

# Gosport Borough Local Plan 2038

## Statement of Community Involvement 2023

July 2023



# Gosport Borough Council

## Statement of Community Involvement 2023

This revised Statement of Community Involvement (SCI) has been adopted by the Council's Policy and Organisation Board on 5<sup>th</sup> July 2023 following public consultation which was undertaken from 24<sup>th</sup> March – 19<sup>th</sup> May 2023.

July 2023

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# Contents

<b>1</b>	<b>Introduction</b> .....	<b>7</b>
<b>2</b>	<b>Principles of Community Involvement</b> .....	<b>8</b>
<b>3</b>	<b>Consultation Considerations for Planning Policy Documents</b> .....	<b>9</b>
	What are the Council’s legal responsibilities? .....	9
	General Data Protection Regulations 2018 (as amended).....	9
	Duty to Cooperate and Statement of Common Ground.....	9
	Who will be consulted? .....	11
	How will the local community be involved? .....	11
	What documents will the community be consulted on? .....	13
<b>4</b>	<b>Development Plan Documents (DPDs)</b> .....	<b>15</b>
	Local Plan.....	15
	Local Plan process and key consultation stages.....	15
	Other specific consultation undertaken as part of Local Plan preparation .....	19
	How will the Borough Council deal with comments received to the Local Plan? .....	20
	Area Action Plans .....	21
	Neighbourhood Plans.....	21
<b>5</b>	<b>Supplementary Planning Documents</b> .....	<b>23</b>
<b>6</b>	<b>Other Planning Policy Documents</b> .....	<b>25</b>
	Community Infrastructure Levy Charging Schedule .....	25
	Local Development Orders.....	26
	Conservation Area Appraisals .....	27
<b>7</b>	<b>Involvement in the Planning Application Process</b> .....	<b>28</b>
	Pre-Applications .....	28
	Planning Performance Agreements .....	28
	Planning Applications .....	29
	Prior approvals .....	31
	Brownfield Land Register – Permission in Principle.....	32
	How comments are considered .....	33
	What happens after a planning application is determined?.....	34

Appeals .....	34
Enforcement .....	34
<b>8 Monitor and Review .....</b>	<b>35</b>
<b>Appendix 1: Consultees for Planning Policy Documents and Planning Applications .....</b>	<b>36</b>
Local Development Documents .....	36
Specific Consultation Bodies .....	36
Other Consultees .....	37
Planning Applications .....	37
Consultees .....	37
<b>Appendix 2: Methods of Consultation on Planning Policy Documents .....</b>	<b>39</b>
<b>The Glossary .....</b>	<b>44</b>

## Figures

Figure 1: Planning Policy Documents.....	14
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## Tables

Table 1: Preparation of a draft Local Plan (Regulation 18).....	16
Table 2: Publication of a Local Plan (Regulation 19).....	17
Table 3: Public Participation on Draft Supplementary Planning Documents (Regulation 12) .....	23
Table 4: Public Participation on Draft CIL Charging Schedule (Regulation 16).....	25
Table 5: Consultation Methods for Planning Applications .....	30
Table 6: Consultation Methods for Prior Approvals and Prior Notifications.....	32

# Abbreviations

AMR	Authority Monitoring Report
CIL	Community Infrastructure Levy
DPDs	Development Plan Documents
GBLP	Gosport Borough Local Plan 2011-2029 (adopted October 2015)
GBLP 2038	Draft Gosport Borough Local Plan 2038
GDPR	General Data Protection Regulations
LDO	Local Development Order
LDS	Local Development Scheme
NPPF	National Planning Policy Framework
PfSH	Partnership for South Hampshire
SCI	Statement of Community Involvement
SPDs	Supplementary Planning Documents
TPO	Tree Preservation Order

# 1 Introduction

- 1.1 The Borough Council's Statement of Community Involvement (SCI) sets out the consultation arrangements for all planning policy documents prepared by the Council and planning applications received by the Council.
- 1.2 The Localism Act 2011 places closer working with local communities at the heart of the planning system in order to shape the places where they want to live, work and play. The National Planning Policy Framework (NPPF) published in July 2021 provides the framework for local authorities and their local communities to prepare local and neighbourhood plans that reflect each area's own needs and priorities through the local planning process.
- 1.3 As part of this process, there is now a requirement for local planning authorities to review their SCI's every five years in accordance with Regulation 10A of the Town and Country Planning (Local Planning) (England) 2012 (as amended).
- 1.4 The local planning framework for the Borough is made up of a suite of documents that comprise the statutory development plan documents (DPDs), this also includes preparing a SCI for the plan area. In addition to the preparation of DPDs, non-statutory local development documents can be prepared to support the development plan such as Supplementary Planning Documents (SPDs).
- 1.5 This SCI sets out how the Council can involve the local community and other key stakeholders in the planning process. The SCI covers a number of key issues including the principles of community involvement (Sections 2 - 3). How consultation can be carried out and when, what methods of consultation can be used and how comments received will be dealt with for planning policy documents (Sections 4 - 6). It sets out the Council's consultation and notification arrangements relating to planning applications (Section 7) and identifies management, resource and monitoring matters relating to consultation (Section 8).
- 1.6 Locally, Gosport Borough Council is responsible for preparing planning policies and proposals for the Borough. These are currently contained in the adopted Gosport Borough Local Plan 2011-2029. The Council is preparing a revised Local Plan covering the plan period to 2038.
- 1.7 The Council is also responsible for determining most planning applications<sup>1</sup> within its area. Community involvement is essential to this process and has been further strengthened through the provisions in the Localism Act 2011.

