

Appendix 1

YOUR PLACE YOUR PLAN.

Winchester District Local Plan

STATEMENT OF COMMUNITY INVOLVEMENT IN PLANNING

Consultation draft

October 2023



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1 INTRODUCTION

What is the SCI?

- 1.1 The Statement of Community Involvement (SCI) is a document that describes how the public, businesses and interest groups can get involved in the creation of local planning policy, neighbourhood planning and the planning application decision making process aimed at shaping where we live work and enjoy the natural and built environment. This is essential to help improve understanding and openness of the planning process. It also identifies how people and groups can engage with the planning system in the best way.
- 1.2 The Planning and Compulsory Purchase Act 2004 (as amended) requires local planning authorities to have a statement of community involvement (SCI) and since January 2018 the regulations now require SCI's to be updated on a regular basis, at least every 5 years. ~~The Planning & Compulsory Purchase Act 2004 requires local planning authorities to have a Statement of Community Involvement (SCI) for planning, setting out their approach to engagement on planning issues. Since January 2018, Regulations now require SCI's to be updated on a regular basis, at least every 5 years.~~ Planning inspectors will consider whether the authority has followed the principles set out in the SCI, when assessing whether planning policy documents have been properly prepared.
- 1.3 The purpose of the 6 week public consultation is to seek views on a revised SCI and whether there are other changes in consultation methods that need to be reflected in this document.
- 1.4 Winchester City Council's 'Statement of Community Involvement in Planning' sets out the Council's approach to involving people in planning matters, whether residents, businesses, visitors or wider stakeholders such as statutory consultees. It covers both planning policy (e.g. the Local Plan and Supplementary Planning Documents) and development management (i.e. planning applications and other development applications). It provides guidance on how people can get involved in the development of planning policies and how they can comment on planning applications.
- 1.5 This document does not cover community involvement other than in regard to planning matters, - mainly statutory planning policy documents such as the local plan and planning applications. There are a number of abbreviations and planning terminology in this document, these are set out in full in the glossary at Appendix 3. The Council is developing more innovative and customer- focused engagement methods generally and participation in planning matters will follow these principles within any statutory and resource limits.

- 1.6 There are legislative procedures that must be followed in the preparation of planning policy documents and the processing of planning applications, some of which relate to methods of consultation. There are also statutory timescales that must be followed and these factors are included as part of the SCI.

Development of the SCI

- 1.7 ~~The Council's previous SCI dated from 2007. There was a need to change the SCI to reflect changes to the planning system and to update the SCI to reflect new methods of communication, such as the increased role of electronic communication. The SCI also now needs to be updated at least every 5 years.~~
- 1.8 ~~Preparation of the new SCI began in spring of 2017, with the launch of a survey seeking views on methods for participation and consultation for planning policy and planning applications. Notification of the consultation was issued via newsletters including parish connect to those on both local plan and development management databases. The survey ran between 9th March and 24th April 2017 and 159 responses were received. The results of the initial survey fed into the development of the refreshed SCI and a draft SCI was prepared for public consultation. The draft SCI was subject to consultation for 8 weeks from 24th July – 21st September 2018, via the Citizenspace consultation portal. The same methods of publicity were carried out as for the initial survey. 12 responses were received.~~
- 1.9 ~~A final version of the SCI was prepared taking into account feedback from the original survey and the representation made during the consultation on the draft SCI. The final SCI and the preparation and consultation process were considered by the Local Plan Committee and Cabinet in December 2018 and the final document was approved for adoption.~~
- 1.10 The Council's previous SCI dated from 2018. It was temporarily amended to address the temporary legislation during Covid restriction. This highlighted publicity and consultation requirements in the adopted SCI that were not achievable due to these restrictions. This temporary legislation expired in December 2021. The 2018 SCI was then reverted back to the SCI that was adopted in 2018.
- 1.11 The updated SCI reflects the methods used to get various consultees and local groups involved in the consultation and includes methods that received positive feedback on the consultation process from the RTPi awards in terms of 'going above and beyond what was expected'.

Final SCI

- 1.12 ~~This SCI has been adopted by the Council as the Statement of Community Involvement in Planning (SCI) on 12th December 2018. This SCI only applies within that part of the District that is outside the South Downs National Park. The SCI is available to view on the Council's website at: [Statement of Community Involvement – Winchester City Council](#)~~

2 COUNCIL PLANNING ENGAGEMENT

General Principles for Community Involvement in Planning

- 2.1 The Council will use a wide variety of methods to encourage participation in planning, these will vary and a proportionate approach will need to be applied, taking into consideration resources and time available. However, the nature of community involvement is different in policy planning and development management.
- 2.2 In policy planning, involvement occurs through the participation in the development of policy. Different approaches will be appropriate depending on the nature of the document and its stage of preparation. Engagement will primarily occur during the initial preparation phase to gather views and opinions and to enable people to gain understanding of the issues. This will typically be followed by consultation on options or proposed policies, which is a more structured process. There is consultation on draft plans and policies and the council is obliged to consider the representations made.
- 2.3 Development management considers proposals for development, such as planning applications and other related procedures such as conservation area and listed building applications, tree preservation orders and works to trees. The Council's role is to publicise these applications and the community involvement is focused on commenting on the proposals. There is the opportunity to influence developments, as the Council must take account of any representations that are made. However, the scope for involving the public is limited by statutory procedures that need to be followed for consultation. Occasionally, with larger sites, there is an opportunity to become involved in the development of proposals at an early stage when potential applicants or site promoters carry out pre-application consultations.

Roles of Officers, Councillors, Parishes and the MP

Council Officers

- 2.4 Council officers will undertake research, draft planning policies and assess planning applications. In some cases officers will produce public reports or make decisions under delegated powers. Major decisions are made at committee and cabinet meetings, or occasionally at a full Council meeting. At these meetings the officers make recommendations, but it is the members of the committee/Council who make the decision.
- 2.5 Officers are able to provide advice on technical aspects of planning and opinions based on their professional experience. Officers are the first people to contact for queries on planning matters. Officers can assist both members of the public and the elected members with all aspects of the planning process, including planning applications and aspects of planning policy.

Councillors

- 2.6 Councillors (also sometimes called members) are the local elected representatives for the area. The District is comprised of Wards and each Ward has a number of Councillors who represent it. Councillors attend Council meetings and a number of them will comprise the members of various committees such as the Planning Committee and the Cabinet (Local Plan) Committee. The members of committees will listen to any statements made by the public, discuss and debate the reports of officers, question the officers and ultimately vote on any recommendations. The Overview and Scrutiny Committee plays a vital role in maintaining an overview of the City Council's work and looking in depth at areas of particular significance or concern, including examining decisions made by other committees and the executive.
- 2.7 Councillors are a bridge between the community and the Council, being able to liaise with constituents and raise any issues with council officers. Your local Councillor is able to act as an advocate on planning applications for constituents or applicants if they are not a member of planning committee and can also give advice on the planning process and talk about local planning issues in the area. Councillors can call for applications to be discussed at committee and there are specific provisions for them to address committees. If you would like to contact your local Councillor the list of names and contact details can be found on the Council's website at: [Your Councillors - Winchester City Council](#)

Town & Parish Councils

- 2.8 There are Town & Parish Councils covering all of the District except the Winchester Town area. Within Winchester Town, the Winchester Town Forum discusses issues that may affect the Winchester Town area, but they do not have the same formal role in relation to planning applications, that Town/Parish Councils do. Local residents should therefore contact their local Ward Member within Winchester Town in relation to planning applications.
- 2.9 Town & Parish Councils are formally notified of planning applications and are also consulted on planning policy issues. Most Town & Parish Councils have their own planning committees where they discuss applications and agree on a response.
- 2.10 Town & Parish Councils can request that an application is determined at the Winchester City Council (WCC) Planning Committee if their response raises relevant planning considerations which matters are contrary to the planning officers' recommendation. Town and Parish Councils are provided with a pro-forma to complete which will be web published as part of the electronic case file. ~~The form on the consultation letter must be used in order to do this and it is requested that in doing so, the option to speak public at planning committee and justify your objections / support and call is taken up. Your local Town/Parish Councillors can help ensure that your concerns are addressed by liaising directly with Council Officers on your behalf. Town/Parish Councillors cannot sit on Winchester City Council Committee in that role, or vote at City Council meetings, however they are encouraged to attend and participate at the planning committee during public participation.~~

Your Local MP

- 2.11 The role of your local Member of Parliament is to represent the people of their constituency in Parliament. MPs can act as an advocate on behalf of individuals or groups in a wide range of situations, however, MPs are entirely separate from local government and do not have a role within it or any special rights or privileges. Therefore, when planning concerns are raised with MPs, these are often passed directly to the Council for consideration.

Communicating with You

- 2.12 The Council promotes the use of plain English. Planning has a large amount of jargon, technical terms and acronyms. Many of these are necessary as they refer to legislation or are abbreviations for otherwise long titles and descriptions. Documents therefore often contain a glossary that will explain the terms used.
- 2.13 Documents and planning application details can be accessed online ~~and in electronic formats~~, which ensures a wide reach of circulation. ~~It is recognized that not all people may be able to view information in this way and people should contact the relevant council officer for assistance with this.~~ Copies of important documents such as the Local Plan will be available for inspection at the Council offices in a paper format. Other documents can usually be made available in a paper form, although there may be a fee associated with this. Officers or the Customer Services team should be contacted if documents are required in an alternative format, such as large print or another language.

Equalities

- 2.14 The Council is mindful of its duties under the Equalities Act 2010 to eliminate unlawful discrimination and advance equality of opportunity for all. It is particularly important to encourage people with certain protected characteristics in relation to race, religion, age, disability, gender, sexual orientation, pregnancy or maternity to participate in public life.
- 2.15 Efforts will therefore be made to include those who don't normally get involved in planning, for example by using existing community groups and forums. Where appropriate, we will identify issues that may be of interest to specific groups in the community. The use of social media is a useful tool for reaching groups and individuals who have not traditionally been involved in planning. Workshops and focus groups have been used to successfully engage with particular groups.
- 2.16 The Council will carry out Equalities Impact Assessments (EqIA) on appropriate policies and documents to ensure that there are no adverse effects on the people with protected characteristics.

