

Maidstone Borough Council

# Statement of Community Involvement 2013



[www.maidstone.gov.uk/ldf](http://www.maidstone.gov.uk/ldf)

This document is produced by

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The borough of Maidstone is a fantastic place to live, and we want everyone who lives or works here to feel as though they have a stake in the area.

To generate that sense of 'belonging', we must make sure communities and businesses can shape the places in which they live, work and trade. This means engagement, with the council, at all steps of the planning process - from policy formation to individual planning applications. The Statement of Community Involvement is our means to achieve this.

We want residents, businesses, parish councils and other groups to have their say in the development of the borough - as well as their local areas. We want developers, with exciting applications, to talk to us about ways we can help their businesses and clients thrive within the borough. Likewise we want to hear from communities about ways we can tackle problems in the built environment, improve our areas, and enforce development rules.

We want people to have power - and plenty of opportunities - to tell us what they like, and don't like, about plans, policies and applications. People who engage with us must walk away feeling that their points have been heard and considered.

Our duty is to ensure the means for proper consultation are in place. Our responsibility is to listen to the things you tell us, and use your responses to shape and improve the borough, for the benefit of all.



Councillor Stephen Paine

Cabinet Member for Planning, Transport and Development

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## What is a Statement of Community Involvement?

**1.1** The Statement of Community Involvement (SCI) sets out how and when stakeholders and the local community can participate in the preparation of local planning policy documents and planning applications. All local planning authorities are required to prepare an SCI under the Planning and Compulsory Purchase Act (2004). Whilst it is a statutory document, the council recognises that engagement with the local community, particularly early on, is an essential part of the planning process and can enable communities to shape the area where they live. The council has a duty to follow these procedures.

## Why is it being reviewed?

**1.2** The existing SCI was adopted by the council in 2006 but recent changes to planning legislation affecting how the council produces local plans and how it consults about planning applications, along with improvements in consultation methods, have meant that the document is now out of date and in need of reviewing.

**1.3** The council recognises the importance of community engagement, especially as communities are being encouraged to have more involvement in deciding the future of the places where they live and work through the rise of localism and neighbourhood planning. Engagement at an early stage allows communities to shape and influence local plan policies and the geographical pattern of future development, and the council encourages local communities to get involved. Engagement with the development industry is equally important, allowing local communities, developers and the council to work together and to build a shared approach to local planning.

**1.4** Many people get involved with the planning system when they want to make changes to their home, or when a planning application has been made which will affect a neighbouring property and they want to comment on that application. It should be stressed that there is a difference between 'consulting' statutory bodies and 'notifying' members of the public of planning applications. The council expects a response from statutory bodies whereas this involvement is voluntary for members of the public.

**1.5** Whilst current methods of consultation are sufficient, the council recognises a need for continual improvement on existing opportunities for stakeholders and the local community to get involved in the planning process in order to improve the effectiveness of plan making and development management. This will be achieved by:

- Providing early opportunities for people to participate in time to shape the development of policy;
- Further development of a flexible and accessible consultation process;
- Drawing on valuable local knowledge and experience;
- Improving everyone's understanding of the planning process; and
- Joined up thinking.

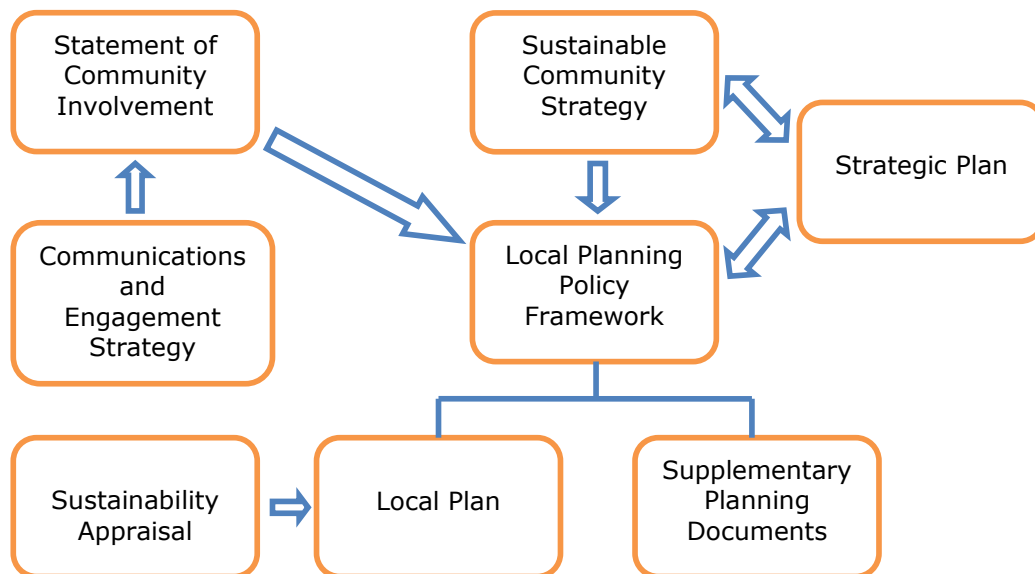
# 1 . Introduction

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## How does the SCI fit in with the development management and plan making processes?

