



The Planning Inspectorate

Room 3/25 Hawk Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Direct Line 0117-372 8468
Switchboard 0117-372 8000

GTN 1371-
e-mail: stephen.carnaby@pins.gsi.gov.uk
<http://www.planning-inspectorate.gov.uk>

Alastair McNeill

Development Plans Team
South Lakeland District Council
South Lakeland House
Kendal
LA9 4DL

Your Ref:

Our Ref: PINS/M0933/429/4

Date: 31st July 2006

Dear Mr. McNeill,

SOUTH LAKELAND DISTRICT COUNCIL STATEMENT OF COMMUNITY INVOLVEMENT EXAMINATION – INSPECTOR'S REPORT

I am pleased to enclose two copies the draft report prepared by Inspector Wendy Burden following the written representations examination to consider the soundness of South Lakeland District Council Statement of Community Involvement.

On behalf of the Inspector I would like to thank your Authority for its assistance. I feel sure that this has helped the Inspector minimise the time taken to produce this report that in turn has made an effective contribution towards achieving the Inspectorate's objective of expediting its part of the overall Plan-preparation process.

Your Authority should now carry out a factual check of the draft report. Local Planning Authorities may request an amended report within 10 working days from the date of receipt of the Inspector's draft report, although such amendments must be confined to matters of clarification, or omissions, which need to be resolved. The final report, with amendments from the draft where necessary, will be issued to you without additional charge to the LPA, within 20 working days of the Inspector being asked to consider any amendments. If you do not require clarification, would you please inform the Planning Inspectorate by the end of the 10 day period that you are prepared to accept the draft report as the final version.

The report will be binding upon the Local Planning Authority and will give specific recommendations as to how the Statement of Community Involvement must be changed. I would be grateful if you could notify the Inspectorate beforehand of the date on which the Inspector's final report is to be published. I also welcome, in due course, 2 copies of the adopted Statement of Community Involvement.

Yours sincerely

Stephen Carnaby
Local Developments Framework Team

INSPECTOR'S REPORT

SOUTH LAKELAND DISTRICT COUNCIL

STATEMENT OF COMMUNITY INVOLVEMENT

Inspector: Wendy J Burden BA(Hons) Dip TP MRTPI

Date: 31st July 2006

South Lakeland District Council Statement of Community Involvement (November 2005)

INSPECTOR'S REPORT

Introduction

- 1.1 An independent examination of the South Lakeland District Council Statement of Community Involvement (SCI) has been carried out in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004. Following paragraph 3.10 of Planning Policy Statement 12: Local Development Frameworks, the examination has been based on the 9 tests set out (see Appendix A). The starting point for the assessment is that the SCI is sound. Accordingly changes are made in this binding report only where there is clear need in the light of tests in PPS12.
- 1.2 A total of 20 representations were received all of which have been considered. The Council proposed a number of amendments to the SCI in response to representations received and these have been taken into account in the preparation of this report.

Test 1

- 2.1 The Council has undertaken the consultation required under Regulations 25, 26 and 28 of the Town and Country Planning (Local Development) (England) Regulations 2004, and I am satisfied that this test is met.

Test 2

- 3.1 Paragraph 2.8 acknowledges that the LDF is a way of delivering the aims of the Community Strategy, and states that the Council will work with the Local Strategic Partnership and its task groups to make sure that the content of the two documents complement each other. The SCI also makes reference to other community strategies (Paragraph 2.9), such as the Cumbria Local Transport Plan.
- 3.2 This test is met.

Test 3

- 4.1 The Council has set out in Appendix C of the SCI those groups which will be consulted. This list includes the statutory bodies from PPS12 Annex E. It is stated at paragraph 3.8 that the Council will hold a database of consultees' details. Appendix D states that the list of community interest groups is not definitive and may change over time.

- 4.2 The re-organisation of certain consultation bodies should be acknowledged in the SCI; for example English Nature and parts of the Countryside Agency will be succeeded by "Natural England" in 2007. I recommend an additional sentence be added to this effect.
- 4.3 Subject to the following recommendation, this test is met.

Recommendation

- 4.4 Insert the following footnote to Appendix C, "Please note, this list also relates to successor bodies where re-organisations occur."