Data Protection

- 2.17 We maintain a database of contacts to keep people informed of new policy initiatives. There is a similar database of planning agent contacts for development management. These databases are both covered by GDPR and only used to provide updates for which those who have signed up to the database have requested to be sent e.g. the Regulation 18 Local Plan. In order to register comments on applications and documents, we require contact details which will help us to contact you in regard to the comments made.
- 2.18 The Town and Country Planning (Local Planning) (England) Regulations 2012, requires copies of all representations to be made publicly available. The Council will also publish names and associated representations on its website but will not publish personal information such as telephone numbers, or email addresses.
- 2.19 In accordance with the General Data Protection Regulations (GDPR) the information on the databases and provided in association with planning applications will only be used for appropriate purposes, as agreed when originally provided. The information will only be kept for the necessary period of time required. The Council has an updated privacy policy which can be viewed on the [website](#).

Communicating with the Council

- 2.20 The [Planning Portal](#) provides helpful information on the planning system and processes. National guidance can be found in the [National Planning Policy Framework](#) and [National Planning Policy Guidance](#). Further information can be found via the planning professional body the [Royal Town Planning Institute \(RTPI\)](#). [Planning Aid](#) offers free, independent planning advice and assistance to individuals and communities. These services should be used to answer general queries on the planning process.
- 2.21 ~~The best way to contact the Council regarding planning matters is to contact the relevant officer directly where one is named. The details of case officers are shown on the planning application public access system and contact details will be given on all planning policy documents, or the covering letters or notifications. Representations on a planning application should be submitted via the online public access system, which also contains supporting information for a planning application.~~
- 2.22 Telephone calls can often resolve issues speedily. Planning policy can be contacted via customer services 01962 840222 and development management via 01962 848177. There are also general contact emails for planning policy (planningpolicy@winchester.gov.uk) and development management (planning@winchester.gov.uk)
- 2.23 While we try to provide a good service, we know that sometimes things go wrong. The best way to resolve issues is to contact the relevant officer directly. Following that, the Team Leaders are best placed to discuss planning issues and procedures. There is also senior management to overview situations. Where issues are not resolved at this level, there is information on [complaints procedures](#) on the website, including a

complaints form that can be completed.

- ~~1.1 The Planning Portal provides helpful information on the planning system and processes. National guidance can be found in the [National Planning Policy Framework](#) and [National Planning Policy Guidance](#). Further information can be found via the planning professional body the [Royal Town Planning Institute \(RTPI\)](#). [Planning Aid](#) offers free, independent planning advice and assistance to individuals and communities. These services should be used to answer general queries on the planning process.~~

3 PLANNING POLICY

- 3.1 The Council has developed various policies that help shape the form of development throughout the part of the District that is outside the South Downs National Park (SDNP). Within the National Park, the SDNP Authority is responsible for planning policy and has adopted its own SCI with the most recent version published in August 2017 [April 2022](#)
- 3.2 Planning policies set out a strategic vision for the pattern of future development within the area. Policies aim to provide guidance as to where development should take place, and the scale of that development, whilst protecting both the built and natural environment and maintaining and enhancing the local economy, and community facilities. There may be specific policies that allocate land for particular types of development, such as areas for new housing. There will also be planning policies that set out guidelines for assessing planning applications for development.
- 3.3 The Council maintains a list of individuals and groups that are interested in planning policy issues and want to be kept informed. The database's contacts will be informed of any new planning policy initiatives and consultations, as well as the status of planning documents as they move through the statutory plan process. It is advised that those with an interest in planning policy issues subscribe to updates on the local plan via the Council's website by clicking [here](#). The planning policy database will only be kept up to date and used in compliance with GDPR guidelines.

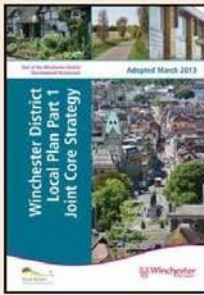
Planning Policy Documents

- 3.4 Planning policy documents comprise a mix of statutory documents such as the Local Plan and any Neighbourhood Plans, together with any Supplementary Planning Documents and other local development documents. These are supported by various reports, technical studies and research, which form the 'evidence base' for policies.
- 3.5 The Council's [Local Development Scheme \(LDS\)](#), which was updated in August 2023, provides a programme for the production of Development Plan Documents and associated documents. The LDS is the starting point for finding out what the timetable is for the local plan and other documents and to see key dates for decisions and public

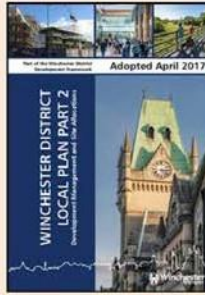
involvement. The LDS is updated on a regular basis as required. Changes to the LDS will be considered by the Council's Cabinet /~~Local Plan Committee~~ and the final version published on the Council's website. ~~The existence of a revised LDS will be further publicised through the local plan newsletter circulation.~~

- 3.6 The local authority is required to follow procedures in the creation and adoption of statutory planning policy documents. Technical data and reports that are typically not subject to consultation make up a large portion of the evidence base. However, there may be some consultation or public participation when the evidence is based on surveys or input from specific groups. Parish Plans and other papers created by the community may also be used as background data when preparing plans. On the Council's website, any documents used as evidence should be viewable.
- 3.7 The diagram below (Figure 1) illustrates the planning policy documents for the Winchester District, and the table that follows describes the planning policy documents in more detail.

Winchester District Development Plan



Local Plan Part 1: Core Strategy



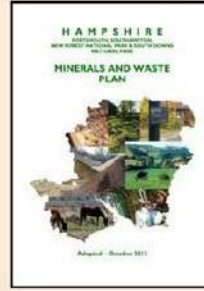
Local Plan Part 2: Development Management and site allocations



Gypsy, Traveller and Travelling Showpeople DPD



Denmead Neighbourhood Plan



Hampshire Minerals and Waste Local Plan

Supplementary Planning Documents

Other Planning Documents

Statement of Community Involvement

SCI Review

Local Development Scheme

Updated as required

Authorities Monitoring Report

Updated Annually

Community Infrastructure Levy Charging

CIL Review

Figure 1: Local Plan Documents Table 1: Planning Policy Documents and Consultation Requirements

Document	Consultation?
Development Plan Documents	
<p>Local Plan This may be formed of several parts such as the Core Strategy together with any allocations plans, development management policies and other plans such as Action Area Plans.</p>	<p>Statutory requirements at various stages. Set out in the Planning Acts & Local Plan Regulations</p>
<p>Neighbourhood Plan Once formally 'made', Neighbourhood Plans form part of the Development Plan for an area. To date, only the Denmead Neighbourhood Plan has been made in the Winchester area outside the SDNP.</p>	<p>Statutory requirements at various stages. Set out in the Planning Acts, the Localism Act, the Neighbourhood Planning Act, the Local Plan Regulations & Neighbourhood Plan Regulations</p>
<p>The Minerals & Waste Plan Also forms part of the Development Plan for the District, but it is prepared by Hampshire County Council as they are the Minerals and Waste Planning Authority. Therefore they will also undertake any consultation on its preparation.</p>	<p>Statutory requirements at various stages, as for other DPDs. Set out in the Planning Acts & Local Plan Regulations</p>
Local Development Documents	
<p>Supplementary Planning Documents (SPD) Not part of the Development Plan itself, but supplement policies within it. Formally adopted by the Council and provide guidance on particular topics and/or in particular locations. Examples in Winchester currently include High Quality Places, Affordable Housing, Residential Car Parking Standards and a number of Village/Neighbourhood and Local Area Design Statements</p>	<p>Statutory requirements at various stages, but different to DPD requirements. Set out in the Planning Acts & Local Plan Regulations</p>
<p>Community Infrastructure Levy (CIL) Charging Schedule. Community Infrastructure Levy (CIL) is a charge that allows local authorities to raise funds from new development to fund essential infrastructure. The Charging Schedule sets out the levy rates that will be charged and how and where they will be applied.</p>	<p>Statutory requirements at various stages. Set out in the CIL Regulations</p>

<p>Authority's Monitoring Report (AMR) Reports on the progress on policy development and the performance of policies, on an annual basis. It includes information on housing completions and a housing trajectory plotting future housing delivery.</p>	<p>No consultation, as a technical document.</p> <p>Planning Acts and local plan regulations set out the requirements for producing monitoring reports and their required content</p>
<p>Local Development Scheme (LDS) A program <u>timetable</u> for the production of Development Plan Documents and associated documents. Contains a detailed timetable for a 3yr period. Updated on a regular basis as required.</p>	<p>No consultation, as a technical document, but is agreed by Cabinet .</p> <p>Required by Planning Acts. Needs to be kept up-to-date.</p>
<p>Statement of Community Involvement (SCI) Sets out the Council policy for involving stakeholders and the wider community in planning issues. Covers planning policy and development management.</p>	<p>Consultation and adoption is required, but the mechanisms are not specified.</p> <p>Required by Planning Acts. Needs to be kept up-to-date and now needs to be reviewed at least every 5yrs in parallel with the Local Plan.</p>
<p>Supporting Assessments Prepared alongside and submitted in support of DPDs and Neighbourhood Plans</p>	
<p>Sustainability Appraisal (SA) Considers the environmental, social and economic impact of the policies and proposals contained therein. Assesses policies at various stages of preparation, including the consideration of reasonable alternatives. The SA of a DPD includes the required Strategic Environmental Appraisal.</p>	<p>Consulted as part of the consultation on the DPD or Neighbourhood Plan</p> <p>Set out in Planning Legislation & Local Plan Regulations</p>
<p>Strategic Environmental Appraisal (SEA) This assesses plans and policies where there may be significant environmental effects. These may occasionally be required where a SA has not already been undertaken, for Neighbourhood Plans or SPD</p>	<p>Early consultation with the SEA consultation bodies and general consultation as part of the DPD/Neighbourhood Plan public consultation</p> <p>Set out in the SEA Directive and Environmental Assessment of Plans and Programmes Regulations,</p>
<p>Habitats Regulations Assessments The HRA screening considers if the potential impacts arising as from a plan are likely to have significant effect on any sites designated for their nature conservation importance, either alone or in combination with other plans and projects. If potential impacts are identified then this will trigger the need for a more detailed Appropriate</p>	<p>Consultation with specified bodies as set out under the Conservation of Habitats and Species Regulations 2017</p> <p>Consulted as part of the consultation on the DPD or</p>

Assessment.

Neighbourhood Plan

Other documents

Other documents and studies are necessary for the formulation of planning policies.