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<sup>1</sup> Hampshire County Council determines planning applications covering 'County Matters' and proposals for minerals and waste.

## 2 Principles of Community Involvement

- 2.1 One of the key aims of the planning system is to strengthen community involvement. Local planning authorities should improve opportunities to encourage public involvement in drafting planning documents and informing decisions on planning applications.
- 2.2 The Borough Council will through the Statement of Community Involvement:
- Seek to offer a wide range of opportunities to stakeholders and the local community to participate in the preparation of local planning documents within the resources available; and
  - Comply with, and where practicable exceed, the minimum legal requirements for consultation and publicity for planning applications.
- 2.3 The key principles of how the Council will involve the local community are set out below:
- Present information in a clear and effective way;
  - Value the opinions and expertise of stakeholders, groups and individual members of the community;
  - Provide different opportunities for people to contribute their ideas and suggestions through the use of a variety of appropriate consultation techniques;
  - Ensure fair and equal treatment for all and recognise the value of diversity;
  - Try to ensure that its consultation methods encourage the involvement of people that do not normally become involved in the planning process;
  - Involve the public at an early stage in the process;
  - Ensure information is accessible and available in a variety of formats to encourage a wide readership and encourage views from all parts of the community;
  - Analyse consultation responses and report them in a clear and understandable way; and
  - Provide feedback about progress and outcomes.

### 3 Consultation Considerations for Planning Policy Documents

#### What are the Council's legal responsibilities?

##### General Data Protection Regulations 2018 (as amended)

- 3.1 In May 2018 the General Data Protection Regulations (GDPR) came into force. Although the GDPR was a new European Union wide requirement, the UK Government passed The Data Protection Act 2018 which is the UK's implementation of the GDPR and replaces the Data Protection Act 1998. The 2018 Act places greater obligations on how organisations handle personal data.
- 3.2 For planning policy documents, the Council have a Local Plans Consultation Database. Individuals or organisations can request to have their contact details added to or removed from the Local Plan Consultation Database at any time. The Council will also contact members on the database to make sure they still wish to be on the database and to ensure individual contact details are still correct. Further information can be found on the Council's website<sup>2</sup>.
- 3.3 The Borough Council is committed to protecting personal data. The Council has a Privacy Notice following the implementation of the GDPR which can be viewed on the Council's website<sup>3</sup>.

##### Duty to Cooperate and Statement of Common Ground

- 3.4 The Localism Act 2011 sets out the statutory framework regarding the duty to co-operate. The duty to co-operate covers a number of public bodies and these are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). Further policy amplification of these requirements are contained in the NPPF 2021 in paragraphs 24-27)).
- 3.5 Local authorities are under a Duty to Co-operate with each other and with other prescribed bodies on strategic matters such as housing, economic growth and transport and infrastructure provision which have cross-administrative boundary implications for development proposals and environmental and heritage conservation and enhancement. This needs to be undertaken constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters.
- 3.6 In South Hampshire, there is a long history of cross-boundary working between local authorities and their strategic partners. The Borough Council has been a founding member of the Partnership for South Hampshire (PFSH) which was formed in 2003. PFSH currently

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<sup>2</sup> [www.gosport.gov.uk/article/1650/Local-Plan-Consultation-Database-Consent](http://www.gosport.gov.uk/article/1650/Local-Plan-Consultation-Database-Consent)

<sup>3</sup> [www.gosport.gov.uk](http://www.gosport.gov.uk)

includes twelve local authorities<sup>4</sup> and closely collaborates with the Solent Local Enterprise Partnership, the Environment Agency, Natural England and Homes England. Further information about PfSH can be found online: [www.push.gov.uk](http://www.push.gov.uk)

- 3.7 Work undertaken by PfSH has been a core element in demonstrating collaborative working on strategic cross boundary issues between the various local authorities within the sub-region. The role of PfSH was a critical element cited in the Council's Duty to Cooperate Statement (2014) produced for the Examination in Public for the current Gosport Borough Local Plan 2011-2029. This sets out how the Borough Council works with its neighbouring partners and other key organisations on common issues. The Duty to Co-operate Statement can be found on the Council's webpage<sup>5</sup>.
- 3.8 In June 2016 the South Hampshire Spatial Position Statement (SPS) was published setting out development targets for each Council to 2034. The SPS is based on significant cross-boundary evidence and assists local authorities to meet the duty to cooperate on strategic and cross boundary matters. Work is now on-going by the PfSH authorities to meet the current identified unmet housing requirement across the sub-region.
- 3.9 The NPPF (2021) introduces the requirement to prepare a Statement of Common Ground which will document the cross-boundary matters being addressed and setting out progress made in co-operating to address these issues. The Statement of Common Ground will be made publicly available to view as part of the plan-making process.
- 3.10 Statements of common ground are prepared and maintained on an on-going basis throughout the plan making process. The advice in the Planning Practice Guidance is that as a minimum these statements should be published when the area covered and the governance arrangements for the co-operation process have been identified and the substantive matters to be addressed have been determined. The Statement of Common Ground can then be used to identify any outstanding matters that will need to be addressed and the process for reaching agreements and where possible an indication of when such statements are likely to be updated. The Statement of Common Ground also forms part of the evidence required to demonstrate that the local authority has complied with the duty to co-operate.
- 3.11 The PfSH are now preparing a new spatial strategy which will form the basis of a multi-lateral Statement of Common Ground. A copy of the latest Statement of Common Ground is available on the PfSH website<sup>6</sup>.