Test 4

- 5.1 Section 3, paragraphs 3.6 and 3.7 show that the Council will involve and inform people from the early stages of DPD preparation and paragraph 3.11 sets out the range of methods the Council will employ to do this.
- 5.2 Key Stakeholder Groups are identified as a consultation method, however I note that there is a question mark over the involvement of key stakeholders in the early consultation stages of the Generic Development Control Policies DPD. This seems to be inconsistent with the consultation in respect of the other DPDs listed and there is no explanation or justification as to why the Council has taken this approach. I recommend that the question mark is changed to a tick in order for the key stakeholder groups to have an input into the detailed development control policies which directly affect the lives of people and organisations in the District.
- 5.3 The section of paragraph 3.7(a) which refers to "late submissions of alternative site proposals" does not sit well in this part of the explanatory text which is concerned with early involvement. This part of paragraph 3.7(a) should be moved to the "Submission to Secretary of State" stage in the table under paragraph 3.6.
- 5.4 It should also be noted that the decision as to whether a site proponent should carry out Sustainability Appraisal and undertake community consultation is not at the inspector's discretion as stated in paragraph 3.7(a). This text should be deleted from the paragraph.
- 5.5 Paragraph 3.8 explains who the Council will consult in the preparation of DPD and SPD. I consider that it is not clear what role the specific consultation bodies, as set down in Appendix C, will play within this context. The introductory text in paragraph 3.8 should be modified so that it makes clear that the Council **will** consult with specific consultation bodies and seek to ensure that relevant community interests and stakeholders are consulted.
- 5.6 Subject to the following recommendations this test is met.

Recommendations

- 5.7 Modify the table under paragraph 3.12 so that the question mark under the Key Stakeholder Groups column is changed to a tick in the early consultation stage row of the Generic Development Control Policies DPD.
- 5.8 Modify the final section of paragraph 3.7(a) so that it reads, "Those making a late submission of alternative sites proposals should indicate how the sustainability appraisal process has been or is to be carried out prior to consideration at examination. Appropriate community consultation may also be required". Move this text to the Table under paragraph 3.6 (Development Plan Documents) so that it follows on from the last sentence in section 3 (Submission to the Secretary of State).
- 5.9 Modify the first sentence of paragraph 3.8 so that it reads, "We will consult with specific consultation bodies, as set down in Appendix C, and will seek to ensure that relevant interests and stakeholders are consulted on each DPD and SPD, including those listed below:"

Test 5

- 6.1 The table under paragraph 3.11 sets out the methods that the Council propose to use to involve the community and stakeholders. These cover a range of recognised consultation techniques that will present information via a range of different media. The Council indicate at what stages of LDD preparation the various methods might be employed and in the table under paragraph 3.14 they acknowledge the benefits and disadvantages of the different methods in relation to different consultee groups. The Council clarify in the table under paragraph 3.12 the stages at which consultation will take place and who will be consulted at those stages.
- 6.2 The SCI acknowledges that the Council may have to provide extra support to facilitate consultation with hard to reach groups and proposes at paragraph 3.10 how they might do this.
- 6.3 I am satisfied that the methods of consultation proposed in the SCI are suitable for the intended audiences and for the different stages in LDD preparation.
- 6.4 This test is met.

Test 6

- 7.1 Paragraph 1.9, as proposed to be amended (see Appendix B) explains how the Council will seek to ensure that sufficient resources are put in place to achieve the scale of consultation envisaged. I am satisfied that the Council is alert to the resource implications of the SCI.
- 7.2 This test is met.

Test 7

- 8.1 Paragraph 3.15 explains how the results of community involvement will be taken into account by the Council and used to inform decisions. The Council also propose to prepare reports at the end of the consultation period explaining how views have been considered and documents changed in light of the community involvement. Paragraph 3.15 also states that the report will be made publicly available on the Council's website and that paper copies will be provided on request.
- 8.2 This test is met.

Test 8

- 9.1 Paragraph 1.10 explains that the Council continuously monitors and reviews all consultation methods and that the SCI will be formally reviewed as part of this process and reported on through the Annual Monitoring Report.
- 9.2 I am satisfied that the Council has mechanisms for reviewing the SCI and have identified potential triggers for the review of the SCI.
- 9.3 This test is met

Test 9

- 10.1 The SCI at Section 4 clearly describes the Council's policy for consultation on planning applications. Paragraph 4.3 meets the minimum requirements and provides additional methods of consultation. This distinguishes between procedures appropriate to different types and scale of application.
- 10.2 Paragraph 4.9 of the SCI does not adequately deal with the question of how the results of consultation will be reported and how the results will be used to inform the decision making process. However, the Council in a response to a representation has agreed to add additional text which addresses this issue. This is set out in Appendix B of this Report.
- 10.3 This test is met.

Changes proposed by the Council

- 11.1 The Council have set out in a schedule attached to their Regulation 31 Statement (November 2005) a number of proposed changes to the SCI in response to representations received on the submission document. This is attached as Appendix B to this Report. The suggested amendments do not affect the substance of the SCI but they do improve the clarity and transparency of the submission SCI. I therefore agree that they all be included.