**1.6** All planning applications are subject to a period of public consultation and the SCI sets out how and when members of the public can get involved, and how they can find out about a decision. In addition, applicants or their agents are encouraged to approach and include the local community to discuss development proposals before an application is made. Chapter 4 sets out the development management procedures the council will follow to involve the community in planning applications.

**1.7** The following flow chart sets out how the SCI fits in with the plan making process.



**1.8** The local plan makes up part of the development plan which is central to the planning system and which guides the decision making process for development proposals. The development plan for Maidstone includes adopted local plans (formerly or otherwise known as development plan documents) and neighbourhood plans.

**1.9** The local planning policy framework is made up of the local plan and supplementary planning documents. The local plan is the plan for the future development of Maidstone, and this document sets out the spatial vision, objectives and key policies for the delivery of the framework. Local plans and supplementary planning documents must be prepared in accordance with plan making regulations<sup>(1)</sup>, which set out the form and content of documents and the various stages of public consultation. Local planning policy framework documents create a policy framework against which planning applications can be assessed and land allocated for development.

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

**1.10** In addition, the local planning policy framework delivers the spatial objectives of the Sustainable Community Strategy and the Strategic Plan, which are other documents the Council is responsible for producing.

## **Sustainable Community Strategy 2009-2020**

**1.11** The Sustainable Community Strategy (SCS) is the overarching strategy for promoting and improving the well being of Maidstone. The strategy sets out the needs and wishes of the community in the form of a vision and objectives. Significant weight is given to the importance of community engagement and public consultation resulting in a cross-cutting objective:

*"Public agencies and their partners to undertake a programme of continuous community engagement and work with communities to resolve their issues at the community level."*

**1.12** The SCS and the local planning policy framework are closely linked. The production of local planning policy documents build upon the key themes of the strategy and these documents are the principal mechanism for delivering the land use and spatial elements of the strategy.

## **Strategic Plan 2011-2015**

**1.13** The Strategic Plan identifies three priorities for Maidstone:

- For Maidstone to have a growing economy;
- For Maidstone to be a decent place to live; and
- Corporate and customer excellence.

**1.14** In order to achieve these aims the council recognises that there is a need for meaningful involvement in planning issues and clear standards for when and how engagement will take place.

**1.15** The local planning policy framework is a key tool for delivering the spatial objectives of the Strategic Plan, which are objectives that influence development and change in the borough.

## **Communications and Engagement Strategy 2011**

**1.16** This strategy sets the overall context and approach to how the council communicates with stakeholders and the local community. It follows the council's adopted principles for consultation which state that consultation should be informative, inclusive and listened to. The SCI shares these principles.



## 2 . Key principles of community involvement

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### The council's objectives

**2.1** The council's main objectives for successful public participation in planning are:

- To involve stakeholders at the earliest opportunity, in time to shape preparation work;
- That consultation takes place before decisions are made and in the open;
- To develop and improve a flexible and accessible consultation process;
- Everyone should have an opportunity to be involved if they choose;
- Draw on local knowledge to improve decision making and help the realistic implementation of decisions;
- Provide a greater deal of certainty for all involved through a plan led system; and
- That the planning system should help implement the communities' vision for the area.

**2.2** The council also recognises that there can be barriers to effective public participation and will work hard to address and overcome these where possible. The main constraints are:

- **Cost** - complex community involvement exercises can be costly and labour intensive in the preparation, attendance and follow up. These costs need to be balanced with the complexity of the subject matter of the consultation document and the extent of the area covered by proposals;
- **Managing expectation** - it is important that the council can deliver its objectives for community involvement but there is also a need to ensure that the local community does not become overloaded with consultation exercises;
- **Technical terminology** - although the current planning system seeks to open up the process, there are still many technical terms and expressions. Plain English will be used wherever possible, and non-technical summaries produced;
- **External constraints** - it is sometimes not possible to give a 'free rein' to an issue due to national policy or other 'rules' which are beyond the control of the council. Where these are known, the council will make these clear from the outset; and
- **Technology** - the use of e-technology makes communication and involvement in a complex process much easier. However, the council recognises that not all of the community has access to computers, the internet or email, and therefore traditional methods of consultation will continue to be utilised, for example the use of letters.