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<sup>4</sup> East Hampshire District Council (part); Eastleigh Borough Council; Fareham Borough Council; Gosport Borough Council; Hampshire County Council (part) ; Havant Borough Council; New Forest District Council; New Forest National Park Authority; Portsmouth City Council; Southampton City Council; Test Valley Borough Council (part); Winchester City Council (part).

<sup>5</sup> [www.gosport.gov.uk/localplan2029-evidencestudies](http://www.gosport.gov.uk/localplan2029-evidencestudies) (Document number: LP/A4/5).

<sup>6</sup> [www.push.gov.uk/work/planning-and-infrastructure/](http://www.push.gov.uk/work/planning-and-infrastructure/)

3.12 The Council has also signed a Statement of Common Ground with Fareham Borough Council relating to the Fareham Borough Local Plan 2037 in February 2022 and this is available online (document FBC039):

[www.fareham.gov.uk/planning/local\\_plan/examination/examinationlibrary.aspx](http://www.fareham.gov.uk/planning/local_plan/examination/examinationlibrary.aspx)

3.13 The Statement of Common Ground in relation to the emerging Local Plan will be published once the draft Local Plan has reached the Regulation 19 stage in order to show how collaborative working has been undertaken and be kept up to date.

### **Who will be consulted?**

3.14 Current Government regulations require that the Borough Council consults particular organisations during the preparation of planning policy documents. Appendix 1 provides further detail about the types of organisations we consult including the statutory consultees.

3.15 During the plan-making process the Council will consult with a wide range of different people and organisations. This includes:

- local residents
- local businesses
- community groups and voluntary organisations
- local societies and interest groups
- national charity groups
- infrastructure providers
- statutory bodies and Government organisations (such as Historic England, Natural England)
- neighbouring local authorities
- landowners
- developers

3.16 The Council maintains a database of organisations and individuals that have registered an interest in being consulted on the Local Plan and other Development Plan Documents and Local Development Documents such as supplementary planning documents and the SCI. The database includes a number of businesses, developers and local interest groups. The database is reviewed during the different stages of plan preparation to ensure it is as up to date as possible. The inclusion of additional contacts is welcomed at all stages of the process.

### **How will the local community be involved?**

3.17 There are a number of potential consultation techniques that could be used for all or various parts of the Local Plan and other associated planning documents. These are outlined in Appendix 2.

- 3.18 The preferred methods of consultation for each part of the preparation process will also depend on a number of factors including:
- Issues raised by a particular Development Plan Document (DPD) or Supplementary Planning Document (SPD);
  - Geographical coverage of the document;
  - The stage of preparation; and
  - Availability of resources (including financial constraints, staff and premises).
- 3.19 The Council recognises the value and importance of public consultation throughout the planning process. In order to achieve this, the Council may need to provide additional support to certain groups or individuals who wish to participate (including methods set out in Appendix 2). This involves the consideration of different venues, consultation times and alternative formats for documentation as described in paragraph 3.25 of this document.
- 3.20 Groups or individuals seeking assistance in accessing these documents can contact the Planning Policy Section either by telephone on 02392 545461, or by email on [planning.policy@gosport.gov.uk](mailto:planning.policy@gosport.gov.uk) or come to the Main Reception area at the Town Hall in Gosport.
- 3.21 In addition the Council works in partnership with the voluntary and community sector to improve understanding, coordination and cross-sector partnership working.
- 3.22 Consultation arrangements on the Local Plan or other planning policy documents will be approved by either the appropriate Board or Full Council<sup>7</sup> at the same time the document itself is approved for consultation purposes.
- 3.23 The Planning Policy Team will work with the Council's Media and Communications Team and other Council Sections as appropriate.
- 3.24 The Council will have regard to Government guidance and best practice carried out by other local planning authorities. Wherever possible the Council will use local expertise to develop and conduct its consultation exercises for example the production of publicity material, exhibitions, PowerPoint presentations and maps. From time to time the Council may buy-in relevant expertise for certain aspects of the consultation process; this could include workshop facilitators or trainers to enable staff to manage and conduct workshops or apply other techniques.

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<sup>7</sup>The pre-submission version of a DPD will need to be approved by Full Council.

3.25 The Council wishes to make its consultation processes as inclusive as possible and gather a diverse range of views. This can be achieved by using a range of different consultation techniques and will also consider the following:

- Venues
  - Physically accessible (to comply with the Equality Act 2010 or equivalent Act);
  - Accessible by public transport; and
  - Near to main populations.
- Consultation times
  - Different times of the day; and
  - Different days of the week.
- Format
  - Braille, CD and tape versions upon request;
  - Other languages upon request;
  - Large print version upon request; and
  - Website.

3.26 The Gosport Access Group and Disability Forum are able to provide advice on improving the accessibility of consultation processes and procedures for disabled persons.