Recommendation

- 11.2 Insert the changes proposed by the Council (set out in Appendix B to this Report) into the SCI.

Conclusions

- 12.1 Whilst I have attempted to identify as many consequential amendments as possible that may follow from my recommendations, it seems inevitable that issues of consistency may arise. In the event of any doubt, please note that I am content for such matters, plus any minor spelling, grammatical or factual matters to be amended by the Council, so long as this does not affect the substance of the SCI.
- 12.2 The Council should remove all references to previous stages of this document and replace any preface containing such references with a statement of adoption.

Recommendation

- 12.3 Remove all reference to previous stages of the SCI.
- 12.4 Subject to the recommendations set out in this report, the South Lakeland District Council SCI (November 2005) is sound.

Wendy J Burden BA DipTP MRTPI

INSPECTOR

APPENDIX A

TESTS OF SOUNDNESS

Examination of the soundness of the statement of community involvement

3.10 The purpose of the examination is to consider the soundness of the statement of community involvement. The presumption will be that the statement of community involvement is sound unless it is shown to be otherwise as a result of evidence considered at the examination. A hearing will only be necessary where one or more of those making representations wish to be heard (see Annex D). In assessing whether the statement of community involvement is sound, the inspector will determine whether the:

- i. local planning authority has complied with the minimum requirements for consultation as set out in Regulations;¹
- ii. local planning authority's strategy for community involvement links with other community involvement initiatives e.g. the community strategy;
- iii. statement identifies in general terms which local community groups and other bodies will be consulted;
- iv. statement identifies how the community and other bodies can be involved in a timely and accessible manner;
- v. methods of consultation to be employed are suitable for the intended audience and for the different stages in the preparation of local development documents;
- vi. resources are available to manage community involvement effectively;
- vii. statement shows how the results of community involvement will be fed into the preparation of development plan documents and supplementary planning documents;
- viii. authority has mechanisms for reviewing the statement of community involvement; and
- ix. statement clearly describes the planning authority's policy for consultation on planning applications.

From: Planning Policy Statement 12: Local Development Frameworks

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

APPENDIX B

PROPOSED CHANGES

SOUTH LAKELAND STATEMENT OF COMMUNITY INVOLVEMENT – SUBMISSION DRAFT (NOVEMBER 2005)

**Regulation 31: Record of Representations and Proposed Changes by South Lakeland District Council
(amended 26 May 2006)**

Rep. No.	Name of Person or Organisation making representation	Supporting; Objecting; or Objecting to an Omission (noting section referred to, & where new text/changes should go in the document)	Reason for Objection ('tests of soundness')	Changes Proposed by Objector (and any Comments Relating to Support)	Written Represent. or Attendance at Inquiry? (With reason if the latter)	SLDC Response and Proposed Change
1	The Theatres Trust – Peter Longman, 22 Charing Cross Road, London WC2H 0QL	Supporting – Paragraph 3.8		<u>Supporting Comments:</u> RE support for section 3.8 "we are pleased to note that item 3.8 explains that you will maintain and update a consultee database and we would be grateful if you could confirm that we are included in this database".	Written	Support noted. The Theatres Trust is included in the LDF consultation database.
2	Yealand Conyers Parish Council – Mrs Dawn Hancock, 21 Yealand Road, Yealand Conyers, Lancashire LA5 9SG	Supporting		<u>Text of letter:</u> "The Parish Council would like to be kept informed of the Recommendations. However we are not in Cumbria, so do not feel that it is appropriate for us to comment on these matters"	Written	Support noted.
3	The National Trust – Alan Hubbard, Stamford Estate Office, 18 Market Street, Altrincham, Cheshire WA14 1PH	Objecting – Appendix D	it does not identify in general terms which local community groups and other bodies will be consulted	Contrary to Appendix A section 2.3 it is not considered that 'all additional consultees' have been added as stated. Specifically the interests of the National Trust as previously identified (letter of 10-9-04) in respect of a) its role as a tourism operator; b) its unparalleled work in built heritage and conservation (including in respect of properties within the District); and c) in the Arnside and Silverdale AONB; have not been included in the Submission SCI. Additional entries in Appendix D should be made accordingly and appropriate consultation undertaken.	Written	Agree to proposed change. While the National Trust is included in the Council's LDF consultation database, we propose amending Appendix D to list the National Trust with other organisations representing the following interests: <ul style="list-style-type: none"> • Tourism Operators • Built Heritage and Conservations Organisations • Areas of Outstanding Natural Beauty