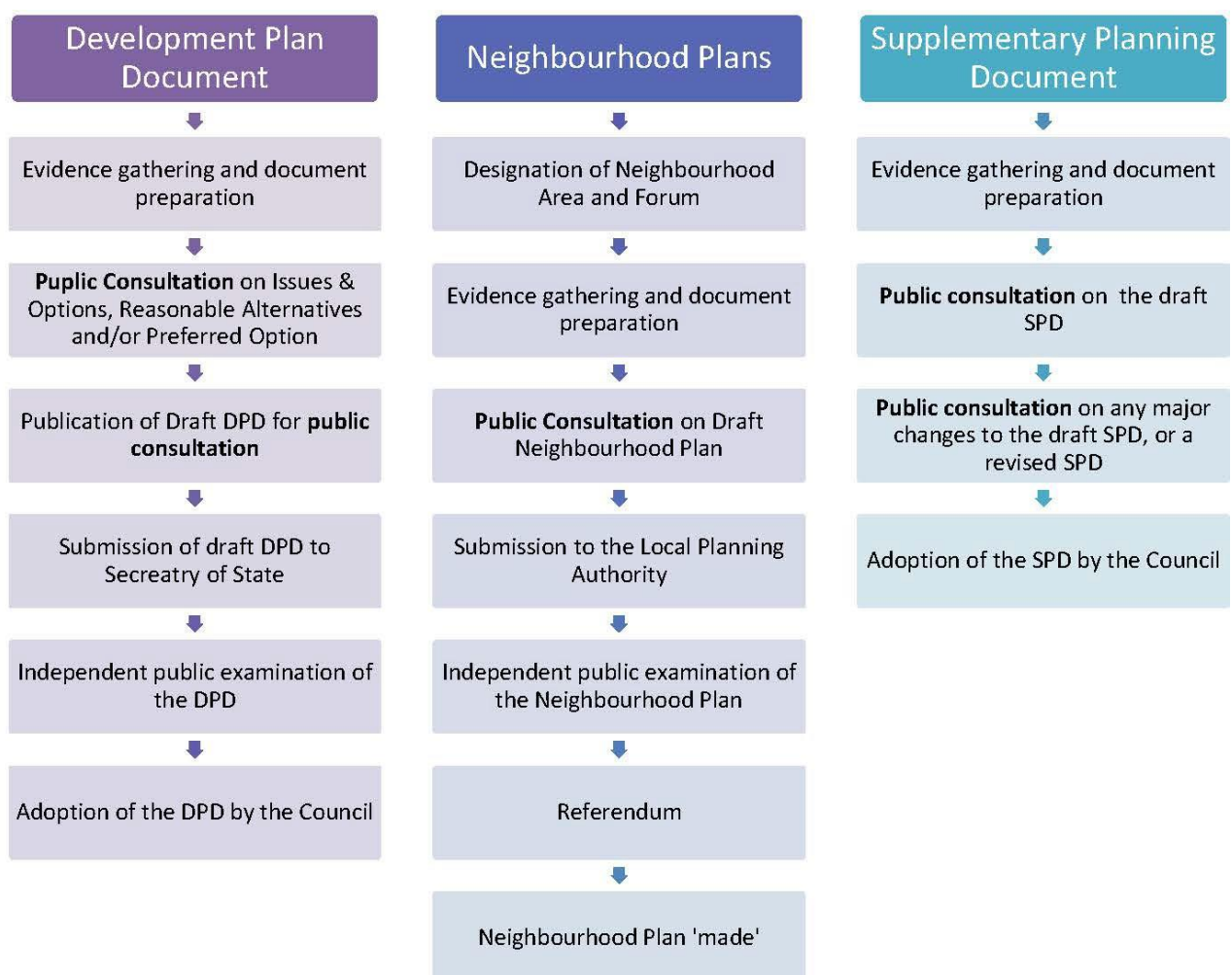
Examples include Strategic Housing & Economic Land Availability Assessment (SHELAA) [Formerly SHLAA], Brownfield Land Register, Housing Needs Assessments, Infrastructure Delivery Plan, Green Infrastructure Studies, Transport Assessments, and Local Flood Risk Assessments.

Not generally consulted on, but are parts of the evidence base and can be challenged through the examination process.

Planning Policy Documents – Stages in Preparation & Opportunities for Involvement

3.8 The diagram below (Figure 2) illustrates the preparation process for the main types of policy documents and the opportunities for engagement and consultation at each stage. References to preparation also refer to the preparation of any Local Planning Documents that are jointly prepared with other authorities and also to any revisions of any Local Development Documents (LDD)

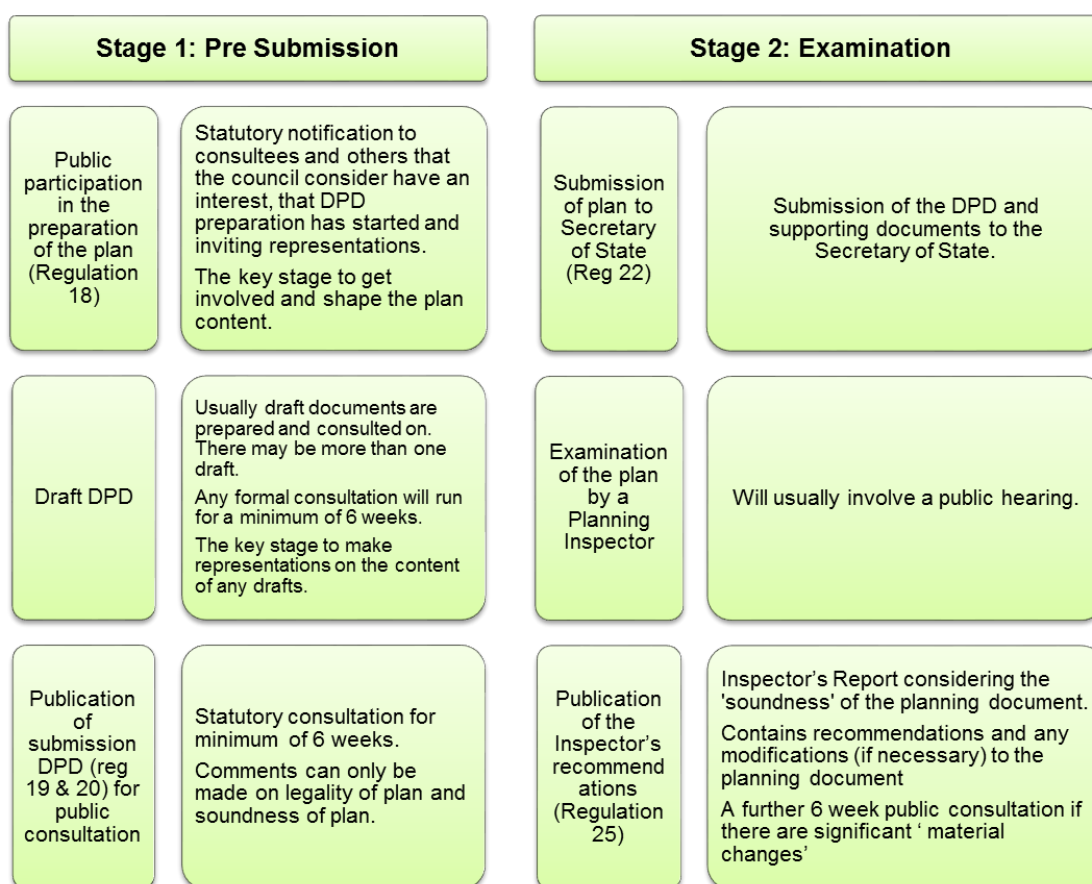
Figure 2: Planning Policy Documents Preparation Process



DEVELOPMENT PLAN DOCUMENTS (DPD) [Local Plan & others] & SUPPLEMENTARY PLANNING DOCUMENTS (SPD) PREPARATION

3.9 DPDs such as the Local Plan will require a wide range of engagement across the District over a considerable period of time in order to properly consider all the issues involved and develop a sound strategy. The following sections describe the main stages for its preparation and the opportunities for involvement at each stage and the diagram below (Figure 3) summarises the key stages for a DPD.

Figure 3: DPD Preparation Process



Preparation of DPD – early stages of evidence gathering and engagement, this stage is the main time to become involved in the identification of issues for the DPD and the development of emerging strategies, policies and proposals.

Consultees

3.10 Formal commencement of work on the preparation of a DPD such as the Local Plan requires notification under Regulation 18 of the Town & Country Planning (Local Planning) (England) Regulations 2012. The local planning authority

must notify the specific and general consultees, local residents and business as appropriate, inviting representations on the content of the document. Councils are required to take into account any representations that are made in response.

- 3.11 The current list of specific and general consultees that would be relevant for Winchester City Council are listed in Appendix 2

Duty to Cooperate

- 3.12 Under the current legislation, Council's are required to compile and demonstrate how they have met ~~the~~ Duty to Cooperate obligations which requires that formal cooperation is sought from particular bodies required over planning for development needs. This is particularly important when it is difficult to accommodate identified needs, such as for housing within the authority and assistance is sought from neighbouring authorities. The Duty to Cooperate is not a duty to agree. The Council has to demonstrate that it has cooperated with the required consultees when submitting documents for examination. The current list of the Duty to Cooperate consultees is attached as Appendix 2. Some of these are also specific or general consultees.

Publicity

- 3.13 The Council will always give notification of the start of the front loading of a new planning policy (DPD or SPD). New initiatives will be publicised by a notice on the website. Tweets and other social media platforms may be used to increase awareness and invite involvement from a wider audience, particularly from those not traditionally engaged with planning. A press release is usually prepared for the commencement of work on a new document. Persons and groups registered on the policy database will be notified via ~~the planning policy-e-newsletter~~ an email alert. ~~It is likely that there will also be a mention in the~~ Depending on the timing, documents will be advertised in Parish Connect newsletter, that goes to Parish and Town Councils (and the Winchester Town Forum) and Council Members will also be notified.

