity value. A tree subject to a Tree Preservation Order may not normally be topped, lopped or felled without the consent of the Local Planning Authority (cf). Trees on publicly owned land are not usually subject to TPOs as LPAs are considered to exercise good land husbandry.

**Ultra vires:** A Latin term meaning an action (usually of a Local Planning Authority, the Planning Inspectorate or the Secretary of State) which is outside the legal power of the decision-maker to take. In planning, usually refers either to the issuing of a permission (cf) or the imposition of one or more conditions. Whether something is *ultra vires* will be determined by the courts through a judicial review (cf).

**Unauthorised development:** Development that requires planning permission but which does not have it. Once unauthorised development comes to the attention of the Local Planning Authority (cf) an enforcement investigation (cf) will be begun. Unauthorised development can be regularised by a retrospective planning application (cf) in some instances or it may be beyond the time limits for enforcement action (four years for operational development or ten years for a change of use or breach of a planning condition). A Lawful Development Certificate (cf) is sometimes applied for to regularise the situation.

**Urban capacity:** The identification of the potential of urban areas to accommodate new housing on brownfield sites (cf) at various densities, or by the conversion of existing buildings. Formerly a study produced by, or for, a Local Planning Authority (cf) area to fulfil the above role, superseded by Strategic Housing Land Availability Studies (cf) in November 2006. The abandoned Hertfordshire Structure Plan Review to 2016 was based on urban capacity without regard to population projections (cf).

**Urban fringe:** The transitional zone between urban areas and the pure countryside, often characterised by 'horsiculture' (small paddocks) and other private leisure uses. It can provide a valuable resource for the provision of sport and recreation, particularly in situations where there is an absence of land within urban areas to make such provision. Commercial agriculture can be difficult to pursue in the urban fringe due to human influences (trespass, damage, attacks on animals) from the urban area.

**Use Classes [Order]:** Government statutory instrument that sets out broad classes of similar uses. Currently there are 15 different use classes. Within each class, planning permission is not required to change from one use to another eg, changing from a butcher's shop to an internet café does not require planning permission as both fall within the same use class (A1 ~ shops). There are also certain changes of use from one class to another that do not require planning permission eg, from a pub (class A4) to a shop (class A1).

**Validation:** The initial process carried out by the Local Planning Authority (cf) upon receipt of a planning application. Checks are undertaken to ensure that all of the necessary information has been supplied with the application form (cf) and that the appropriate planning application fee (cf) has been paid. Only once this process has been completed will: an application be registered as valid; be given a unique reference number; allocated to a specific planning officer (known as the case officer) to process and determine; and be added on to the weekly list (cf). The necessary consultation letters will be sent out only after validation is completed.

**Washing over:** Where a designation covers a parcel of land, most commonly associated with Green Belt designations where they 'wash over' villages and small settlements.

**Waste Local Plan/LDF:** A statutory long-term development plan framework for managing and disposing of waste. All waste planning powers reside with county or unitary councils (i.e. not with district councils) ~ both plan-preparation and development management (cf).

**Weekly list:** A compendium of all new valid (cf) planning applications received by the Local Planning Authority (cf) in the preceding seven days. Gives limited details including the application reference number, the address of the development, a brief description of the proposals and the name of the case officer. Available to view free of charge or to purchase.

**Weight:** The weight to be attached to an issue in the determination of a planning application is a matter for the decision-maker and will not usually be challenged by the courts. See also 'Material considerations'.

**White land:** Land which has no specific allocation or planning policy covering it. Generally considered a pejorative and archaic term today.

**'Yes':** The default response to planning applications according to the draft National Planning Policy Framework (cf). There has been a presumption in favour of development (cf) since 1947. Government statistics show that nationally 80% of all planning applications receive planning permission (cf); for major commercial applications the figure is 90%.

**Zero-carbon homes:** Homes that are specifically designed (or adapted) to release nil-net carbon emissions. See also 'Greenhouse effect'.