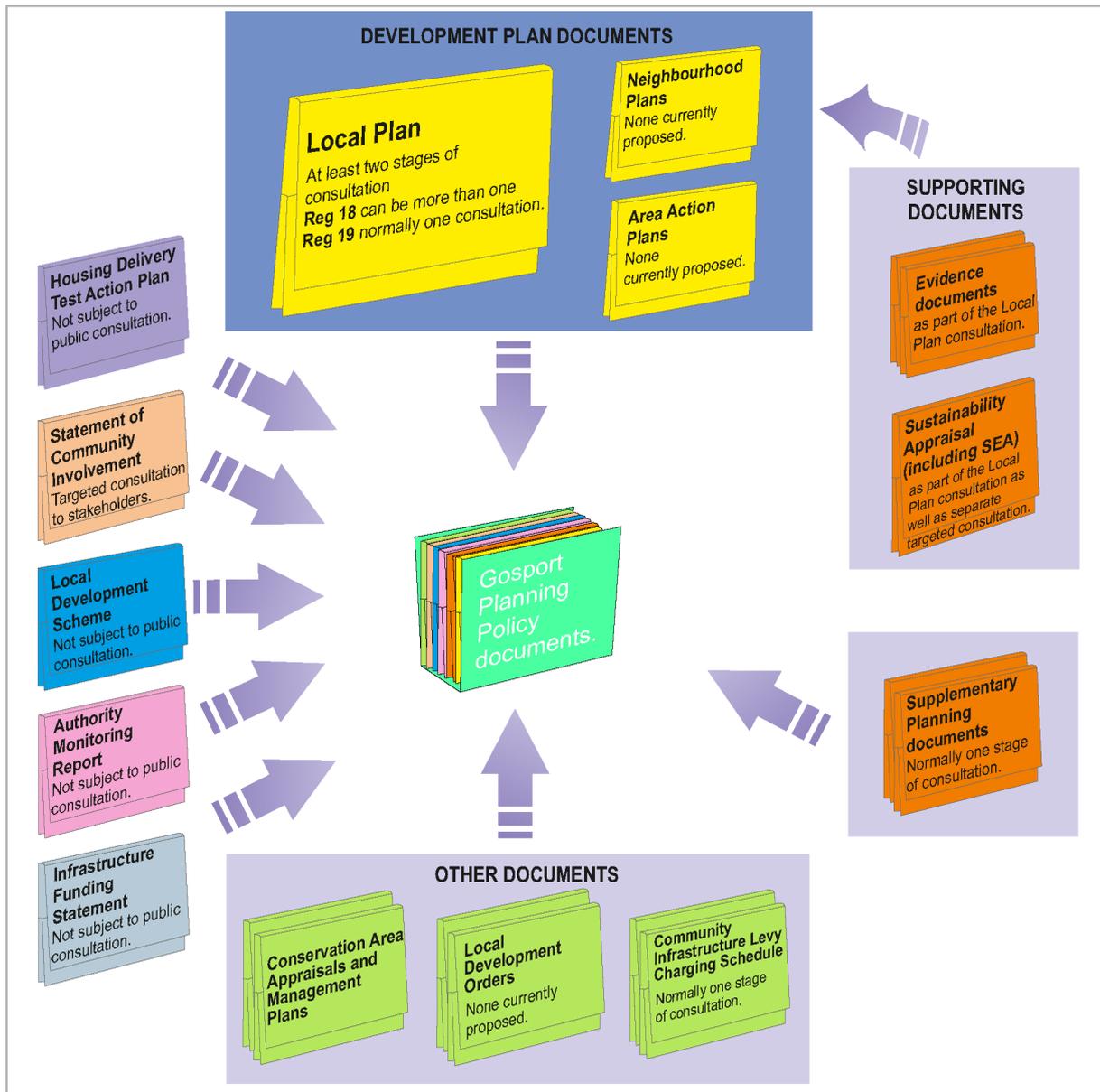
### **What documents will the community be consulted on?**

3.27 There are a number of different types of Planning Policy documents which can be consulted on including Development Plan Documents (DPDs) such as the Local Plan, Area Action Plans, and Neighbourhood Plans (where these are appropriate) and Supplementary Planning Documents (SPDs).

3.28 In addition to these, there are a number of other planning policy related documents such as the Community Infrastructure Levy Charging Schedule, Local Development Orders and Conservation Area Appraisals. A brief explanation of the purpose of these documents and the consultation arrangements are set out below.

3.29 Figure 1 aims to identify the range of documents that make up the proposed planning policy documents and identifies which of these are subject to public consultation.

**Figure 1: Planning Policy Documents**



## 4 Development Plan Documents (DPDs)

### Local Plan

4.1 The Local Plan sets out Gosport Borough Council's planning strategy for the Borough. It is the key part of the statutory Development Plan<sup>8</sup> for the Gosport area. Local Plans incorporate a number of elements including the following:

- Provide an overall vision for the Borough;
- Set out the Council's core policies for land use and development planning during the plan period;
- It will set out the Council's proposals and policies for the allocation of key land uses in the Borough such as employment, housing, retail and leisure uses;
- Safeguards important land required for open space, community facilities and nature conservations;
- Includes policies to promote good design and safeguard the Borough's rich heritage;
- It includes infrastructure requirements in connection with development proposals; and
- It will include detailed development management policies that will be used to assess planning applications and other development proposals.

4.2 The current Local Plan covers the period 2011-2029 (and was adopted in October 2015). This plan is currently being revised and the draft Gosport Borough Local Plan will cover the period to 2038.

### Local Plan process and key consultation stages

4.3 The key stages of the preparation of the Local Plan are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). In summary these are set out in stages:

- Regulation 18: Public participation in the preparation of a Local Plan<sup>9</sup>;
- Regulation 19 and 20<sup>10</sup>: Publication of a Local Plan and making representations;
- Regulation 22: Submission of documents to the Secretary of State;
- Regulations 23-25: Examination process; and
- Regulation 26: Adoption of Local Plan.

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<sup>8</sup> The Development Plan also includes the relevant Waste and Mineral Plans produced by Hampshire County Council, Southampton and Portsmouth City Councils, New Forest Park Authority, South Downs Park Authority.

<sup>9</sup> Or other Development Plan Document such as an Area Action Plan.