Community Involvement

- 3.14 The Council will undertake initial engagement with communities and stakeholders in early stages of preparing the Local Plan. This 'front-loading' gives people the chance to get involved in plan-making from the beginning of the process. The involvement should assist in the identification of important issues and the development of appropriate options.
- 3.15 The type of methods used and the scope and degree of engagement/consultation will vary depending on the nature and scope of the document being developed. Examples include:

- Emails and letters targeting established contacts and Town & Parish Councils
- ~~Newsletters or leaflets enable more detail to be given on proposals. They can also be used to publicise events or meetings and be widely available~~
- Information(text and images) for Town & Parish Newsletters
- Posters (supplied and displayed at a range of venues and notice boards)
- Local plan exhibitions and public meetings, with officers available for questions
- Newspaper adverts
- Meetings with stakeholders and local communities such as Town & Parish Councils, or workshops on particular issues, or with specific groups
- Surveys and questionnaires
- Social media for publicity ~~and as a forum for debate~~

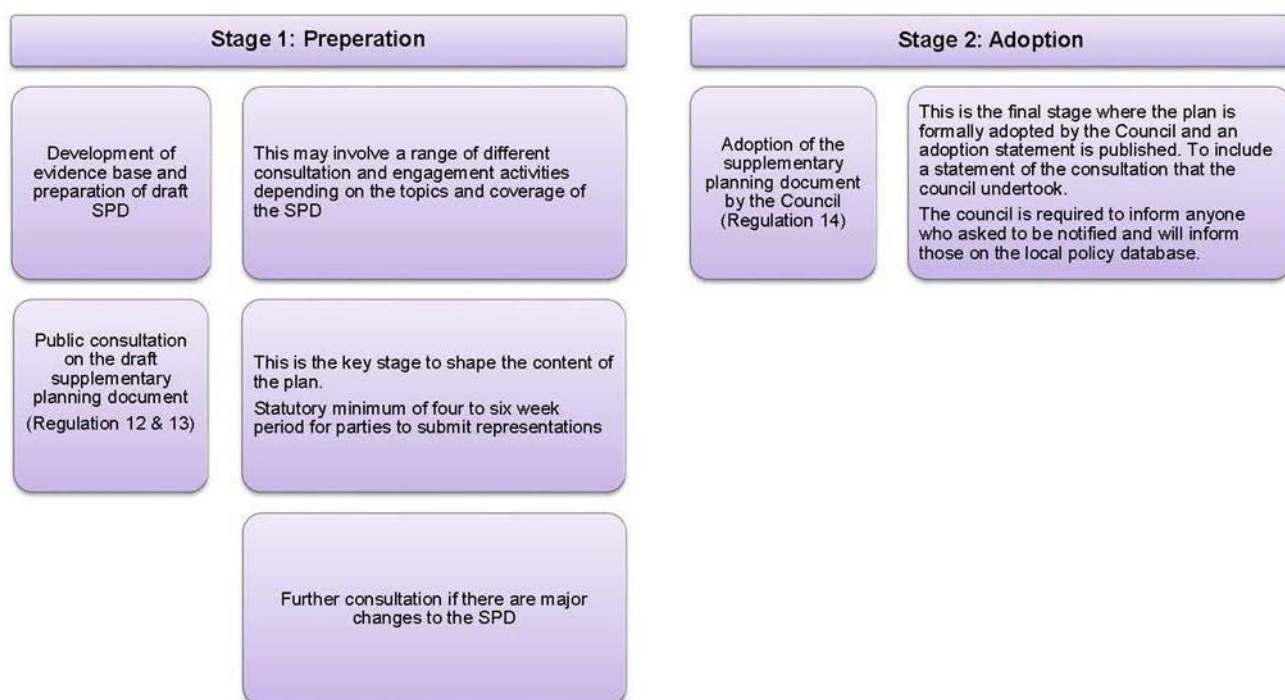
3.16 A combination of methods can often obtain the most comprehensive results, however consideration needs to be given to the availability of resources and the benefits that will be achieved. Statutory time constraints need to be taken into account. Methods should be chosen in proportion to the scale of the issue(s) and the resources (including time and money) available. In some instances there are statutory timescales for consultations or notifications and prescribed procedures that need to be followed, which may not allow for comprehensive engagement.

3.17 In all cases the following principles should be followed:

- Consultation should be clear & concise, informative and have a purpose,
- Engagement should reach out to groups, be creative, active and provide feedback.
- Arrangements should take into account the groups being consulted and be targeted where possible
- Consultations should last for a proportionate amount of time (usually 6 weeks)
- Consultations should not run over the main holiday periods, such as school holidays. If this is unavoidable, additional time periods should be factored in.
- Depending on the content, consultations should be avoided during national or local elections.
- Feedback should be provided and representations should be taken account of in a way that enables persons to see the council's response.

Preparation of SPD

Figure 4: SPD Preparation Process



3.18 SPD supplement policies in the adopted development plan. They take a variety of forms and can be topic-specific or location-specific. SPDs can be prepared by the Council, but in Winchester, local communities have often taken the lead in preparing local design SPDs. Examples of these are Village Design Statements, Neighbourhood Design Statements and Local Area Design Statements.

3.19 Although there is a formal process for adopting SPDs, once done so, they can become a significant factor in planning requests. There is a lot of flexibility in how SPDs are created and should involve the community in the creation of the documents. The Council will use targeted engagement strategies similar to those used in the DPD preparation.

Draft DPD/SPD – this stage is the opportunity to make representations on draft plans and proposals.

Committee

3.20 Before publishing draft DPD or SPD for consultation, they will be considered by an executive committee of the Council (such as the Local Plan Committee, or the Cabinet) who will approve the draft for consultation. In some instances the Council's Portfolio Holder Decision Notice procedure Cabinet Member

Decision Day may be a more appropriate route to agree for example – draft SPD for consultation. This is opportunity for councillors to discuss the policies. The meetings are public, so there is the opportunity to speak to the committee, notice must be given to the Democratic Services Officer if a full reply is sought. More detail on how to speak at committees is provided on the [Council's website](#).

Consultation

- 3.21 There will then be public consultation on the draft. Regulations set out specific requirements, such as a minimum 6 week period for consultation on DPDs and a minimum of 4 weeks for SPD. Regulations also require that certain bodies that should be notified and that documents must be available on the website, displayed at Council offices and other appropriate places.
- 3.22 The Council will aim to go beyond these minimum requirements. The draft document (and the evolving sustainability appraisal for DPDs) together with any other supporting documents, will be made available on the website, the Council offices and key libraries for inspection. Further publicity will be achieved by press release and notices in the local paper.
- 3.23 Contacts on the data base will be notified of this stage and again, further publicity will be gathered via social media, articles on the website etc. There may be public meetings/exhibitions associated with this. The consultation will usually run for at least 6 weeks and will try to avoid major holidays, or extend the consultation period accordingly. The preferred method of making representations is via the Council's on-line consultation hub using Citizen Space. However, it is recognised that not everybody is able to make use of this format and all email or paper representations will be considered as long as they are received by the deadline.
- 3.24 Draft DPD may have a preferred option or series of options for consideration. For all types of policy documents there may be more than one stage of consultation depending on the document and the nature and scale of issues involved. This may include targeted consultation on certain issues, or for particular locations.

Final DPD/SPD Development Plan Document/Supplementary Planning Document

- 3.25 Following the consultation on the draft, representations received will be considered and changes made where appropriate and justified. A final version of the DPD/SPD will be prepared. SPDs can be adopted by the Council by a resolution of committee. However DPDs – such as the Local Plan – are subject to a statutory public consultation prior to the formal submission to the Secretary of State for examination.

Committee & Council

3.26 Before the DPD/SPD are finalised, they will again be considered at committee, which will be a public meeting as before. This enables local councillors to debate and agree the final document and ensures that matters raised through the consultation are taken into consideration.

Development Plan Document

3.27 A meeting of the Full Council is required to approve the final version of the DPD. This final version is the document that the Council intends to submit and it may be termed the Pre-Submission, Proposed Submission or Publication version of the plan (or other DPD).

3.28 Following approval by the Council for publication and submission there will be a further statutory consultation for a period of at least 6 weeks. Similar publicity will be carried out as for the draft DPD. At this stage of the process legislation prescribes that representations must only be made on matters of soundness i.e., whether the document has been properly prepared, and is legally compliant. The Council will normally supply further guidance on what this means alongside the published DPD.

3.29 The Council cannot respond to representations made at this stage, but will send the representations together with a summary of the issues raised, to the Planning Inspectorate for consideration when the DPD is submitted.

3.30 Again, representations should ideally be made via Citizen Space, or by email or letter. To be taken into account, all representations must be made in writing and received by the deadline.

SPD

3.31 SPDs can be adopted when the Council has considered the representations made, taken account of any issues raised and made any necessary amendments to the SPD. A meeting of the Council's ~~Cabinet~~ Local Plan Cabinet Committee or a Member Decision Day can be used to ~~will~~ formally adopt the SPD and it will then be a material planning consideration for planning decisions.

3.32 When planning authorities adopt an SPD, they must write to those who wished to be kept informed of its progress and prepare a consultation statement, that sets out who was consulted, summarises the main issues raised and shows how they have been addressed in the SPD. SPD are subject to a three month challenge period.

EXAMINATION DPD – This is when the DPD is examined by an independent Planning Inspector