### Who is the community?

**2.3** There are many individuals and groups in the local community who will be given the opportunity to be involved in the preparation of local planning policy documents and comment on relevant planning applications. Planning Regulations<sup>(2)</sup> require a number of statutory bodies (including parish councils)

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2 The Town and Country Planning (Local Planning) (England) Regulations 2012 and the Town and Country Planning (Development Management Procedure) (England) Order 2012

to be consulted and these are listed in Appendix 1 and Appendix 2. Other consultees specific to Maidstone include the general public, wider community, hard to reach groups and local stakeholders, specifically:

- Amenity and local resident groups;
- Neighbourhood forums (where a Neighbourhood Plan area is identified);
- Individuals;
- Chamber of commerce;
- Local employers;
- Housing associations;
- Schools and colleges;
- Landowners, developers and planning agents;
- Gypsy and Traveller communities;
- Travelling Showpeople;
- The urban community;
- The rural community;
- Local cultural, sport and recreational groups;
- Local nature conservation groups e.g. Kent Wildlife Trust and the RSPB; and
- Local countryside management groups e.g. Kent Downs AONB Unit and the Medway Valley Countryside Partnership.

### **Why engage with the community?**

**2.4** The council recognises that community engagement on planning matters is beneficial to all parties involved. Some of these benefits include:

- Transparency of proposals;
- Gathering local knowledge;
- An opportunity to shape and influence local plan policies and the geographical pattern of future development;
- The ability to resolve areas of conflict at an early stage;
- A greater understanding of the council's aims and objectives, and greater focus on the priorities identified by local communities;
- Increased confidence and communication between the council and the local community and stakeholders;
- An increased understanding of how planning policies are developed and how they are linked to each other and to other documents produced by the council; and
- Achieving value for money.

**2.5** The council also recognises that there is a balance to be struck when engaging with the local community. Consultation fatigue is to be avoided whilst ensuring that hard to reach groups are included. In the production of local planning policy documents the council will develop a consultation programme to ensure that expectations are managed.

### **Duty to cooperate**

**2.6** The 'duty to cooperate' as set out in the Localism Act (2011) requires local planning authorities, county councils and other public organisations to engage with one another and consider joint approaches to plan making.

## 2 . Key principles of community involvement

**2.7** Maidstone is centrally located within Kent and shares its boundaries with five other local authorities: Ashford, Medway, Swale, Tonbridge and Malling and Tunbridge Wells. Kent County Council is also a major service provider. It is important for the council to communicate with its partner organisations, particularly regarding cross-boundary and county-wide issues. The council also takes part in regular discussions through the following forums:

- Kent Planning Officer Group (KPOG);
- Kent Planning Policy Forum (PPF);
- Kent House Building Industry Joint Liaison Committee; and
- Maidstone Borough Council Developers Forum.

**2.8** The council will continue to work closely with its partners to deliver planning in Maidstone and fulfil the requirements under the duty to cooperate.

## Community involvement in the Local Planning Policy Framework

**3.1** The 2012 Town and Country Planning Regulations require all local authorities to meet a minimum level of community involvement and to specify a number of organisations which must be consulted if the council considers that they will be affected. These are known as statutory consultees and general consultation bodies and are listed in Appendix 1.

**3.2** In addition, the council maintains a consultation database of approximately 1,500 contacts who have either commented on, or expressed an interest in being involved with, the production of Maidstone's local planning policy documents.

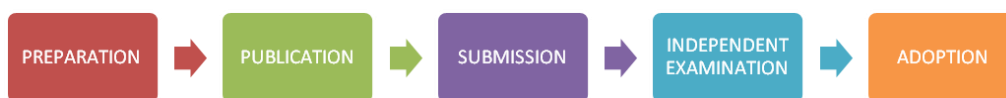
**3.3** This database will be used to keep registered individuals, organisations and groups informed on the development and production of any local planning policy documents. New contacts will be added to the database as requested. The Data Protection Act will be followed to ensure that personal data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

**3.4** The council also publishes a bi-annual newsletter, Planning Viewpoint, which notifies contacts of important stages of the local planning policy framework and the council's progress on specific documents. It also informs contacts of any upcoming consultations. The newsletter is sent electronically or in hard copy to every contact on the consultation database. The distribution of Planning Viewpoint is also a useful tool for the council to keep contact details on the database up to date.

### Stages of community involvement and consultation

**3.5** There are several stages to the plan making process and the level of engagement with the community differs depending on the type of document being produced. Local plans are subject to a minimum of two rounds of public consultation (preparation and publication) and independent examination, whereas supplementary planning documents can be adopted after a single round of public participation. The plan making process for each type of document is set out below.

### The Plan Making Process for Local Plans



**3.6** Local plans go through five stages of plan making. The following tables set out what the council will do at each stage of the process, and how stakeholders and the public can get involved.