Rep. No.	Name of Person or Organisation making representation	Supporting; Objecting; or Objecting to an Omission (noting section referred to, & where new text/changes should go in the document)	Reason for Objection ('tests of soundness')	Changes Proposed by Objector (and any Comments Relating to Support)	Written Represent. or Attendance at Inquiry? (With reason if the latter)	SLDC Response and Proposed Change
4	<p>The National Trust – Alan Hubbard, Stamford Estate Office, 18 Market Street, Altrincham, Cheshire WA14 1PH</p>	<p>Objecting – Paragraph 4.4</p>	<p>it does not identify how the community and other bodies can be involved in a timely and accessible manner</p> <p>it does not clearly describe the policy for consultation on planning applications</p>	<p>The National Trust believes that the statement that 'copies of applications and EAs will not be provided as this would infringe copyright' is incorrect and that indeed amendments to Copyright legislation several years ago enabled LPAs to copy application documentation, including plans, for the purposes of consultation upon planning applications. Many Local Planning Authorities are known to make planning application documents, including plans, and ESs available for this purpose. This is beneficial in a) enabling informed responses to be made and b) for relevant specialist staff, especially when based at different offices, to prepare a joint response on behalf of their organisation. It is requested that the availability of documentation is improved by making copies of information available in this way.</p> <p>Furthermore an increasing number of Local Planning Authorities are enabling all planning application documentation, again including plans, to be viewed, downloaded and printed from their web sites. This is especially helpful to organisations such as the National Trust for the reasons set out above and it is requested that through its SCI the Council commits to such an approach within the next 2 years.</p>	<p>Written</p>	<p>Agree. The requested service is now available. We propose the following changes to paragraph 4.4:</p> <ul style="list-style-type: none"> • An additional sentence at the start of the paragraph to read: 'We make all planning application documentation available to view, download and print from the Council's website, subject to agreement to the copyright declaration at www.southlakeland.gov.uk/fastweb/welcome.asp • Modify the (now) second sentence to read; 'We <u>also</u> make...' • Delete the following phrase from the end of the first paragraph of 4.4 - 'but copies of applications and EAs will not be made available as this would infringe copyright'

Rep. No.	Name of Person or Organisation making representation	Supporting; Objecting; or Objecting to an Omission (noting section referred to, & where new text/changes should go in the document)	Reason for Objection ('tests of soundness')	Changes Proposed by Objector (and any Comments Relating to Support)	Written Represent. or Attendance at Inquiry? (With reason if the latter)	SLDC Response and Proposed Change
5	<p>Dr George Steele – 29 Ashleigh Court, Station Road, Arnside, Lancashire LA5 0JH</p>	<p>Objecting to an Omission - Additions to Appendix C page 26</p>	<p>It does not identify in general terms which local community groups and other bodies will be consulted</p>	<p>Invite comments from all commercial housing developers with local operations. In my view well-resourced commercial housing developers such as Persimmon Homes (Ulverston) and Russell Armer (Holme and other sites) have dominated the planning housing allocation in South Lakeland District. They should be invited to take part in the consultation process. There is a need for transparency.</p>	<p>Attendance – It is likely that on the time of examination the full, serious impact of the Joint Structure Plan on rural housing for locals will need examination in public.</p>	<p>Agree to proposed change - but to Append. D rather than C. The Council's Local Development Framework consultation database lists 6 of the larger housing developers active in the district - Persimmon Homes, Russell Armer, Priory Homes, Neil Price Ltd, Robert Hughes Ltd and Briery Homes - together with the House Builders Federation. These have all been consulted on all LDF documents. For avoidance of doubt and to aid transparency, we propose adding 'Housing Developers' as a further category in Appendix D, listing the six developers noted above and the House Builders Federation.</p>

Rep. No.	Name of Person or Organisation making representation	Supporting; Objecting; or Objecting to an Omission (noting section referred to, & where new text/changes should go in the document)	Reason for Objection ('tests of soundness')	Changes Proposed by Objector (and any Comments Relating to Support)	Written Represent. or Attendance at Inquiry? (With reason if the latter)	SLDC Response and Proposed Change
6	North West Regional Development Agency (NWDA) - Ian Wray, Renaissance House, PO Box 37, Centre Park, Warrington WA1 1XB	Objecting to an Omission – Paragraph 2.9	No Response	<p>The Agency welcomes the identification of the North West Regional Tourism Strategy and Lake District Economic Futures within section 2.9 of the Submission Draft SCI, which addresses our previous representations (dated 4 August 2005). We would however suggest that for clarity the text should be updated to 'North West Regional Tourism Strategy and Lake District Economic Futures Study and Policy Statement (NWDA)'. We consider that this is an important distinction as the Lake District Economic Futures Study provides an evidence base and represents the independent recommendations of the consultants, whilst the Policy Statement is the Agency's formal response to the consultants' recommendations.</p> <p>As a point of detail we would also recommend that 'North West Regional Economic Development Strategy' within section 2.9 is amended to 'North West Regional Economic Strategy' for accuracy.</p>	Written	Agree to text changes: It is proposed that the following modifications are made to document names in paragraph 2.9. <ul style="list-style-type: none"> • North West Regional Tourism Strategy • Lake District Economic Futures Strategy and Policy Statement (NWDA) • North West Regional Economic Strategy