Submission

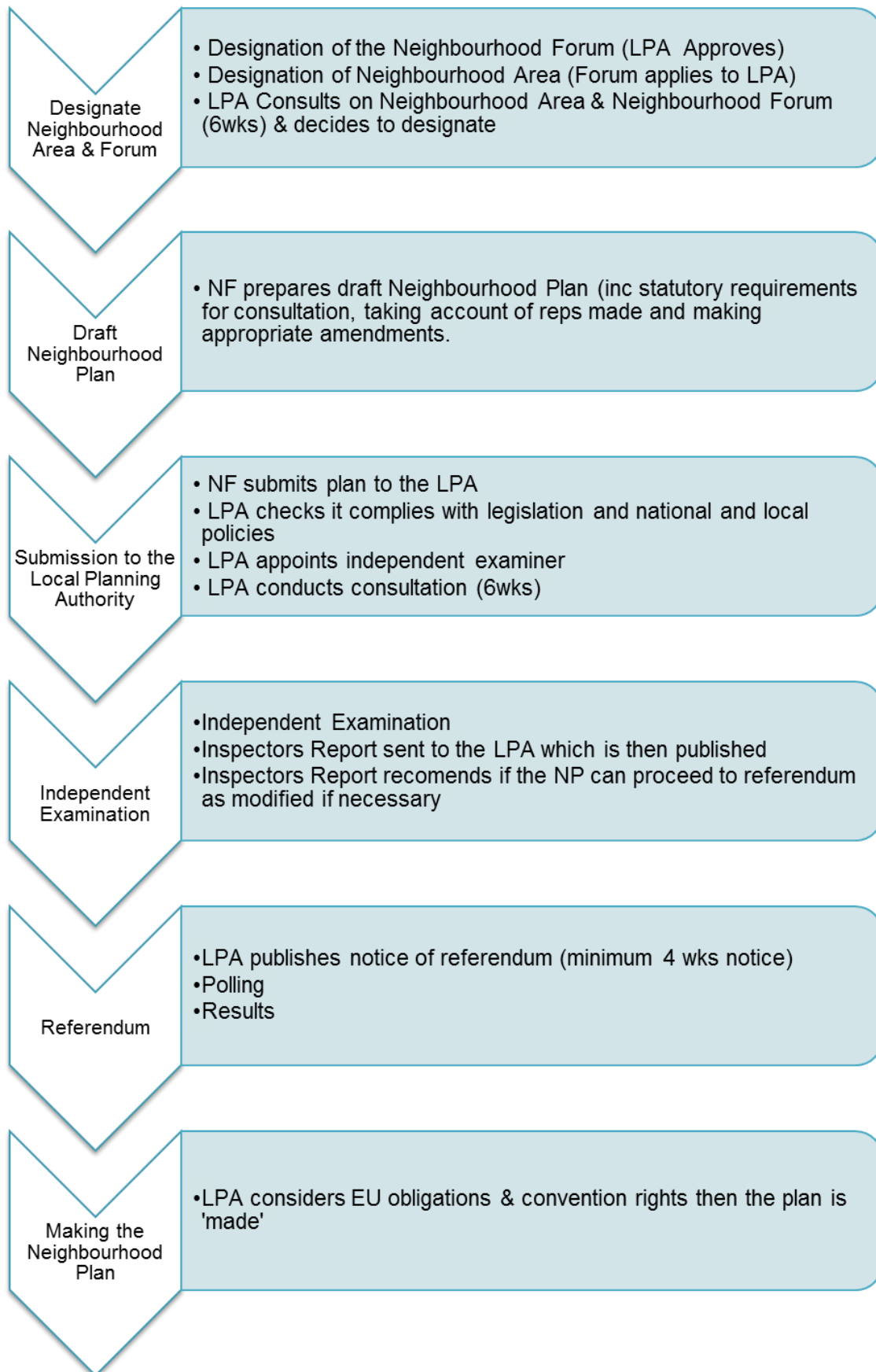
- 3.33 Following the period of formal consultation on the pre-submission plan, the final DPD and supporting documentation is prepared for submission to the Secretary of State (the Planning Inspectorate) for examination. A programme officer will be appointed to administer the examination process.
- 3.34 Regulations prescribe what supporting documents must be submitted with the DPD, which are currently a final Sustainability Appraisal/Strategic Environmental Assessment, together with Habitats Regulations/Appropriate Assessment; Local Development Scheme; Authorities Monitoring Report and Equalities Impact Assessment, a Duty to Cooperate Statement and a Statement of Consultation. For a Local Plan, the Council is also likely to prepare self-assessments of the soundness and legality of the Local Plan, which will also be made publicly available.
- 3.35 The Statement of Consultation sets out what bodies and persons were invited to make representations, such as the statutory and general consultees, how they were invited, a summary of the main issues raised and how the representations were taken into account. It also includes a summary of any representations made at the publication of the DPD and copies of the representations. The Duty to Co-operate Statement shows what actions the Council has carried out under the Duty to Co-operate requirements, such as liaising with neighbouring authorities and statutory consultees.
- 3.36 When the DPD is submitted a formal notice is published and we will notify all those who requested to be notified of the submission together with the specific and general consultation bodies. Regulations also require that a copy of the DPD and the documents submitted with it must be made available for inspection as soon as reasonably practicable following the submission. 'Availability' is defined in the Regulations as at the principal office and other places we consider appropriate, during offices hours & published on the website with copies being made available on request.
- 3.37 No further consultation is undertaken at this stage, but the programme officer appointed will write to all those who have made a representation, asking if they want to attend any hearing/examination or make further written representations when the Inspector publishes the issues to be discussed.
- 3.38 The Programme Officer will organise the Examination process and like the Inspector is independent from the Council. All contact and further discussion on the submitted plan should be via the Programme Officer who will organise any hearing sessions and ensure documents are available for inspection both on the internet and at the examination. The Inspector decides whether a hearing should be held and the issues that will be discussed.

- 3.39 At least 6 weeks before any hearing the Council will publicise the hearing and specifically notify those who made representations at the publication stage.
- 3.40 Following the examination there will be an Inspector's Report, which may make recommendations and the DPD can be adopted by the Council if it complies with these. If modifications to the DPD are necessary, the council will run a further 6 week consultation on these changes before it can adopt the DPD. This will include any modifications that were proposed by the Council accompanying or following the submission of the plan as well as any further modifications proposed following the examination.
- 3.41 The Inspector's Report will be published on the council's website and displayed at the council offices and other locations as considered to be appropriate. Notice will also be given to persons who requested to be made aware of the Report. The council is likely to further publicise the availability of the Report on the website and via social media.
- 3.42 The council can formally adopt the plan on receipt of the Inspector's Report, at a formal meeting of the Full Council. The plan will then be made available in accordance with the statutory requirements. This entails publishing the DPD, adoption statement and other relevant evidence base documents on the Council's website and making them available for viewing. The council will also use local press and social media to publicise adoption of the local plan.
- 3.43 The Council will also send a copy of the Adoption Statement to all those who have asked to be notified of the Adoption.
- 3.44 There is a final 6 week period during which challenges can be made on strict legal grounds only. Apart from this, there are no provisions to challenge or appeal against the Adopted DPD or any policies within it.

Neighbourhood Plans and Neighbourhood Development Orders

- 3.45 Neighbourhood planning was introduced by the Localism Act (2011). The Act enables local community groups, subject to specified procedures, to apply to the Council for designation as Neighbourhood Forums and for the designation of Neighbourhood Areas. The Forums are generally the local Parish Council. In non-parished areas a designated Neighbourhood Forum consisting of residents, businesses and other community interests can take the lead.
- 3.46 Forums are responsible for preparing Neighbourhood Development Plans, Community Right to Build Orders or Neighbourhood Development Orders.
- 3.47 Neighbourhood Plans allow communities to establish general planning policies for the development of land in the area. They can set out where new homes, businesses, shops and community facilities should be placed in their local area, and can allocate small sites for development.
- 3.48 Neighbourhood Development Orders (including community right to build orders) grant planning permission for a specific type of development in a particular area. This could be either a particular development or a particular class of development such as housing or retail.
- 3.49 Neighbourhood Plans/Orders must be produced in line with national planning policy guidance and locally produced planning policies as once they are made they form part of the overall development plan for the area.
- 3.50 Like local plans, Acts and Regulations cover neighbourhood plan/orders preparation, including consultation requirements. These are currently set out in the Neighbourhood Planning Acts 2017 and 2018 and the Neighbourhood Planning Regulations 2012 – 2018 (as amended).
- 3.51 The Neighbourhood Forum should decide how to engage with their local community in preparing the plan/order, up until the final draft ('proposed submission') plan stage. The planning authority's role is to carry out certain statutory functions and provide technical advice and support to groups developing a plan. Forums or other groups interested in preparing a Neighbourhood Plan or NDO should contact the Council's planning policy team to arrange an initial meeting at which the parameters for assistance with the plan/NDO preparation process can be established.
- 3.52 The diagram below (Figure 5) illustrates the various stages in preparing Neighbourhood Plans/Orders, the opportunities for engagement and whether consultation is being carried out by the forum or the local planning authority

Figure 5: Neighbourhood Plan Preparation Process



Community Infrastructure Levy (CIL)

- 3.53 ~~There are CIL Regulations that prescribe the steps that need to be undertaken in the preparation of CIL Charging Schedules, as described in Figure 5 below. The procedures for preparation, consultation, submission and examination are very similar to those for DPD preparation.~~
-
- 3.54 ~~Initial preparation of a draft CIL involves engagement with key stakeholders to establish the scope and content of the CIL. The Council will prepare a preliminary draft and this will then be consulted on for a period of 6 weeks. Following this, the Council will consider the representations received and prepare a Draft Charging Schedule. This is then consulted upon for a further statutory 6 week period.3.55 If there are any modifications following consultation on the Draft, there will be another consultation for at least 4 weeks.~~
- 3.55 ~~Following the consultation periods, the Draft Charging Schedule will be submitted to the Secretary of State, The supporting documents submitted with the CIL Draft will include a statement of the representations made and how 25 they have been taken into account by the council. There will be an independent examination of the CIL by an Inspector, which is likely to involve a public hearing.~~
- 3.56 ~~The Inspector will prepare a report on the CIL and make recommendations. The council will adopt the CIL by a Council resolution~~
- 3.53 There are CIL Regulations that prescribe the steps that need to be undertaken in the preparation of CIL Charging Schedules. The procedures for preparation, consultation, submission and examination are very similar to those for DPD preparation.
- 3.54 Initial preparation of a draft CIL Charging Schedule involves engagement with key stakeholders to establish the scope and content of the proposed document. The Council will prepare a Draft Charging Schedule and this will then be consulted on and representations sought for a period of 6 weeks. Following this, the Council will consider the representations.
- 3.55 If there are any modifications following consultation on the Draft, there may be another consultation for at least 4 weeks but this is at the discretion of the charging authority. Following the consultation periods, the Draft Charging Schedule will be submitted to the Secretary of State. The supporting documents submitted with the CIL Draft will include a statement of the representations made and how they have been taken into account by the council. There will be an independent examination of the evidence and CIL Rates proposed by an external Inspector which is likely to involve a public hearing. The Inspector will prepare a report on the CIL charging schedule and make recommendations. The council will adopt the CIL charging schedule by a Council resolution.

Other Documents

3.56 Other documents are also produced that form part of the evidence base underpinning the statutory documents. These mainly take the form of technical reports, studies and research. They are not generally consulted on unless it was as part of the research. Inspectors can consider the evidence base as part of the examination of the DPD and the assessment of adequacy of the DPD's preparation. There are also other general supporting documents that are produced such as the LDS, AMR and the Brownfield Land Register, which tend to provide information and are available to view on the website, but are not subject to public consultation.

4 DEVELOPMENT MANAGEMENT

- 4.1 The Development Management team consider matters related to development proposals in the District, which take the form of planning and other applications. This also includes the SDNP area, where WCC officers deal with most applications on behalf of the National Park. The service deals with a large number of planning applications, but also provides pre-application and informal advice for applicants and residents in relation to development matters prior to formal applications being made.