<sup>10</sup> Under Regulation 20 opportunity to make representations on the draft plan will be over a six week consultation period.

4.4 Those stages in plan preparation that are subject to public consultation are expected to exceed the minimum requirements. The details for this are set out in the tables below:

- Preparation/Publication of draft plan (Regulation 18) (see Table 1).
- Publication of Pre submission plan (Regulation 19) (see Table 2).

4.5 The Council has undertaken a Regulation 18 consultation for its emerging Gosport Borough Local Plan 2038 which accorded with the 2019 adopted version of the SCI. If the Council decided to undertake any additional Regulation 18 consultation, this would be in accordance with the 2023 SCI.

**Table 1: Preparation of a draft Local Plan (Regulation 18)**

<p><b>Aim:</b> To establish community views on draft planning policies that will guide the future development of the Borough and provide the opportunity for feedback to be incorporated in the next stage of the process.</p>
<p><b>Requirements:</b> Regulation 18 in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) sets out the requirements on who is consulted but does not set a formal time period for consultation. Consequently the local planning authority has greater flexibility on how it can consult the public at this stage.</p>
<p><b>Consultation period:</b> At least 6 weeks consultation on draft local plan. A number of stakeholders will be consulted informally in advance of the publication of the draft as part of the evidence gathering stage and/or as part of the Duty to Cooperate and the Statement of Common Ground obligations.</p>
<p><b>Consultees:</b> Those specific consultation bodies identified in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The list of these consultees and other relevant general consultation bodies as described in the 2012 Regulations are listed in Appendix 1 and the types of consultees included in paragraph 3.15 of the SCI<sup>11</sup>.</p>
<p><b>Minimum consultation requirements:</b></p> <ul style="list-style-type: none"> <li>• Letters either by post or electronic communication to all statutory consultees and other interested parties who requested to be kept informed on the draft Local Plan.</li> <li>• Documents with questionnaires made available at Council Offices. Other appropriate sites will be considered.</li> <li>• Copy of the document and associated documents on: <a href="http://www.gosport.gov.uk/gblp2038">www.gosport.gov.uk/gblp2038</a></li> </ul>
<p><b>Discretionary consultation measures that the Council may consider appropriate:</b></p> <ul style="list-style-type: none"> <li>• Events: These can enable participants to explore issues and options in more depth. These events may require active community participation at a local public venue. Exercises could include ‘Planning for Real’ or ‘Enquiry by Design’.</li> <li>• Workshops/Focus Groups/other ‘Active’ type sessions may also be depending on the nature and scope of document and the resources and time available.</li> </ul>

<sup>11</sup> The Council regularly updates the Local Plan Consultation database to reflect changes to the list of consultees as appropriate.

- One to one meetings with local amenity groups and other organisations.
- Exhibitions at a network of venues including Council Offices, Gosport Discovery Centre, Bridgemary Library and the local community libraries at Elson and Lee-on-the-Solent as well as other sites where appropriate. Some exhibitions may be staffed at notified times.
- Site notices in relation to development allocations that are not subject to a planning consent or a 'live' planning application.
- Articles in the Council's on-line 'Coastline' and on the Invest in Gosport website.
- Summary Leaflets/Posters to raise awareness of consultation.
- Press release.
- Media briefing.
- Use of Council's social media as a signpost to relevant consultation pages<sup>12</sup>.

4.6 After the public consultation period closes, the Borough Council will carefully consider all representations received and they will inform any amendments to the Local Plan. The Council will publish a summary and consideration of representations received as well as full copies of the representations received. Contact details will be redacted when published online although hard copies will retain address details.

**Table 2: Publication of a Local Plan (Regulation 19)**

**Aim:** To establish community views on the Publication version of the draft Local Plan prior to formal submission of proposals to the Secretary of State for examination.

**Requirements:** Under Regulation 19 as set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

**Consultation period:** There is a formal six week consultation period to make representations on the draft Local Plan.

**Consultees:** Statutory consultees as set out in the Government Regulations (Reg.18 (1) and other relevant consultees on the Council's Local Plan Consultation database (see Appendix 1) and the types of consultees included in paragraph 3.15 of the SCI <sup>13</sup>.

**Minimum consultation requirements:**

- Formal letters either by post or electronic communication to statutory consultees
- Documents with comments form made available at Council Offices. Other appropriate sites will be considered.

<sup>12</sup> The Council will make use of social media where appropriate and will post information on Facebook, Twitter and other social media platforms to promote consultations. Such posts will signpost users to the appropriate Council's webpage. At Regulation 18 stage only comments posted to the Council's social media pages will be considered. Those posted to external pages will not be taken into account. During the formal consultation stages (Regulation 19), representations will not be able to be accepted via social media as these need to be duly made in order to submit to the Planning Inspector to be examined. Those making posts to GBC social media pages at the Regulation 19 stage will be advised of the need to make a formal representation.

<sup>13</sup> The Council regularly updates the Local Plan Consultation database to reflect changes to the list of consultees as appropriate.

- Copy of document with comments form at: [www.gosport.gov.uk/gblp2038](http://www.gosport.gov.uk/gblp2038)

**Discretionary consultation measures that exceed the minimum statutory consultation requirements that the Council may consider appropriate (see Appendix 2):**

- Letters to other relevant consultees.
- Site notices in relation to development allocations that are not subject to a planning consent or a 'live' planning application.
- Press release/Media briefing.
- Articles in the Council's on-line 'Coastline' and on the Invest in Gosport website
- One to one meetings with local amenity groups and other organisations.
- Exhibitions at a network of venues including Council Offices, Discovery Centre, Bridgemary Library and the local community libraries at Elson and Lee-on-the-Solent as well as other sites where appropriate. Some exhibitions may be staffed at notified times.
- Summary Leaflets/Posters to raise awareness of consultation.
- Use of the Council's social media as a signpost to relevant consultation pages<sup>14</sup>.