# 3 . Maidstone Local Planning Policy Framework

## PREPARATION

<b>The council will:</b>	Engage with key stakeholders (including parish councils) in the preparation of the document.
	Place information in the local press and on our website ( <a href="http://www.maidstone.gov.uk">www.maidstone.gov.uk</a> ) about the document we are preparing.
	Post messages on the council's Facebook and Twitter pages about the document we are preparing.
	Make the document available on our website, in The Gateway and in local libraries.
	Make printed copies of the document available at a reasonable charge.
	Notify all statutory consultees including specific and general consultation bodies.
	Contact you directly either by email or letter if you are on our consultation database to advise you of the document we are preparing.
	Hold general and targeted café conversations, public exhibitions and/or meetings for the community to discuss the issues with you to gain an understanding of your views and/or to explain the proposals.
	Manage expectations, explaining the scope of the document, what you can influence and how you can get involved.
	Acknowledge, publish, consider and respond to all comments received.
Where appropriate, make changes to the document in response to public consultation.	
<b>You can:</b>	Ask to be added to our consultation database so you can be advised of future stages of the plan making process. You will need to provide your full name and postal address as a minimum, and an email address if you have one. Contact the Spatial Policy team at <a href="mailto:ldf@maidstone.gov.uk">ldf@maidstone.gov.uk</a> or phone 01622 602736.
	Influence decision making.
	Submit comments on the proposals contained in the document and make suggestions on further issues you would like addressed.

Table 3.1

## PUBLICATION

<b>The council will:</b>	Prepare and publish a final draft of the document and consult on it for a minimum six week period.
	Prepare and publish accompanying documents as required (e.g. Sustainability Appraisal).
	Place information in the local press and on our website (www.maidstone.gov.uk) about the document we are consulting on.
	Post messages on the council's Facebook and Twitter pages about the document we are consulting on.
	Make the document available on our website, in The Gateway and in local libraries.
	Make printed copies of the document available at a reasonable charge.
	Notify all statutory consultees including specific and general consultation bodies.
	Contact you directly either by email or letter if you are on our consultation database to advise you of the document we are consulting on.
	Acknowledge, publish and consider all comments received.
	Where appropriate, make changes to the document in response to public consultation.
<b>You can:</b>	Comment on the final draft of the document.

Table 3.2

## SUBMISSION

<b>The council will:</b>	Publish full details of the submission of the document on our website (www.maidstone.gov.uk) and in the local press.
	Prepare and publish a submission statement that sets out who has commented on the document, how people were invited to submit comments, the main issues raised and how these issues have been addressed.
	Make the document available on our website, in The Gateway and in local libraries.
	Notify all statutory consultees including specific and general consultation bodies.

	Contact you directly either by email or letter if you are on our consultation database to advise you of the document we are submitting.
	Publish all comments received at the publication stage.
<b>You can:</b>	View the submitted document.

Table 3.3

## INDEPENDENT EXAMINATION

<b>The council will:</b>	Publish full details of the Examination of the document on our website ( <a href="http://www.maidstone.gov.uk">www.maidstone.gov.uk</a> ) and in the local press.
	Notify all statutory consultees including specific and general consultation bodies.
	Contact you directly either by email or letter if you are on our consultation database to advise you of the examination.
<b>You can:</b>	If you submitted comments about the document at an earlier stage, you may be able appear at the public examination to speak in support of, or against, the document, at the discretion of the Inspector.

Table 3.4

## ADOPTION

<b>The council will:</b>	Publish the Inspector's recommendations and amend the document where necessary.
	Publish full details of the adoption of the document on our website ( <a href="http://www.maidstone.gov.uk">www.maidstone.gov.uk</a> ) and in the local press.
	Adopt and publish the final document.
	Prepare and publish an adoption statement.
	Notify all statutory consultees including specific and general consultation bodies.
	Contact you directly either by email or letter if you are on our consultation database to advise you of the adoption of the document.
	Review our documents regularly to ensure that they are up to date and accurately reflect the needs of the community.
<b>You can:</b>	View annual monitoring reports to see how policies and land allocations in adopted documents are performing.

Table 3.5

## The Plan Making Process for Supplementary Planning Documents



**3.7** Supplementary planning documents go through two stages of plan making. The following tables set out what the council will do at each stage of the process, and how stakeholders and the public can get involved.

### PUBLIC PARTICIPATION

<b>The council will:</b>	Engage with key stakeholders who have specific knowledge and expertise of the subject matter.
	Place information in the local press and on our website ( <a href="http://www.maidstone.gov.uk">www.maidstone.gov.uk</a> ) about the document we are consulting on.
	Post messages on the council's Facebook and Twitter pages about the document we are consulting on.
	Make the document available on our website, in The Gateway and in local libraries.
	Make printed copies of the document available at a reasonable charge.
	Notify all statutory consultees including specific and general consultation bodies.
	Contact you directly either by email or letter if you are on our consultation database to advise you of the document we are consulting on.
	Carry out focused engagement with the local community depending on the type of document we are preparing.
	Acknowledge, publish, consider and respond to all comments received.
	Where appropriate, make changes to the document in response to public consultation.
<b>You can:</b>	Ask to be added to our consultation database. You will need to provide your full name and postal address as a minimum, and an email address if you have one. Contact the Spatial Policy team at <a href="mailto:ldf@maidstone.gov.uk">ldf@maidstone.gov.uk</a> or phone 01622 602736.