General Approach

- 4.2 Development Management working practices put the customer at the heart of the process in line with the council's customer-focus. ~~Officers can adapt their working methods to suit the specific case and promote a collaborative approach where there is merit. This enables a tailored solution (within planning legislation) to be adopted to suit the specific needs in each case.~~
- 4.3 If you are unclear as to whether you need planning permission for a development, information can be found on the national [Planning Portal](#) website. ~~Initial contact for advice from Winchester Council can be made via a dedicated development management telephone number (01962 848177) where trained officers are able to help with planning enquiries. They can also take advice from Planning Officers and if a response from a Planning Officer is required they will arrange this. Fees for these services are available here: [here](#) There are plans to charge for this service in the future.~~
- 4.4 ~~The Council provide an~~ If you would prefer to submit a written enquiry, we have online enquiry service ([Pre-Applications advice and enquiries - Winchester City Council - Winchester City Council](#)) an enquiry via email, we have a dedicated email address planning@winchester.gov.uk. This mailbox is constantly monitored to provide a timely and appropriate response. Planning histories and current applications can be viewed using the Planning Search tool [Simple Search \(winchester.gov.uk\)](#) or visit [the](#) at the council offices where you can access this using one of our computers. If you wish to discuss a specific application, it would assist if you let us know you were coming, so we can arrange to have any documentation available. Please contact our planning enquiry line on 01962 848177. Please note that there is a fee for these services. Link [here](#)

Planning Performance

- 4.5 In the interests of achieving timely resolution of planning applications, central government sets targets for planning authorities to deal with most planning applications. These targets currently are:

- Determine 60% of major applications in 13 weeks (or agreed extension of time)
 - Determine 70% of all other applications within 8 weeks (or agreed extension of time)
- 4.6 Applicants can appeal against 'non-determination' if an application is not determined within the above timescales, although in the interest of achieving the best outcomes we will sometimes seek to agree a longer period with applicants. If the Council and applicant agree to an extension of time, it must be agreed in writing.
- 4.7 A Planning Performance Agreement is a project management tool which can be used for the Council and applicants to agree timescales, actions and resources for handling particular planning applications. They can be particularly useful for setting out an efficient and transparent process for large or complex applications, for all stakeholders involved.
- 4.8 Cabinet agreed on 21 June 2023 the governance process for the concept masterplans which can be accessed [here](#) .You can find out more about the process of concept masterplanning [here](#). The Concept masterplans will be used to support the delivery of all significant development sites. A Planning Performance Agreement will be expected alongside a masterplan. The masterplan should be prepared by landowners and developers with input from the local planning authority, and following community engagement, so that the main principles for developing the land can be identified and agreed.
- 4.9 Anyone in the development industry is encouraged to register on the planning database. This enables the Council to keep potential developers up to date with changes to Winchester's planning system. An Agents' Forum is based around this and the Council holds regular meetings where developers and others involved in the planning process can discuss current planning issues.

Pre-Application

- 4.10 Applicants are encouraged to approach the council for pre-application advice, particularly in more complex cases, which will provide an opinion on the likely acceptability of proposal. This allows schemes to be amended and relevant matters addressed before a planning application is made. Details of the current Pre-Application advice service can be found on the council's website at [Pre-application Advice](#)
- 4.11 The Council's pre-application advice is provided directly to the inquirer ~~the~~ and the proposals are not subject to public consultation. Developers are therefore encouraged to carry out their own consultation in the area where they are planning new development

prior to the submission of a planning application Local knowledge can often assist in identifying planning issues which can be incorporated into early design stage prior to the submission of an application. It is particularly useful to engage with local town and parish councils, ~~and~~ ward members and the immediate neighbours of a site at an early stage of proposals.

- 4.12 Pre-submission consultation by applicants is particularly important for major applications, such as large residential developments or large mixed-use sites, developments by major institutions etc, but should also be undertaken for smaller scale schemes. The extent of engagement and consultation should be proportionate to the scale and nature of the proposal inline with the concept masterplan approach. Examples of engagement include; public meetings and workshops with stakeholders such as parish councils and community groups, targeted consultations with particular interest groups, manned exhibitions and letter and flyer distributions. For smaller applications it may be appropriate to engage with neighbours and parish councils.
- 4.13 Early engagement with the local community enables the developers to explain their proposals and the community to be better informed and raise any issues that they may be concerned about. It is often possible to then amend proposals to address some of these issues, before formal applications are submitted. Examples of issues include the layout of the site, the design of buildings, important trees or local environmental features, access and car parking issues.

Planning Applications

- 4.14 Appendix 1 that follows this chapter illustrates how planning applications are processed and this is described in more detail in the paragraphs below.

Using the planning search

- 4.15 Once an application is valid (i.e. submitted with the required documents and fee.) (A link to the validation list can be found [here](#)) the application form and any supporting documents submitted will be made available on the council website. The planning application search section of the website, allows for details of proposals to be accessed. Searches can be made using the reference number, or a keyword, postcode, or address. For reasons of transparency and in order to keep people as informed as possible, all correspondence – including internal consultations and public representations – will be made available here. This will be kept as up to date as possible. The details on the planning search will also provide other

useful information such as contacts and key dates.

4.16 The details of developments in the South Downs area should be viewed on the [SDNP website](#). Applications in SDNP cannot be viewed on the WCC website.

Notifications

4.17 The Council will publicise applications. Applications are available for viewing via the public access system from an early stage. Specific notifications will also be undertaken by the Council where appropriate. There are statutory requirements which set out what the Council must do and this varies according to the type, scale and location of the proposal and also the type of application applied for. These requirements generally set out the minimum necessary. In some cases the local planning authority has discretion to decide how it fulfils the consultation requirements. The different requirements for different categories of developments are set out in general terms the table below. There are various forms of Prior Approval procedures which have specific requirements, which are not all listed in the table below. Other particular requirements may also apply in the case of Listed Buildings, Ancient Monuments and within Conservation Areas.

Table 2: Statutory Consultation Requirements

Type of Development	Press	Website	Site Notice	Neighbour
Major development Over 10 dwellings Over 1,000 sqm floorspace or Site larger than 0.5ha	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> *	<input type="checkbox"/> *
Minor development Below the above thresholds			<input type="checkbox"/> *	<input type="checkbox"/> *
Householder development			<input type="checkbox"/> *	<input type="checkbox"/> *
Application accompanied by an Environmental Impact Assessment (EIA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Proposal affecting a public Right of Way (ROW)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Listed Building Consent	<input type="checkbox"/>		<input type="checkbox"/>	

Conservation Area Consent	<input type="checkbox"/>		<input type="checkbox"/>	
Some Prior Approval procedures: e.g. demolition,			<input type="checkbox"/>	
Telecommunications Prior Approval			<input type="checkbox"/> *	<input type="checkbox"/> *

* The statutory requirement is either/or, although both are often used

This table sets out the minimum statutory requirements only. The Council generally seeks to go beyond these minimums, such as by publicising applications on the website and via lists of weekly applications in the local press.

- 4.18 The majority of planning applications are consulted on via the display of a site notice on, or nearby the site, or a neighbour letter depending on the site context together with letters sent to neighbours if required. For more information see building regulations linked [here](#). In some cases there may also be statutory consultees whom the Council are required to seek views from. The case officer will decide what consultation methods are the most appropriate for particular applications, arrange for the display of a site notice and will visit the site and will also decide what neighbouring properties to notify by a letter if required. Site visits to neighbours may also be undertaken.
- 4.19 The consultation period lasts for 21 days, and representations can be made via the public access system during ~~within~~ this time. Representations can still be made after that time if a decision has not yet been taken and the comments reach the case officer in time.
- 4.20 The case officer will also decide what other statutory and non-statutory consultations to make, such as to relevant environmental bodies (eg Environment Agency, water companies), amenity groups and internal council consultees (eg strategic planning, environmental protection, historic environment, drainage and landscape).
- 4.21 A weekly list of planning applications (and other development applications) is published here: [Weekly lists - Winchester City Council](#) and made available at the Council offices and emailed to Town and Parish Councils and the Winchester Town Forum. In certain cases (see table above) applications are also publicised by a notice in the local paper.
- 4.22 The Council seeks to ensure that a wide range of people are aware of local development proposals. Therefore, some significant applications for major development are highlighted on the Council's website and tweets and press releases are also

made in relation to these. If you would like to know what is happening in your local area, it is recommended that you register on the WCC planning website here: [Registration \(winchester.gov.uk\)](https://www.winchester.gov.uk) where you will be able to track applications, save your Searches and receive email notifications about tracked applications and new search results.

Commenting on Applications

- 4.23 In order to comment on a planning application ~~The most effective way to make comments on planning applications is by please do so~~ using the planning access system and the simple pro forma linked to the online application. The representation will be available for the case officer to see straightaway and published on line within the following few days.
- 4.24 Exceptionally, alternative arrangements for making representations can be made via the case officer; however, in order to be taken into account, all representations must be made in writing. It is not possible to treat these in confidence and they will therefore be published on the Council website. ~~but~~ Signatures and personal email addresses and telephone numbers will not be made publicly available, in accordance with data protection requirements under the GDPR.
- 4.25 The local Town & Parish Council and Ward Councillors can make representations on your behalf. Within Winchester Town, where there is no Parish Council, the Winchester Town Forum discusses local issues and can also make representations on your behalf, but it does not have the same formal role that parish councils do in relation to planning applications. The role of Ward Members in Winchester Town is therefore particularly important in relation to planning applications.
- 4.26 Comments that use inappropriate language or contain personal information, or which are offensive, including ~~on the grounds of~~ race, religion, disability or sexuality, will not be acceptable and may lead to the whole representation being rejected.

How applications are assessed.