Rep. No.	Name of Person or Organisation making representation	Supporting; Objecting; or Objecting to an Omission (noting section referred to, & where new text/changes should go in the document)	Reason for Objection ('tests of soundness')	Changes Proposed by Objector (and any Comments Relating to Support)	Written Represent. or Attendance at Inquiry? (With reason if the latter)	SLDC Response and Proposed Change
7	Cumbria Wildlife Trust – Dr Kate Willshaw, Cumbria Wildlife Trust, Plumgarths, Crook Road, Kendal LA8 8LX	Objecting to an Omission - Paragraph 4.7	It does not identify in general terms which local community groups and other bodies will be consulted	Regarding pre-application registration, after “Highways Agency - where a development may affect the Trunk Road Network”, a bullet point should be added to state “English Nature - where statutorily protected species or areas are affected” English Nature (and the new body Natural England as for 2007) should be consulted in the pre-application stages as they are the statutory body for Nature Conservation, and statutorily protected sites and species are a material consideration in the planning process. Ironing out issues regarding nature conservation in the pre-application stage will speed up the application process in the long run.	Written	Agree: Propose addition to paragraph 4.7, as set out by Cumbria Wildlife Trust, stating in a final bullet point: <ul style="list-style-type: none"> • ‘English Nature - where statutorily protected species or areas are affected.’
8	Cumbria Wildlife Trust – Dr Kate Willshaw, Cumbria Wildlife Trust, Plumgarths, Crook Road, Kendal LA8 8LX	Objecting to an Omission - Paragraph 4.7	It does not demonstrate that resources are available to manage community involvement effectively	The Council's weekly list is publicised on the website, along with a searchable archive of weekly lists. There should be a searchable archive of weekly lists available as at the moment it is only possible to view the current weekly list. This is particularly important as applications on previous weekly lists may still be within the 21 days period for comment. Allerdale Borough Council offers a search facility on its website and it is possible to search for applications by application number, month submitted or by Parish.	Written	Agree. This facility is now available. We propose replacing the first sentence of paragraph 4.7 with: ‘The Council provides a searchable archive of planning applications on its website at www.southlakeland.gov.uk/main.asp?page=458 The list can be searched by application number, parish and case officer.’

Rep. No.	Name of Person or Organisation making representation	Supporting; Objecting; or Objecting to an Omission (noting section referred to, & where new text/changes should go in the document)	Reason for Objection ('tests of soundness')	Changes Proposed by Objector (and any Comments Relating to Support)	Written Represent. or Attendance at Inquiry? (With reason if the latter)	SLDC Response and Proposed Change
9		Supporting – Paragraph 3.3		<u>Supporting Comment:</u> Paragraph: Supplementary Planning Documents to include conservation	Written	Support noted.
10		Supporting – Paragraph 2.9 Links to Other Strategies and Evidence Sources		<u>Supporting Comment:</u> Linking to Cumbria Biodiversity Action Plan	Written	Support noted.

Rep. No.	Name of Person or Organisation making representation	Supporting; Objecting; or Objecting to an Omission (noting section referred to, & where new text/changes should go in the document)	Reason for Objection ('tests of soundness')	Changes Proposed by Objector (and any Comments Relating to Support)	Written Represent. or Attendance at Inquiry? (With reason if the latter)	SLDC Response and Proposed Change
11	<p>Government Office North West (GONW) – Susan Frampton, Cunard Building, Pier Head, Liverpool L3 1QB</p>	Comments Only		<p><u>General comments in covering letter:</u> Overall, we consider the amended Statement of Community Involvement to have met most of our previous concerns. However, we do have a number of comments to make. These relate to the tests of soundness and are appended to this letter.</p> <p>In addition to these comments, there are three other points that we feel you may wish to give some thought to: The font size of the paper format is not ideal for a public document and you could consider increasing the font size of the paper format of the adopted SCI. If you have not already done so, you may find it helpful to contact your Equalities Team, as they should be able to advise you on this matter.</p> <p>Evidence requirements - as set out in PINS assessment guide - this includes: *LPA's own assessment of how the SCI meets the PPS12 soundness tests; and *Corporate consultation or communications policy - there is no mention in the SCI whether either the South Lakeland District Council or the LSP does or does not have such a policy. Similarly is there a local Compact in place with reference to the community and voluntary sector?</p> <p>GONW confirmed on 15 February 2006 that the above comments are not formal representations.</p>	Written	<p>While these comments are not formal representations, our proposed response is as follows: -</p> <ul style="list-style-type: none"> • To publish the final SCI (and other LDF documents) in point 10 rather than point 9. • We have not carried out a separate assessment of how the SCI meets the PPS12 soundness tests, but have sought to structure the Regulation 26 SCI and subsequent Submission SCI to seek to meet the tests. • To add the following text at the end of paragraph 2.8: 'We will take account of the Council's own Communications Strategy and (when available) the proposed Consultation Strategies for the District Council and the South Lakeland Local Strategic Partnership. At present the Council has no local Compacts on consultation with the voluntary sector.'