	Comment on the document.
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Table 3.6

## ADOPTION

<b>The council will:</b>	Adopt and publish the final document.
	Prepare and publish an adoption statement.
	Notify all statutory consultees including specific and general consultation bodies.
	Contact you directly either by email or letter if you are on our consultation database to advise you of the adoption of the document.
	Review our documents regularly to ensure that they are up to date and accurately reflect the needs of the community.
<b>You can:</b>	View the adopted document.

Table 3.7

## Methods of community involvement and consultation

**3.8** The council recognises that since the publication of the last SCI in 2006 there has been a great deal of development and improvement in the ways the council engages with the community, particularly involving the use of technology. It is recognised that whilst traditional methods of consultation are still utilised, when used in isolation they are not effective in attracting a broad range of responses from the local community. As such, the council has recently looked into using social networking sites, such as Facebook and Twitter, to communicate with residents. Over 3,000 people now receive regular updates from the council through these sites.

**3.9** A variety of methods will be used at various stages of the planning process to enable community involvement in the local planning policy framework. These methods include, but are not limited to:

- **The website and consultation portal** - all consultation activities will be publicised through the council's website, both on the Local Plan pages and on its dedicated 'Have Your Say' consultation page. All local planning policy documents and background studies will be available for viewing and downloading, and the consultation portal will be available for people to read and comment on the consultation documents;
- **Inspection points** - documents will be made available for viewing at The Gateway and at local libraries during consultation periods;
- **Emails** - notifications will be sent to statutory bodies, stakeholders, relevant groups and other individuals and organisations on our consultation database;
- **Letters** - notifications will be sent to statutory bodies, stakeholders, relevant groups and other individuals and organisations on our consultation database, who have not specified an email address;

- **Local newspapers** - all consultations will be publicised in the local press. Public notices will include details on when and where planning documents can be viewed, when and where consultation events are happening, the closing date for comments and where to send them;
- **Public exhibitions and roadshows** - larger consultation events may be promoted through public exhibitions or roadshows. These events have the ability to target members of the community who may not get involved through more formal methods;
- **Leaflets** - when appropriate, leaflets or flyers may be distributed separately, or with other council correspondence, to summarise detailed information about consultation events;
- **Questionnaires** - these will be available for all consultations and will be obtainable on the council's website, at consultation events, and at request. Completed questionnaires can be submitted as valid representations as they are useful to determine attitudes towards particular issues and options;
- **Community and resident meetings/groups** - use of pre-existing community and resident groups to target people with particular local interests;
- **Council meetings** - where appropriate, plans will be taken to relevant council meetings for feedback from local councillors; and
- **Facebook and Twitter** - all consultations will be advertised on our corporate Facebook and Twitter pages and will explain how you can get involved.