- 4.27 The case officer will undertake a site visit, asking if the agent or applicant would like to attend for larger and more complex developments. Neighbouring properties may ~~are also be often~~ visited. Case officers will engage with applicants ~~and other interested parties~~ and consultees on the details of applications and where appropriate to achieve a positive outcome, will negotiate, carry out meetings face to face or Microsoft Teams (as necessary), conduct telephone calls following up with emails as appropriate. ~~negotiating and carrying out meetings, conducting telephone calls or using~~

~~emails as appropriate. The case officer can be contacted to discuss applications and may undertake further site visits if required.~~

- 4.28 Sometimes there are amended plans as a result of negotiations. Further consultations may be undertaken where there are changes from the original application, depending on the extent and nature of the changes. The case officer's judgement will be used in these situations, and consultations may only last for 14 days. If the application is readvertised and the case officer considers the changes as there is a 'material' change proposed a further 21 day consultation period will be undertaken. This will take a further 21 days.
- 4.29 Legislation requires that planning applications are determined in accordance with the development plan unless material considerations suggest otherwise (although there are exceptions to this, such as Prior Notification Procedures where the planning authority can only consider particular aspects of the proposal as set out in legislation). All representations and consultation responses will be taken into account when reaching a decision and it is important to understand the nature of any community concerns. However, weight can only be given to comments concerning planning issues.
- 4.30 Examples of issues that may be relevant include:
- Development Plan policies
 - Government legislation and advice
 - Case law
 - Adopted supplementary planning document (eg Village Design Statements)
 - Design, appearance and layout
 - Conservation of the built and natural environments, including impact on the historic environment
 - Impact on the amenity of neighbours (eg privacy and daylight)
 - Trees
 - Highways safety, traffic and parking
 - Pollution, including noise and light pollution
 - Flooding
 - Planning history
- 4.31 The following are examples of matters which are NOT generally relevant planning considerations:
- Effect on property values

- Loss of views over other people's land
- Possible future development
- Competition between businesses
- An applicant's motives for making the application
- Matters covered under other legislation (eg building regulations, restrictive covenants, alcohol licenses, environmental health)
- Private property rights
- Private disputes concerning property ownership or boundaries

Making the Planning Decision

4.32 The case officer will make a recommendation based on consideration of all the above, recommending approval or refusal of the application. The Planning Delivery and Implementation Manager and Planning Team Leaders have delegated powers to deal with most applications and the majority of applications are dealt with by the team under powers of delegation. However, some applications are referred to the Planning Committee inline with the scheme of delegation. A copy of the constitution can be found [here](#). ~~for one or more of the following reasons:-~~

- ~~1. At the request of a City Councillor (based on material planning reasons)~~
- ~~2. At the request of a Parish or Town Council (based on material planning reasons) when their views are contrary to the intended decision of the officer~~
- ~~3. The Service Lead for the Built Environment considers the application to be for significant development and intends to grant planning permission~~
- ~~4. Six or more representations (raising material planning considerations) are received from separate addresses contrary to the officer's recommendation. Petitions count as one representation for this purpose.~~
- ~~5. The application is submitted by, or on behalf of the Council or includes Council-owned land, approval is recommended and at least one objection has been received~~
- ~~6. The application relates to a Member or Officer of the Council~~

4.33 WCC deals with most planning applications within the South Downs area of the District on behalf of the SDNP under an agency agreement. These planning applications however are not shown on the WCC website, but they can be accessed here:

<https://www.southdowns.gov.uk/planning-applications/find-an-application/> WCC will carry out the necessary registration, notification and consultation and officers of WCC will assess the application. We will adopt Winchester City Council's scheme of delegation when we handle an application on behalf of the SDNP, and therefore the triggers referenced in the committee referral process would apply. ~~4.28 above would apply.~~ Major or significant applications are dealt with by the SDNP team direct.

Planning Committee

- 4.34 Public speaking on planning applications which come to the Planning Committee is encouraged, although ~~the Public Speaking Co-ordinator must be contacted at least one working day before the committee~~ you must register in order to do this three working days before the committee. Further information on the arrangements for speaking are available on the ~~council's website~~ Public Speaking at Planning Committee - Winchester City Council, Committee Agendas are available one week before the Committee, which will include the officer's report and recommendation. Those who have commented on an application are individually notified.
- 4.35 Currently Planning Committee is generally held every four weeks on Wednesday's in the Winchester Guildhall. For applications in the Waterlooville Major Development Area, there is a special Waterlooville Committee held jointly with Havant Borough Council applications will be referred to this committee in-line with the Councils constitution. (A copy of the constitution can be found [here.](#)) The location and frequency for this will vary depending on the applications submitted. The website will provide up-to-date information on the latest meetings schedule and location.

Post-Decision & Appeals

- 4.36 Applicants will receive a decision notice. Those who have either objected to, or supported, a planning application are not given written notification of the decision, however all decisions can be viewed on the [website](#) via the public assess system. The relevant application page will show the decision. For applications considered by planning committee the officer's report will be on the relevant committee agenda and the committee minutes will also be available on the [website](#) soon after the meeting.
- 4.37 Only applicants have the right of appeal, either against the refusal of permission, or any conditions imposed on the grant of planning permission. An appeal must be made within six months of the Council's decision, in most cases, however where the appeal relates to householder development or

where an enforcement notice has been served the time is reduced to 12 weeks. Applicants can also submit an appeal on the grounds of non-determination, if the Council has not determined the application within specified time periods (para 4.6 above provides details of these).

- 4.38 There are no rights of appeal within planning law for other parties such as local residents who objected to an application which the Council has permitted. There are provisions for Judicial Review in limited cases related to procedural matters and points of law. If an appeal is lodged, the Council will notify all those who made representations on the original application and advise them how to make their views known to the independent Planning Inspector, who will be appointed by the government to deal with the appeal. The Council will also forward details of all representations previously submitted, to the Planning Inspectorate.
- 4.39 Following the grant of planning permission, there are often various conditions to be complied with, commonly in relation to materials and landscape matters. These matters are not generally subject to consultation as they are technical matters of detail. This may involve consultation with consultees.
- 4.40 Where amendments are proposed to approvals, the case officer will assess whether the amendments are sufficiently minor and can be treated as a non material minor amendment. In these cases there is no legislative requirement to re-consult, although informal consultation may sometimes occur at the discretion of the case officer. If a change is not considered minor a full re- submission of the planning application is required to enable appropriate engagement and consultation.

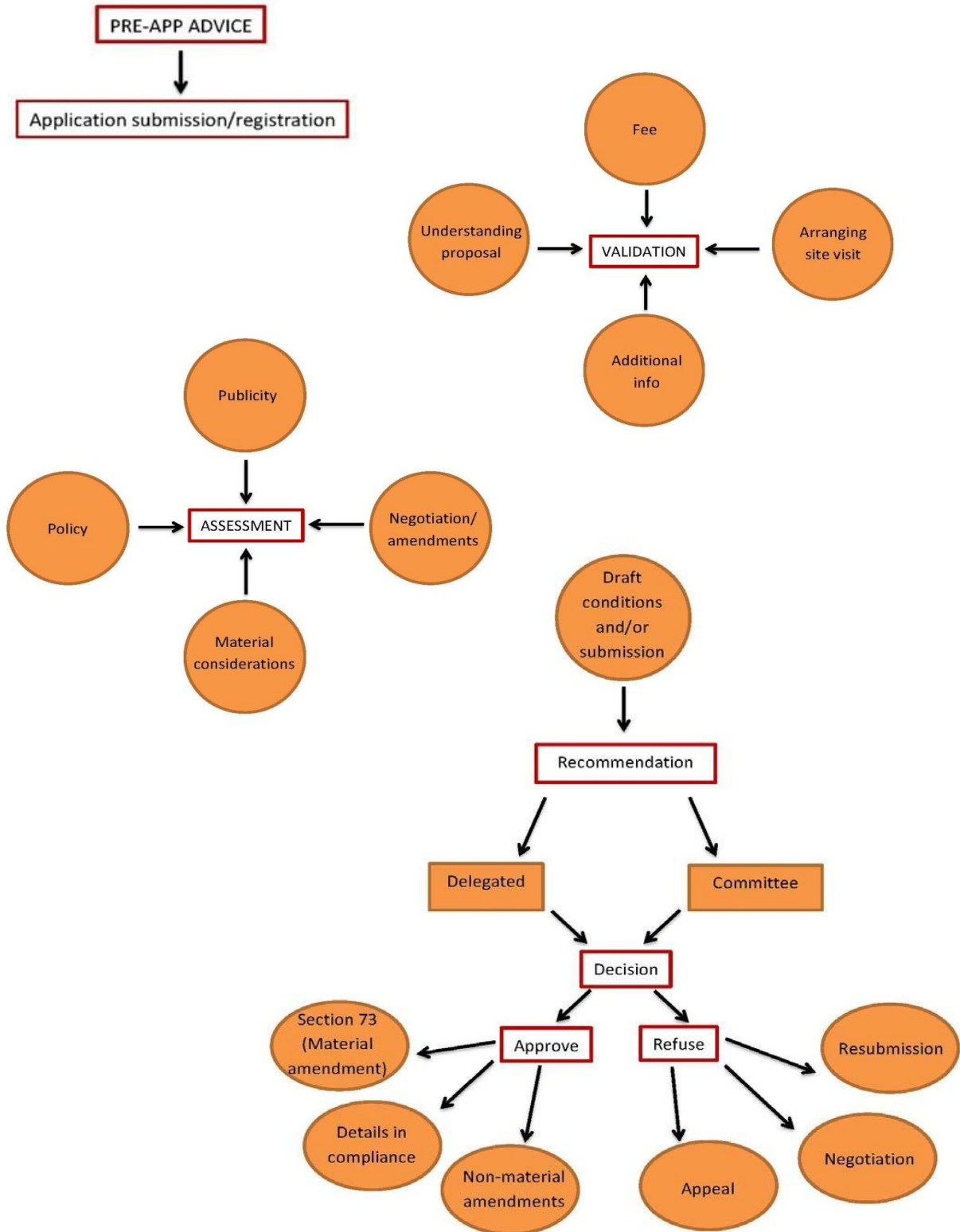
Enforcement

- 4.41 The Council employs enforcement officers who investigate alleged breaches of planning control. Sometimes interested parties may be contacted for their input, such as any information they have regarding existing uses. Generally, however, enforcement investigations are not carried out in the public domain. For more details on the Councils approach to enforcement you can review the Councils Local Enforcement Plan.
<http://www.winchester.gov.uk/planning/planning-enforcement>
- 4.42 Investigations can result in planning applications being made to remedy a breach of planning legislation. All planning applications will be consulted on in the normal way, as set out in the above paragraphs.