Rep. No.	Name of Person or Organisation making representation	Supporting; Objecting; or Objecting to an Omission (noting section referred to, & where new text/changes should go in the document)	Reason for Objection ('tests of soundness')	Changes Proposed by Objector (and any Comments Relating to Support)	Written Represent. or Attendance at Inquiry? (With reason if the latter)	SLDC Response and Proposed Change
12		Supporting – Paragraph 3.8: Whom Will We Consult?		<u>Supporting Comment:</u> The third bullet of paragraph 3.8 indicates that a consultee database has now been established.	Written	Support noted.
13	Government Office North West (GONW) – Susan Frampton, Cunard Building, Pier Head, Liverpool L3 1QB	Objecting - (withdrawn)	Its strategy for community involvement does not link with other community involvement initiatives (e.g. the community strategy)	Earlier GONW comments on this issue have not been addressed. [Following the Council's request for clarification, GONW confirmed on 15 February 2006 that their response at Reg 26 stage had been supportive and that therefore they do not have an objection with regard to this test of soundness.]	Written	We note that this objection has been withdrawn.

Rep. No.	Name of Person or Organisation making representation	Supporting; Objecting; or Objecting to an Omission (noting section referred to, & where new text/changes should go in the document)	Reason for Objection ('tests of soundness')	Changes Proposed by Objector (and any Comments Relating to Support)	Written Represent. or Attendance at Inquiry? (With reason if the latter)	SLDC Response and Proposed Change
14		Comment Only		<p><u>Comments on test vii</u>) – ('showing how results of consultation feed into preparation of Development Plan Documents and Supplementary Planning Documents').</p> <p>Points raised by GONW are covered in the new section 3.7a. However, the SCI does not really address the key questions, asked in this test of soundness, in an informative manner that the community would find useful.</p> <p><u>Additional comment on 15 February 2006:</u> Our comments should not be taken as an objection to this test of soundness. By way of explanation, it was felt that you could perhaps include an explanation as to why consultation responses may not be reflected in documents - this could refer back to paragraph 1.7, which talks about conformity.</p>	Written	<p>While noting that GONW's comment is not a formal representation, we propose the following addition to the first paragraph of 3.15: However it may not be possible to 'take on board' every comment - for example if to do so would mean that the document's proposals were:</p> <ul style="list-style-type: none"> • not in conformity with regional or national planning policy (see 1.7) • at risk of failing to meet the tests of soundness (Appendix E) • contrary to evidence in published studies including Sustainability Appraisal reports.
15		Supporting - Para 3.7a et al		<p><u>Supporting Comments on test iv</u>) - ('relating to the identification of how the community can be involved in a timely and accessible way')</p> <p>The SCI indicates that community involvement and consultation will be carried out early enough to allow for engagement at each of the stages of DPD preparation - including issues and options. Para 3.7a emphasises the importance of early engagement in the process - front-loading.</p>		Support noted.