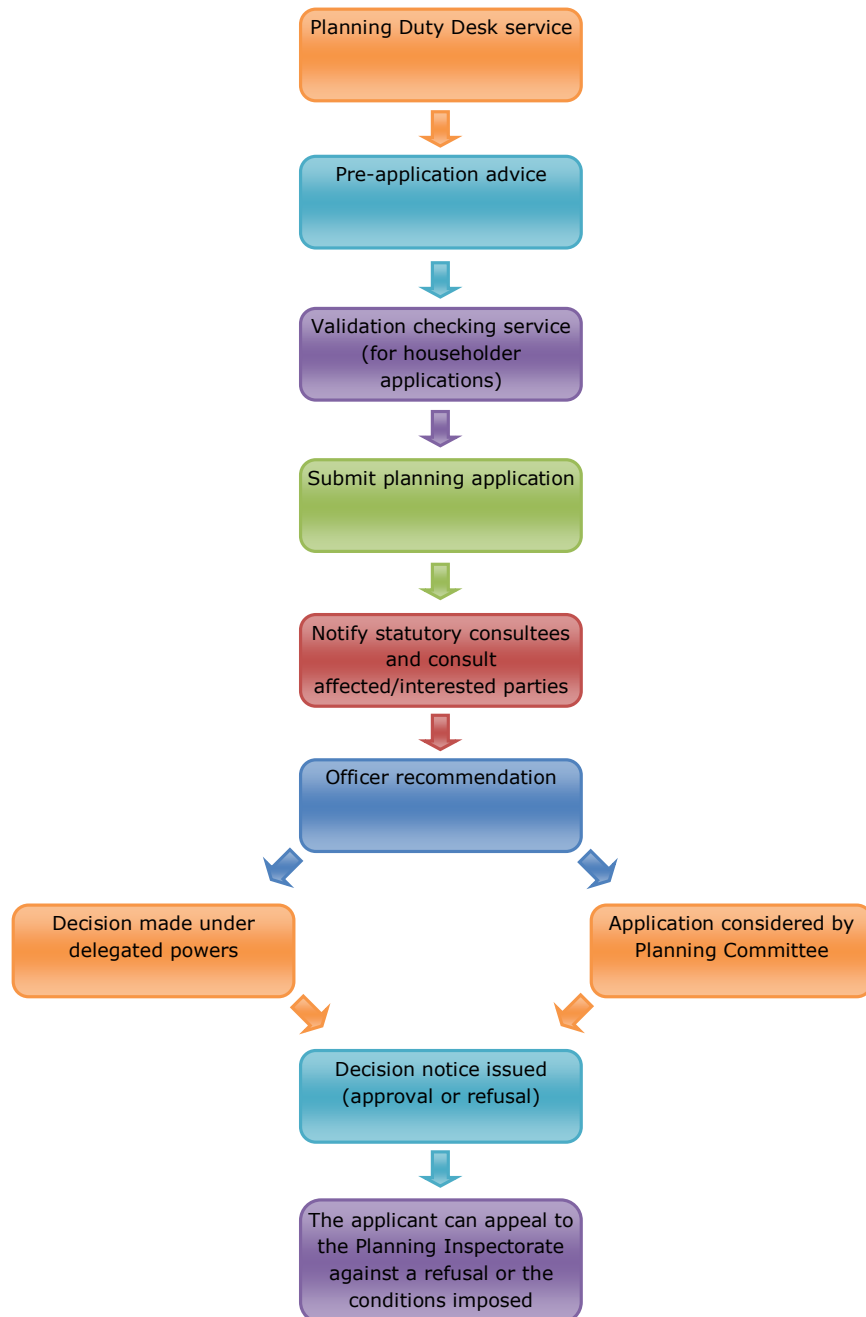
**3.10** Ward members (local councillors) have an important role to play in engaging the public in the consultation process, both in representing the views of their local communities, and the local or expert knowledge they may have about a particular area.

## 4 . Planning applications

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### Community involvement in planning applications

**4.1** The following flow chart outlines the council's procedures when handling planning applications.



**4.2** The National Planning Policy Framework (NPPF) came into force in March 2012 and places an emphasis on the importance of community involvement in planning applications. Paragraph 69 states:-

*"Local planning authorities should aim to involve all sections of the community in the development of local plans and in planning decisions, and should facilitate neighbourhood planning."*

**4.3** The council recognises that discussion and consultation between a potential applicant and the local community is an important principle, whatever the size or type of development proposed. The council therefore encourages all applicants to follow the guidelines set out below, as well as observing what is considered an appropriate level of consultation for the type of application.

### **Community involvement and consultation at the pre-application stage**

**4.4** Paragraph 66 of the NPPF states:-

*"Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably."*

**4.5** Particularly for major proposals, the council encourages and can assist applicants or their agents to approach the local ward members, parish council and the local community in advance of making a formal application. This early consultation should be as open as possible, giving a genuine opportunity for the local community to influence the design and form of the development proposed. The scale of consultation should be comparable to the scale, location and type of application.

**4.6** For all proposals, the council believes that discussions between potential applicants and their neighbours are valuable, whatever the size or type of development proposed. Sharing information on a proposal can often help overcome potential objections and may provide the opportunity for improvements to the design and layout.

**4.7** The council therefore considers that all applications should demonstrate what consultation has taken place in the preparation of the planning applications.

**4.8** Where development briefs are being prepared, the council and/or the developer are encouraged to consult with the local parish council and the local community. On large sites the brief may set out very general development principles and on smaller sites it may specify uses, massing of buildings and any particular uses essential to securing planning permission. It is therefore essential that the local community is involved in the process of developing the brief.

### **Pre-Application Advice**

**4.9** In addition to discussions between potential applicants and the local community/neighbours, the council offers a pre-application advice service to anyone considering a development proposal and welcomes discussions before submitting a planning application. Pre-application advice gives you an opportunity to identify and resolve any problems to help prevent costly and time-consuming amendments to schemes later, and can indicate whether the proposal is likely to gain consent or not. The council offers both written advice and advice involving meetings with officers, depending on the type of proposal. You can request

pre-application advice in writing or by email, ensuring that you submit the correct information and fee. Your enquiry will be allocated an appropriate planner and we will write to you confirming the advice given. This will usually be within 15 working days unless the proposal is particularly complex, when an alternative timescale will be agreed.

**4.10** For major proposals, in many cases more than one meeting will be required. Once the principle of development has been established, local ward members, groups spokespersons and local parish council members will simultaneously be invited to take part in the pre-application discussions. Where councillors (including parish councillors) are involved in pre-application discussions, they must adhere to the Maidstone Borough Council Planning Code of Conduct.