APPENDICES

- 1 Planning Application Process**
- 2 Consultees**
- 3 Glossary**

Appendix 1: Planning Application Process



Appendix 2: Local Plan Consultees

Specific Consultees:

The Town and Country Planning (Local Planning) (England) Regulations 2012 specify various bodies that must be consulted if the Council considers that they will be affected by what is proposed in a Development Plan Document. These are often also referred to as statutory consultees. Some of these bodies are also prescribed for the purposes of Duty to Cooperate requirements as indicated below. Where bodies listed cease to exist or are renamed, the successor bodies will be consulted:

Organisation/Body	Specific (Statutory) Consultee for DPDs	Duty to Cooperate Prescribed Body
Local Planning Authorities Hampshire County Council South Downs National Park Authority Basingstoke and Deane Borough Council Eastleigh Borough Council East Hampshire District Council Havant Borough Council Fareham Borough Council Portsmouth City Council Test Valley Borough Council	<input type="checkbox"/>	<input type="checkbox"/>
Town/Parish Councils All Town and Parish Councils within and adjoining Winchester City Council	<input type="checkbox"/>	
Other organisations The Environment Agency* Historic England* Highways England <u>National Highways</u> Homes England Marine Management Organisation Natural England* NHS Trusts & Integrated Care Boards <u>Active Travel</u>	<input type="checkbox"/>	<input type="checkbox"/>
Partnership for Urban South Hampshire (PfUSH) Utility companies (Gas, Electricity, Sewage, Telecommunications and Water) The Coal Authority Police and Crime Commissioner for Hampshire Network Rail Infrastructure Limited HM Prison Service / National Offender Management Service Royal Mail Properties	<input type="checkbox"/>	

Enterprise M3 Local Enterprise Partnership Local Nature Partnerships Civil Aviation Authority Office of Rail Regulation Hampshire County Council as Highway Authority Transport for London		□
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* The Council is required to consult with these bodies regarding the scope of Sustainability Appraisals

General Consultees

The Regulations also require local planning authorities to consult with bodies from the following categories where they have an interest in the planning authorities' area and where the subject matter of the Local Development Document of Supplementary Planning Document is likely to affect them:

- voluntary bodies;
- bodies which represent the interests of different racial, ethnic or national groups;
- bodies which represent the interests of different religious groups;
- bodies which represent the interests of disabled persons.
- bodies which represent the interests of persons carrying on business in the area;

Examples of general consultation bodies are given below. This list is provided for example purposes only and is not comprehensive.

Examples of General Consultation Bodies	
Environment and conservation groups (e.g. the Royal Society for the Protection of Birds, Hampshire and Isle of Wight Wildlife Trust, Campaign for Protection of Rural England, Friends of the Earth, WinAcc)	Sport England and Sport Hampshire
Local resident associations	Disability Groups (Disability Rights Commission, Disabled Persons Transport Advisory Committee)
Minority ethnic groups	Health care groups (eg GP Practices and Health Centres)
Gypsy and Traveller groups (eg Gypsy Council, Traveller Education Office)	Transport providers/operators
Religious groups	Housing interest groups (eg Housing Associations, Home Builders Federation)
Older persons groups (eg Help the Aged, Age Concern)	Landowners and developers (eg Ministry of Defence, Church Commissioners, Crown Estate, local developers & agents)

Youth groups, schools colleges	Local businesses/ bodies which represent local businesses (eg Chamber of Commerce, BiD)
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Neighbourhood Development Orders and Community Right to Build Orders require qualifying bodies to notify specific bodies depending on the specific location of the proposed Order. They are also encouraged to involve the above types of bodies as appropriate. The full list of requirements is set out in the Neighbourhood Planning (General) Regulations 2012 (Schedule 1).

Appendix 3: Glossary

Abbreviation	Term	Explanation
AMR	Authority's Monitoring Report	Assesses the implementation of the Local Development Scheme and the extent to which policies in Local Development Documents are being successfully implemented. <u>Section 113 of the Localism Act (2011) requires that a monitoring report must be published assessing the implementation of policy and progress of the Local Development Scheme. The report which contains information on how the policies set out in the local development documents are being achieved, has to be produced at least, yearly.</u>
BLR	Brownfield Land Register	Details of all brownfield sites that are suitable for housing development irrespective of their planning status. It includes allocations, sites with extant planning permission and future development sites
CIL	Community Infrastructure Levy	A levy that local authorities can choose to charge on new developments in their area. The charges are based on formula relating to the size and type of new development and money can be used to fund infrastructure that the Council or community want. <u>Is a levy that local authorities can choose to charge on new development. The charges are related to the size and type of the new development. The money collected can be spent on funding infrastructure which the Council has identified as being required.</u>
	Development Plan	Documents which set out the policies and proposals for the development and use of land. In the district of Winchester the development plan comprises the Local Plan, polices maps, Hampshire County Council Minerals and Waste Plan and Neighbourhood Plans. <u>This refers to the statutory planning documents (Part 1 and Part 2), The Denmead Neighbourhood Plan, the Gypsy, Traveller and Travelling Showpeople Development Plan Document and the Hampshire County Council Minerals and Waste Plan.</u>
DPD	Development Plan Document	Development Plan Documents are the parts of the LDF which are adopted following independent examination and which provide the statutory planning guidance for the District. <u>Spatial planning documents that are subject to independent examination and will form the development plan</u>

		<u>for a local authority area for the purposes of the 2004 Act. Individual Development Plan Documents or parts of a document can be reviewed independently of other Development Plan Documents</u>
	Duty to Co-operate	The Localism Act 2011 places a legal duty on Local Planning Authorities, County Councils, and public bodies to actively engage on an on-going basis to in Local Plan preparation in the context of strategic cross boundary matters. A Duty to Co-operate Statement is submitted with DPDs to show how the planning authority has complied with the duty.
EIA	Environmental Impact Assessment	A procedure to be followed for certain types of project to ensure that decisions are made in full knowledge of any likely significant effects on the environment.
EqIA	Equalities Impact Assessment	A procedure adopted the City Council to examine the impact of draft policies on gender, age, race, disability and health, sexuality, religion and belief together with other, more specific categories such as those on low incomes, with caring responsibilities or living in rural areas.
	Evidence Base	Information gathered by the Local Planning Authority to support the Local Plan and other Development Plan Documents
GDPR	General Data Protection Regulations	The General Data Protection Regulation (GDPR) Provides greater data protection and privacy for individuals and limits the purposes for which organisations can hold and use data for
	<u>General Consultation bodies</u>	<u>The general consultation bodies are listed in Part 1, section 2 of the Town and Country Planning (Local Development) (England) Regulations 2004. The regulations identify five types of bodies as general consultation bodies that relate to voluntary organisations representing certain groups within the community.</u> <u>https://www.legislation.gov.uk/uksi/2012/767</u>
	<u>Householder development</u>	<u>Defined by The Town and Country Planning (Development Management Procedure) (England) Order 2015 as the following: (a) an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse, or (b) an application for any consent, agreement or</u>

		<u>approval required by or under a planning permission, development order or local development order in relation to such development but does not include an application for change of use or an application to change the number of dwellings in a building.</u>
HRA	Habitat Regulations Assessment	Used to assess the impacts of proposals and land- use plans against the conservation objectives of European Protected sites to ascertain if the plan/proposal would adversely affect the integrity of the site.
	<u>Keep Informed Database</u>	<u>The council has a database of interested parties including members of the public that have expressed their interest to be kept informed of all public consultations. Those already on the database are emailed at the start of a consultation and any representations they make are recorded. Those wishing to be informed are encouraged to email the planning policy team to be added to the database.</u>
LDD	Local Development Documents	A collective term given to the Development Plan Documents and Supplementary Planning Documents.
LDS	Local Development Scheme	Provides a project plan identifying which development plan documents will be produced and when.
	<u>Local Plan</u>	<u>sets out the long-term spatial vision for the local planning authority area and the spatial objectives and strategic policies to deliver that vision through development management policies and strategic site allocations. The new Local Plan will have the status of a Development Plan Document. Neighbourhood Plans; Through the Localism Act parish councils can influence planning decisions in their area and can propose land for development provided that they are in line with the development plan.</u>
	<u>Major development</u>	<u>(Development of more than 10 dwellings, or more than 1000m² or more of floor space or on a site of larger than 0.5ha or more)</u>
	<u>Minor development</u>	<u>(Development of 10 or less dwellings, less than 1000m² floorspace or on a site less than 0.5ha)</u>
	<u>National Planning Practice Guidance (NPPG):</u>	<u>An online resource published by central Government which provides guidance on how to apply the NPPF.</u>
NPPF	National Planning Policy	Introduced in 2012, this framework sets out the governments planning policies and how these are

	Framework	expected to be applied.
NDO	Neighbourhood Development Order	An order made by a local planning authority through which parish councils and neighbourhood forums can grant permission for specific development proposals or classes of development.
NP	Neighbourhood Plans	Neighbourhood Plans are a way for communities to allocate land for new homes, shops or offices to be built, and to have a say on what those new buildings should look like and the type of infrastructure which would be provided.
NA	Neighbourhood Area	The area to be covered by a Neighbourhood Plan
NF	Neighbourhood Forum	The body created to take forward the neighbourhood plan
	<u>Non-stutory Consultees</u>	<u>where there are planning policy reasons to engage other consultees who – whilst not designated in law – are likely to have an interest in a proposed development.</u>
	Planning policy consultation database	Consultation database maintained by the planning policy team which includes anyone who has requested to be consulted on the preparation of planning policy documents.
	Proposals Map	Illustrates on a base map (reproduced from, or based upon a scaled map base) all the policies contained in Development Plan Documents
<u>SCI</u>	<u>Statement of community involvement (SCI)</u>	<u>This sets out the standards which authorities will achieve with regard to involving local communities in the preparation of planning documents and development management decisions. The Statement of Community Involvement is not a Development Plan Document.</u>
SDNP	South Downs National Park	Part of Winchester District lies within the South Downs National Park, an area designated under the National Parks and Access to the Countryside Act 1949 (as amended).
	<u>Specific Consultative Body</u>	<u>The specific consultation bodies are listed in The Town and Country Planning (Local Development) (England) Regulations 2004 (as amended) and relate to organisations responsible for services and utilities and infrastructure provision.</u> <u>https://www.legislation.gov.uk/uksi/2012/767</u>
	Statement of Consultation	Prepared for DPDs. Sets out what bodies and persons were invited to make representations, how they were invited, and a summary of the

		main issues raised and how the representations were taken into account.
	<u>Statutory Consultee</u>	<u>Statutory consultees are those organisations and bodies, defined by statute, which local planning authorities are legally required to consult before reaching a decision on relevant planning applications.</u>
SEA	Strategic Environmental Assessment	A generic term used to describe environmental assessment as applied to policies, plans and programmes. The European 'SEA Directive' (2001/42/EC) requires a formal 'environmental assessment of certain plans and programmes, including those in the field of planning and land use'
SHLAA	Strategic Housing Land Availability Assessment	A key component of the evidence base needed to support the delivery of the Local Plan The study provides detailed information on potential housing sites and land supply and aims to identify sufficient land to accommodate the District's housing need.
SHELAA	Strategic Housing and Economic Land Availability Assessment	A technical assessment which considers the availability, suitability and achievability of land in the District for possible development. This includes housing as well as all other forms of development.
SPD	Supplementary Planning Document	Provide supplementary information in respect of the policies in Development Plan Documents. They do not form part of the Development Plan and are not subject to independent examination.
SA	Sustainability Appraisal	Tool for appraising policies to ensure they reflect sustainable development objectives (i.e. social, environmental and economic factors) and are required to be undertaken for all local development documents.