Rep. No.	Name of Person or Organisation making representation	Supporting; Objecting; or Objecting to an Omission (noting section referred to, & where new text/changes should go in the document)	Reason for Objection ('tests of soundness')	Changes Proposed by Objector (and any Comments Relating to Support)	Written Represent. or Attendance at Inquiry? (With reason if the latter)	SLDC Response and Proposed Change
16	<p>Government Office North West (GONW) – Susan Frampton, Cunard Building, Pier Head, Liverpool L3 1QB</p>	<p>Objecting to an Omission – Paragraph 3.10</p>	<p>The methods of consultation to be employed are not suitable for the intended audience or for the different stages in the preparation of local development documents</p>	<p>Overall the key questions asked by the test of soundness have been addressed by the SCI. With regard to GONW's earlier comment regarding 'hard to reach' groups, 3.10 now states that methods of engagement will be selected that are most suited to the needs of hard to reach groups.</p> <p>In the covering letter of 22 December, GONW goes on to note: "Whilst appreciating your approach of seeking advice from other bodies and then identifying the most appropriate methods of engagement, a description of some of the problems these group face - poor mobility, time of meetings etc would help to demonstrate your understanding and awareness of the issues involved."</p>	<p>Written</p>	<p>Agree. Add to end of paragraph 3.10: 'South Lakeland covers a large rural area served by limited public transport, making access to services and consultation events harder, particularly for the young, elderly and working families. Below average wage rates and high house prices contribute to areas of relative deprivation which can also limit access to services and public events. While ethnic minority groups remain a very small proportion of the population, the number of eastern European migrants is increasing. The needs of the frail elderly and those with varying disabilities also need to be considered. In addition to the measures noted above the Council will therefore consider:</p> <ul style="list-style-type: none"> • the location, timing, physical accessibility and appropriate forms of publicity for consultation events, to reduce barriers to participation by the hard to reach groups • providing transport to events in remote areas, through Community Transport South Lakeland. • providing material in other languages and formats if required

Rep. No.	Name of Person or Organisation making representation	Supporting; Objecting; or Objecting to an Omission (noting section referred to, & where new text/changes should go in the document)	Reason for Objection ('tests of soundness')	Changes Proposed by Objector (and any Comments Relating to Support)	Written Represent. or Attendance at Inquiry? (With reason if the latter)	SLDC Response and Proposed Change
17		Objecting to an Omission – Paragraph 1.10 Monitoring and Review	It does not set out a mechanism for reviewing the SCI	Would have been useful in the final sentence of section 1.10 to refer to 1.2 and table/diagram showing the steps for SCI preparation. (Note minor correction to this table/diagram - 'where we are now' should be under November 2005).	Written	Agree. We propose adding a reference at end of paragraph 1.10 to refer to the table in paragraph 1.2. We propose correcting the table in paragraph 1.2 to move the phrase '(where we are now)' from July 2005 to November 2005.
18		Objecting to an Omission –Section 4: Development Control (General Comments on Section 4)	It does not clearly describe the policy for consultation on planning applications	Section 4 could perhaps be a little more explicit in describing how the results of consultation will be reported and inform planning decisions.	Written	Agree. We propose an additional paragraph at the start of section 4.9 to read: 'A summary of all consultees' comments is included in Planning Committee reports. They are weighed and taken into account by officers in reporting recommendations and by Planning Committee in deciding on planning applications.'

Rep. No.	Name of Person or Organisation making representation	Supporting; Objecting; or Objecting to an Omission (noting section referred to, & where new text/changes should go in the document)	Reason for Objection ('tests of soundness')	Changes Proposed by Objector (and any Comments Relating to Support)	Written Represent. or Attendance at Inquiry? (With reason if the latter)	SLDC Response and Proposed Change
19		Objecting – Paragraph 1.9 Resources	it does not demonstrate that resources are available to manage community involvement effectively	<p>The point made earlier by GONW regarding assessing the resource implications of more pro-active methods has not been addressed</p> <p><u>Further Response of 27 February 2006:</u></p> <p>Whilst appreciating your earlier addition to para 3.14 our objection still stands. To demonstrate that resources are available to manage community involvement effectively, consideration could perhaps be given to:</p> <ol style="list-style-type: none"> 1. Staffing levels required to undertake community involvement for the LDF and planning applications, including consultations on large applications 2. Whether existing resources, from elsewhere within the council or its partners (eg LSP), which already engage with local communities, could be used to greater effect? Eg: combining participation exercises with other initiatives where practical. 3. Costs of community involvement - will funding for community involvement exercises - to cover the costs of postage, producing newsletters, hire of venues etc - be met from within existing budgets? 4. Planning Delivery Grant - how will this be used to support community involvement - for example by taking on additional staff, improve IT facilities, training/capacity building for Councillors, members of the community and officers, employing external facilitators? <p>Section 7 of 'Creating Local Development Frameworks' provides useful advice on preparing SCIs and resources are considered in 7.6 (step 3). I hope these comments will be of help when considering whether to propose changes in the light of our objection.</p>	Written	<p>In response to GONW comments at Reg 26, the Council's response was: "Agree – add section to 3.11 (or 3.12) to highlight the most resource-intensive methods (7,9,11 and 12) and to note that these will be reserved for document consultation stages where most benefit will be gained – noting also that Planning Delivery Grant will be used to provide additional resources, when required and if available."</p> <p>This was in fact added to para 3.14, rather than 3.11 or 3.12 as originally stated. We queried if GONW had noted the modification to para 3.14 and they responded to clarify this on 27 February 2006.</p> <p>We propose replacing para 1.9 with the text set out in Appendix 1 to this table.</p>