- 4.7 The Borough Council will prepare a summary of responses that will be submitted to the Secretary of State together with copies of the responses. They will accompany the submission version of the Local Plan or other DPDs in accordance with Regulation 22.
- 4.8 The Borough Council will send notification of where and how the submission documents are available for inspection and also notify those individuals and organisations who requested to be notified of the submission of the Local Plan to the Secretary of State.
- 4.9 The Local Plan or other DPD will be examined by an independent Planning Inspector who will examine the plan in order to ensure it has been prepared in accordance with the Duty to Cooperate, has met all legal and procedural requirements and is 'sound'. A sound plan is currently<sup>15</sup> defined as a plan that is:
- Positively prepared;
  - Justified;
  - Effective; and
  - Consistent with national policy.
- 4.10 The Council will publicise and where relevant notify the details of the Examination including the name of the Inspector, Programme Officer, the matters that are to be heard, programme for sessions, times and venues.

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<sup>14</sup> The Council will make use of social media where appropriate and will post information on Facebook, Twitter and other social media platforms to promote consultations. During the formal consultation stages (Regulation 19), representations will not be able to be accepted via social media as these need to be duly made in order to submit to the Planning Inspector to be examined.

<sup>15</sup> Please note the 'tests' are currently being revised by Government and any changes will be reflected in the latest version of the National Planning Policy Framework (NPPF).

- 4.11 In accordance with Regulation 25, the Council will notify those persons who requested to be notified of the publication of the Inspector’s recommendations.
- 4.12 Following the adoption of the Local Plan<sup>16</sup>, the Council will in the locations listed in Tables 1 and 2 make available the following documents:
- The Local Plan;
  - An adoption statement;
  - Sustainability Appraisal Report.
- 4.13 It will also send a copy of the adoption statement to anyone who has been asked to be notified of the Plan’s adoption.

#### Other specific consultation undertaken as part of Local Plan preparation

- 4.14 As part of the Local Plan process there are some evidence-related work that requires specific consultation.
- 4.15 **Call for Sites:** This provides an opportunity for the Council to invite those with an interest in the Borough to put forward sites for consideration for inclusion in the Local Plan. This covers a wide range of stakeholders including developers, landowners and infrastructure providers to local community and amenity groups. Potential allocation sites can be put forward for a variety of land uses and environmental enhancements and retention of land in its current use. This provides the Council with an opportunity to consider all sites that are potentially available. All sites that are put forward need to be considered through the sustainability appraisal process and does not mean automatic inclusion of a site in the Local Plan.
- 4.16 The ‘Call for Sites’ process also links to the Council’s Brownfield Land Register<sup>17</sup> (see paragraphs 7.16-7.17 and the Glossary).
- 4.17 **Sustainability Appraisal:** The Council is required to carry out a Sustainability Appraisal for each DPD it produces. This forms part of the Council’s Strategic Environment Assessment of its policies, plans and programmes as required by the European Directive as transposed into UK law. The Sustainability Appraisal aims to identify the social, economic and environmental effects likely to arise from the different options, policies and proposals outlined in the various parts of the local planning policy preparation.
- 4.18 The Sustainability Appraisal Report will be available for public comment at the relevant stage of consultation for the DPD. Initially the Council will prepare a Sustainability Appraisal Scoping Report and will consult relevant organisations prescribed by the Government. The Sustainability Appraisal Scoping Report sets out the Council’s framework for conducting Sustainability Appraisals.

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<sup>16</sup> Full Council adopts the Local Plan.

<sup>17</sup> [www.gosport.gov.uk/brownfield-land-register](http://www.gosport.gov.uk/brownfield-land-register)

4.19 **Other evidence:** Other evidence studies and documents will be subject to consultation at each main stage of consultation as outlined in Tables 1 and 2.

#### How will the Borough Council deal with comments received to the Local Plan?

4.20 Comments received from the public at each consultation stage are highly valued by the Borough Council.

4.21 In the context of making comments or representations on statutory planning documents such as the Local Plan, representations cannot be treated as confidential and are published on our website and made available for public inspection alongside the name of the person making the representation. However other personal contact details will not be published for example email/postal address, telephone numbers or signatures. Redacted hard copies of the representations will be made available for public viewing at the Town Hall by prior appointment.

4.22 In the case of representations to a Local Plan and other documents that are to be formally examined, respondents' details and representations will be forwarded to the Inspector carrying out the examination of the Local Plan after the period for receiving representations has finished.

4.23 All responses received by letter or electronic communication will be acknowledged. Anyone making comment on the early stages of the Local Plan (or other DPD) will be automatically consulted at the later stages unless the respondent no longer wishes to be involved in the process. Comments made will be considered and these will inform the preparation of the next stage of the document.

4.24 Copies of the representations placed on the Council's website will be redacted so that personal contact details do not appear and redacted hard copies will also be made publicly available. However, all representations in their original form will be sent to the Secretary of State along with the other relevant DPD documents at the time of submission. A summary of all comments received and how the Council proposes to deal with the comments will be produced in a schedule and made available at the Council's offices for inspection prior to the relevant Board/Council meeting.

4.25 The Council will publish on its website a summary of how the representations have been considered by the Council together with an explanation of the next stage of the process.