**4.11** The council also offers a Planning Duty Desk service in The Gateway between 11am and 3pm each weekday. This is a free service and offers an opportunity to speak with a Planning Officer about your proposal. You can also call the Planning Duty Desk on 01622 602550.

**Validation Checking Service**

**4.12** For householder applications, the council offers a validation checking service where you can have your application form and associated plans and documents checked by the Planning Duty Officer before formally submitting a planning application. This gives you an opportunity to identify and resolve any parts of the application that may be invalid, in order to prevent costly and time-consuming amendments later. This service is available in The Gateway for a small fee.

**Methods of community involvement and consultation**

**4.13** The tables below list the standard procedures the council will follow in involving the community in planning applications.

**MAJOR APPLICATIONS**

<b>How will the council tell you about it?</b>	Each application will be advertised in the local newspaper.
	A site notice will be displayed on or near the site.
	Notification letters will be sent to adjoining neighbours.
	Statutory consultees will be informed in writing.
	The relevant parish council(s) will be informed in writing.
	A weekly list of applications and decisions is available to view on the council's website ( <a href="http://www.maidstone.gov.uk">www.maidstone.gov.uk</a> ).
<b>How can you get involved?</b>	Submit comments online, by email or in writing to the Development Management team. You must provide your name and address for your comments to be acknowledged or if you wish to be re-consulted. Please remember that any comments

	the council receives are treated as a public document and are available for the public to see. This may include publishing them on our website.
	You have 21 days to respond to the application.
	Where possible, speak at Planning Committee in line with the council's constitution.
	Access planning application decisions by checking the website or by calling the contact centre on 01622 602736.

Table 4.1

### OTHER APPLICATIONS (including householder)

<b>How will the council tell you about it?</b>	Applications will be advertised in the local newspaper if they affect a listed building, conservation area, public footpath, or are not in accordance with the adopted development plan.
	A site notice will be displayed on or near the site.
	Notification letters will be sent to adjoining neighbours.
	Statutory consultees will be informed in writing.
	A weekly list of applications and decisions is available to view on the council's website ( <a href="http://www.maidstone.gov.uk">www.maidstone.gov.uk</a> ).
<b>How can you get involved?</b>	Submit comments online, by email or in writing to the Development Management team. You must provide your name and address for your comments to be acknowledged or if you wish to be re-consulted. Please remember that any comments the council receives are treated as a public document and are available for the public to see. This may include publishing them on our website.
	You have 21 days to respond to the application.
	Where possible, speak at Planning Committee in line with the council's constitution.
	Access planning application decisions by checking the website or by calling the contact centre on 01622 602736.

Table 4.2

## APPLICATIONS FOR WORKS TO PROTECTED TREES AND TREES IN A CONSERVATION AREA

<b>How will the council tell you about it?</b>	A site notice will be displayed on or near the site.
	Notification letters will be sent to adjoining neighbours.
	Statutory consultees will be informed in writing.
	A weekly list of applications and decisions is available to view on the council's website ( <a href="http://www.maidstone.gov.uk">www.maidstone.gov.uk</a> ).
<b>How can you get involved?</b>	Submit comments online, by email or in writing to the Development Management team. You must provide your name and address for your comments to be acknowledged or if you wish to be re-consulted. Please remember that any comments the council receives are treated as a public document and are available for the public to see.
	You have 21 days to respond to an application for works to protected trees, and 14 days to respond to a notice for works to trees in a conservation area.
	Where possible, speak at Planning Committee in line with the council's constitution.
	Access planning application decisions by checking the website or by calling the contact centre on 01622 602736.

Table 4.3

## APPEALS

<b>How will the council tell you about it?</b>	All consultees of the original application and those who commented on the application will be re-notified.
	If the appeal is to be heard by hearing or public inquiry, all those who responded to the original application, the relevant parish council, ward members, witnesses, objectors and neighbours will be re-notified, with information about the date, time and venue of the hearing. If it is a significant hearing/inquiry a site notice detailing the date, time and location of the hearing/inquiry will be displayed on or near the site.
	If the appeal is for a householder application, all consultees of the original application and those who commented on the application will be re-notified. However, you cannot send any further comments on the appeal to the Planning Inspectorate - your original comments will be forwarded to the Planning Inspectorate.
<b>How can you get involved?</b>	If you commented on the application, your comments will be forwarded to the Planning Inspectorate.

	You can attend and listen to a hearing or public inquiry.
	You can speak at the hearing/public inquiry at the discretion of the Inspector.
	Access appeal decisions by checking the website ( <a href="http://www.maidstone.gov.uk">www.maidstone.gov.uk</a> ) or by calling the contact centre on 01622 602736. If you were a consultee of the original application or you submitted comments the council will notify you of the decision in writing. Appeal decisions can also be obtained directly from the Planning Inspectorate.

Table 4.4



**Annual monitoring report** - an annual report which monitors and reviews the effectiveness of local policies, and establishes whether policy targets or milestones for local planning policy documents set by the Local Development Scheme have either been met or progress made towards meeting them.