Rep. No.	Name of Person or Organisation making representation	Supporting; Objecting; or Objecting to an Omission (noting section referred to, & where new text/changes should go in the document)	Reason for Objection ('tests of soundness')	Changes Proposed by Objector (and any Comments Relating to Support)	Written Represent. or Attendance at Inquiry? (With reason if the latter)	SLDC Response and Proposed Change
20	Yorkshire Forward – Lucy Mitchell, Victoria House, 2 Victoria Place, Leeds LS11 5AE	Comment Only	No Response	<u>Comments in Letter:</u> We welcome the opportunity to comment on local planning policy formulation within the Yorkshire and Humber region and in neighbouring areas, as part of our role as a statutory consultee. However, we do not have any comments to make on the submission Statement of Community Involvement.		Comment noted.

Summary

20 Representations and Comments:

- 16 formal representations
 - 6 supporting
 - 3 objecting
 - 7 objecting to an omission
- 1 objection withdrawn
- 3 other comments

Additional Corrections

We recommend that the Inspectorate consider the following factual changes and corrections to the text of the Submission Draft SCI: -

Paragraph 4.2

- amend text in first bullet point to read as follows: 'We aim to ensure that applicants receive an acknowledgement within 5 working days of a valid submission'
- amend text of second bullet point to read; 'We aim to advertise the application by site notice, displayed on or as close to the site as possible, within 7 working days of a valid submission being received. This notice will give a minimum of 21 days for public response

Paragraph 4.3

- replace '28 days' with '21 days' in the paragraphs referring to period of press advertisements relating to Major Departures and Listed Building Consent and Conservation Consent'.

Paragraph 4.10

- amend text of first paragraph to read: "*All neighbours who have made representations are sent a copy of the decision notice, which gives reasons for consent or refusal. These can be viewed at www.southlakeland.gov.uk/fastweb/welcome.asp Reports and minutes of Planning Committees can be viewed on www.southlakeland.gov.uk/Default.aspx?page=1781*"
- replace fifth paragraph with the following sentence: 'We require new applications for significant changes to a scheme which has been approved'.

Paragraph 4.9

- add new sentence to the end of the first paragraph:-' The agenda of each Planning Committee is published on the website at www.southlakeland.gov.uk/Default.aspx?page=1781

Table on Page 19

- add new row at end of Table for Advertisement Consent, indicating community engagement as follows:

Press Notice Standard	x
Site Notice	x
Parish or Town Council consultation	✓
Adjacent neighbour letter	x
Technical consultations	Weekly list or separate notification
Wider local neighbour consultation if significant	X
Special interest of amenity groups consultation	Weekly list or separate notification
Pre-application discussion available on request	✓
Public meeting attendance on request	✓
Surgery access for local community	✓
Out of hours visit by appointment	✓
Available on website to check application progress	✓
Weekly list	✓
Website display of plans & documents	Introduced January 2006

- replace all text in right hand column of table, relating to website display of plans and documents – 'Introduced January 2006'

Appendix 1 – Proposed Text to Replace Paragraph 1.9 (Resources)

The Council's Development Plans Team comprises 3 FTE professional planning officers, a Conservation Officer, a Planning Technician and a Group Assistant. We intend to make resources and skills available for consultation on the LDF and planning applications by the following means: -

- Staffing Levels: We have used Planning Delivery Grant (PDG) to appoint an additional 2 Development Control Assistants and 2 Enforcement officers on a temporary basis. We consider this provides extra resources to enable the Development Control Team to consult on large planning applications. The Council has approved the use of PDG (and later its own resources) to appoint an additional Development Plans Officer to help progress the LDF. We will also use PDG (if available) to provide consultation skills and resources, by training existing staff and appointing temporary in-house staff or external consultants.
- Using Existing Resources: We are developing a corporate approach to community engagement (including a shared Consultation Toolkit) with the Local Strategic Partnership. We will work (and have already worked) with partners, including Cumbria County Council Neighbourhood Development and Voluntary Action Cumbria to advise and assist in community engagement on the LDF, particularly the Site Allocations DPD.
- Cost of Community Involvement: The costs of community engagement will be significant, particularly for the Site Allocations DPD where additional costs are likely to include community meetings, exhibition materials and possibly external facilitators. Resources appear to be adequate for this purpose at present, taking account of the Council's existing budget and Planning Delivery Grant.