4.26 In relation to the Local Plan the Council will produce a 'Statement of Consultation' outlining the following details at the Submission to the Secretary of State stage. The statement will include:

- A list of consultees;
- How the consultees were consulted;
- A summary of the main issues raised by consultation; and

- How those main issues have been addressed in the DPD.

4.27 In addition to the Statement of Consultation, the Council will prepare a Summary and Analysis of Consultation Responses report which provides a full breakdown of the individual matters raised by respondents and how these will be addressed in the revised version of the Local Plan. These reports will be made available on the Council's Main Reception, during normal opening hours and on the Planning Policy web pages of the Council's website at: <https://www.gosport.gov.uk/gblp2038>:

4.28 These reports can also be made available (subject to availability in the community libraries) in:

- Gosport Discovery Centre, High Street, Gosport, PO12 1BT;
- Bridgemary Library, 74 Brewers Lane, Bridgemary, Gosport, PO13 0LA;
- Elson Library and Community Hub, 136 Chantry Road, Gosport, PO12 4NG;
- Lee-on-the-Solent Library and Community Hub, High Street, Lee-on-the-Solent, PO13 9BZ; and
- Any other sites used at the preparation stages for the document in question where available, however it may be necessary to use alternative sites.

4.29 The Borough Council will inform those that have outstanding representations of the details for the Independent Examination in accordance with the Government regulations (Reg. 24) and also advise them of the Inspector's recommendations (Reg. 25) and the eventual adoption of the Local Plan (Reg. 26).

## Area Action Plans

4.30 Area Action Plans can be used where a more detailed framework is required for areas likely to experience significant change or where conservation is needed. There are currently no Area Action Plans or other potential DPDs programmed in the Council's Local Development Scheme (LDS). The considerations and process would follow those outlined above for Local Plans.

## Neighbourhood Plans

4.31 There are currently no Neighbourhood Plans adopted or planned within the Borough. These arrangements are set out in case such a document is proposed.

4.32 Neighbourhood planning was introduced by the Localism Act 2011 and the regulatory process for preparing them is set out in the Neighbourhood Planning (General) Regulations 2012 (as amended).

- 4.33 These plans can be prepared by local communities through Parish or Town Councils, Neighbourhood Forums or a community organisation (these are known as the ‘qualifying body’) with assistance on certain aspects from the Local Planning Authority. Adopted Neighbourhood Plans can set planning policies to determine planning applications or grant planning permission through Neighbourhood Development Orders and Community Right to Build for specific development and sit alongside the Local Plan as part of the Development Plan. However a Neighbourhood Plan must be in general conformity with the Local Plan and **cannot** promote less development than that set out in the Local Plan. A Neighbourhood Plan comes into force as part of the Development Plan for an area only once it has been approved at a referendum.
- 4.34 As part of the process of preparing Neighbourhood Plans, the qualifying body is responsible for carrying out a wide range of tasks including pre-submission consultation and publicity before submitting their proposals to the Council. Once submitted the Council will then publicise the Neighbourhood Plan’s proposals as required by The Neighbourhood Planning (General) Regulations 2012 (as amended). The Council undertakes consultation on the final submission version of the Neighbourhood Plan and organises the referendum. At each stage of consultation key stakeholders (as identified in Appendix 1) will be consulted along with other interested groups and organisations. The Council will have prepared a number of evidence studies and other material in the preparation of DPDs and SPDs which may be of assistance in the preparation of Neighbourhood Plans.
- 4.35 The Government has published National Planning Practice Guidance on Neighbourhood planning setting out detailed guidance on the key stages and considerations required in preparing a Neighbourhood Plan<sup>18</sup> and the roles and responsibilities of the local community (the ‘qualifying body’) and the Council. The guidance can be viewed here: [www.gov.uk/guidance/neighbourhood-planning--2](http://www.gov.uk/guidance/neighbourhood-planning--2)

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<sup>18</sup> The Government is proposing changes to the Neighbourhood Plans system which will be published in the NPPF and accompanying PPG later in 2023.

## 5 Supplementary Planning Documents

- 5.1 Supplementary Planning Documents (SPDs) are non-statutory documents providing further detail to expand on policies contained within the Local Plan.
- 5.2 Examples include the Design SPD (February 2014), Gosport Waterfront and Town Centre SPD (March 2018) and Lee West Area of Special Character (July 2019). Others will be produced from time to time as the need arises.
- 5.3 Community involvement will be important in preparing SPDs but they will not be subject to an independent examination by an Inspector. The only stage of consultation is public participation on a draft SPD (see Table 3). However for certain large sites it may be necessary to undertake a consultation event (such as Planning for Real) prior to the publication of a draft SPD and use the feedback received to inform the preparation of the draft SPD.