**Appeal** - process by which a planning applicant can challenge an adverse decision. The appeal may be conducted in writing, by an informal discussion led by the Inspector, or by a formal public inquiry with cross-examination of witnesses.

**Café conversations** - informal engagement with the community at any stage in the plan making process to gain an understanding of local issues.

**Consultation programme** - a schedule which clearly sets out when and where the council will involve stakeholders and the community during a consultation.

**Development management** - the new name for Development Control. The act of determining planning applications (and similar) in conformity with the development plan and material considerations.

**Development plan** - the development plan for Maidstone includes adopted local plans, adopted DPDs and saved policies from the Maidstone Borough-Wide Local Plan 2000.

**Development plan document (DPD)** - now referred to as a local plan under The Town and Country Planning (Local Planning) (England) Regulations 2012, these are statutory documents produced by local planning authorities that must be taken into account in determining planning applications. Currently, planning permission must be granted in accordance with these documents unless material considerations indicate otherwise.

**Hard to reach groups** - groups of people who are traditionally more difficult to target during consultation exercises, for example older people, gypsy and traveller communities and people with a disability.

**Hearing** - a planning appeal hearing undertaken in a structured way but without the formality of a local inquiry.

**Householder proposal** - a proposal for works or extension to a single dwelling.

**Local development scheme (LDS)** - the LDS is a business programme or timetable listing the documents the council will produce under the local planning policy framework, and explaining how documents will be prepared and when they will be published.

**Localism act** - the Localism Act was published in 2011 and introduces new freedoms and flexibilities for local authorities and communities.

**Local plan** - the plan for the future development of the local area, drawn up by the local planning authority in consultation with the community.

**Local planning policy framework** - sets out the policies that determine where, when and how development takes places in the borough. All planning proposals that the council deals with are judged against these policies.

**Major proposal** - a residential planning proposal for 10 or more dwellings, or for a site of 0.5 hectares or more. Also a commercial proposal for 1,000m<sup>2</sup> of floorspace, or for a site of 1 hectare or more.

**Neighbourhood plans** - introduced under the provisions of the Localism Act 2011. Parish councils (or authorised groups of local individuals in unparished areas) are able to prepare statutory development plans against which planning applications will have to be assessed.

**Planning inspectorate (PINS)** - the Planning Inspectorate is responsible for processing planning and enforcement appeals and conducts examinations into local plans.

**Public examination** - an interrogatory process led by one or more members of the Planning Inspectorate, held to examine the soundness of a local plan.

**Public inquiry** - an independent inquiry carried out by the Planning Inspectorate assessing planning decisions made by the local planning authority allowing applicants the right to appeal against the refusal of permission/consent/enforcement proceedings. The inspector produces a decision after hearing evidence in person.

**Stakeholder** - an individual or organisation who has specific knowledge and/or expertise of the subject matter.

**Statement of community involvement (SCI)** - a document that sets out how and when communities will be involved in preparing development plans and processing planning applications.

**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.

**6.1** Listed below are the types of bodies, groups and organisations that the council will involve and consult with, where appropriate, during the preparation and development of its local planning policy documents. Please note that this is not an exhaustive list and will continue to be updated as the local planning policy framework takes shape.

### **Statutory Consultees**

**6.2** The specific consultation bodies which the 2012 Town and Country Planning Regulations require the council to consult are:

- Adjoining authorities - Ashford, Medway, Swale, Tonbridge and Malling and Tunbridge Wells;
- English Heritage;
- Kent and Medway NHS;
- Kent County Council;
- Kent Police;
- Natural England;
- Network Rail;
- The Environment Agency;
- The Highways Agency;
- The Homes and Communities Agency;
- Parish councils;
- Relevant communications providers;
- Relevant gas and electricity providers; and
- Relevant sewerage and water undertakers.

### **General Consultation Bodies**

**6.3** The 2012 Town and Country Planning Regulations also specify that the council must consult the following, where appropriate:

- Voluntary organisations including sport and leisure and environmental groups;
- Local racial, ethnic and national groups;
- Local religious groups;
- Local disability groups; and
- Local business groups.

**7.1** The Town and Country Planning (Development Management Procedure) (England) Order 2010 requires the council to consult specific consultation bodies when considering some planning applications.

**7.2** The statutory consultees for Development Management include:

- Adjoining authorities - Ashford, Medway, Swale, Tonbridge and Malling and Tunbridge Wells;
- Kent County Council Highways;
- Parish councils;
- Natural England;
- Network Rail;
- The British Waterways Board;
- The English Sports Council;
- The Environment Agency;
- The Health and Safety Executive;
- The Historic Buildings and Monuments Commission for England;
- The Secretary of State for the Environment, Food and Rural Affairs;
- The Secretary of State for Transport; and
- The Theatres Trust.

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