**Table 3: Public Participation on Draft Supplementary Planning Documents (Regulation 12)**

<p><b>Aim:</b> To establish community views on the draft SPD to the local community in order to seek their comments, and where appropriate make amendments to the SPD prior to formal adoption by the Borough Council.</p>
<p><b>Requirements:</b> These are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) including the availability of the document. The Council's proposals meet and seek to exceed these minimum requirements.</p>
<p><b>Consultation period:</b> will be for no less than 4 weeks (Regulation 12).</p>
<p><b>Consultees:</b> Statutory Consultees and other relevant interested organisations/groups and members of the local community that are interested in particular issues included in the SPD (see Appendix 1) and the types of consultees included in paragraph 3.15 of the SCI<sup>19</sup>.</p>
<p><b>Minimum requirements:</b> There are no minimum requirements specified under the current regulations, however as a minimum, the Council will undertake the following:</p> <ul style="list-style-type: none"> <li>• Letters by post or by electronic communication to statutory consultees.</li> <li>• Relevant documents to be made available at Council Offices. Other appropriate sites will be considered.</li> <li>• Copy of document with comments form at: <a href="http://www.gosport.gov.uk/article/1240/Supplementary-Planning-Documents-SPD">www.gosport.gov.uk/article/1240/Supplementary-Planning-Documents-SPD</a></li> </ul>
<p><b>Further discretionary consultation that the Council may consider appropriate:</b></p> <ul style="list-style-type: none"> <li>• Depending on the nature and scope of SPD other locations for viewing documents will be considered including Gosport Discovery Centre, Bridgemary Library, the local community library hubs at Lee-on-the-Solent and Elson.</li> </ul>

<sup>19</sup> The Council regularly updates the Local Plan Consultation database to reflect changes to the list of consultees as appropriate.

- In certain cases, such as a high profile development site, an exhibition may be held in the Council Offices or other appropriate venue(s) certain exhibitions will be staffed for specified periods.
- Press release.
- Consultation letter (posted or by electronic communication) and document to all interested parties
- Summary Leaflets/Posters to raise awareness of consultation where appropriate
- Presentation to local interest/amenity groups may be appropriate for certain SPDs.
- For large sites it may be necessary to undertake a consultation event (such as Planning for Real) prior to the publication of a draft SPD and use feedback received to inform the draft SPD.
- Advertisement in local newspaper.
- Use of Council's social media for highlighting consultation exercise<sup>20</sup>.

5.4 The Council will consider all representations received and amend the draft SPD if necessary. Then the Council will publish the final SPD together with an adoption statement. The adoption statement will be sent to anyone who has asked to be notified of the adoption of the SPD.

5.5 The statement will set out those persons consulted when preparing the document, a summary of the main issues raised during consultation and how those issues were addressed in the SPD will also be prepared and made available alongside copies of the SPD. This is undertaken in accordance with Regulation 12.

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<sup>20</sup> The Council will make use of social media where appropriate and will post information on Facebook, Twitter and other social media platforms to promote consultations. Such posts will signpost users to the appropriate Council's webpage. Only comments posted to the Council's social media pages will be considered. Those posted to external pages will not be taken into account.

## 6 Other Planning Policy Documents

### Community Infrastructure Levy Charging Schedule

- 6.1 The Council has an adopted Community Infrastructure Levy Charging Schedule which came into effect on 1st February 2016. Any review of the CIL Charging Schedule will be informed by evidence studies to understand the viability issues surrounding development. A timetable will be set for the preparation of a review of the CIL Charging Schedule and it will be published in the Local Development Scheme on the Council's website.
- 6.2 The review of the CIL Charging Schedule will be prepared in accordance with the regulatory requirements set out in the Community Infrastructure Levy Regulations 2010 (as amended). The draft Charging Schedule is subject to public consultation where formal representations can be made prior to the submission of the document, representations received and evidence studies to the Secretary of State for examination.
- 6.3 Although the CIL document is not a DPD the charging schedule will be subject to independent examination, which could take place concurrently with the Local Plan examination or at a separate time. The consultation arrangements for preparing a CIL Charging Schedule are set out in Table 4 below.

**Table 4: Public Participation on Draft CIL Charging Schedule (Regulation 16)**

<p><b>Aim:</b> To establish views on the draft Charging Schedule from the local community and consultation bodies as set out in Regulation 16 of the CIL Regulations 2010 (as amended). There is an opportunity to make formal representations on a Draft Charging Schedule prior to its formal submission to the Secretary of State for Examination.</p>
<p><b>Requirements:</b> These are set out in The Community Infrastructure Levy Regulations 2010 (as amended).</p>
<p><b>Consultation period:</b> There will be a period of not less than 4 weeks as per the Community Infrastructure Levy Regulations 2010 (as amended). However the Council will consult for a 6 week period to be in line with the Local Plan Regulation 19 public consultation period.</p>
<p><b>Consultees:</b> Consultation bodies and other relevant interested organisations/groups, businesses and members of the local community (see Appendix 1) and the types of consultees included in paragraph 3.15 of the SCI<sup>21</sup>.</p>
<p><b>Minimum requirements:</b> There are no minimum requirements specified under the current regulations, however as a minimum, the Council will undertake the following:</p> <ul style="list-style-type: none"> <li>• Letters by post or by electronic communication to the consultation bodies with the relevant attachments.</li> </ul>

<sup>21</sup> The Council regularly updates the Local Plan Consultation database to reflect changes to the list of consultees as appropriate.

- Relevant documents to be made available at Council Offices. Other appropriate sites will be considered.
- Copy of document with comments form at: [www.gosport.gov.uk/cil](http://www.gosport.gov.uk/cil)

**Further discretionary consultation that the Council may consider appropriate:**

- Press release.
- Consultation letter (posted or by electronic communication) and document to all other interested parties.
- Summary Leaflets/Posters to raise awareness of consultation where appropriate.
- Presentation to local interest/amenity groups may be appropriate as part of the wider consultation on the draft Local Plan.
- Relevant documents in the Gosport Discovery Centre, Bridgemary Library and the local community libraries of Elson and Lee-on-the-Solent.
- Use of Council's social media for highlighting consultation exercise<sup>22</sup>.

6.4 Any other planning policy documents will need to be in conformity with the adopted Local Plan. These documents will also involve partnership working and consultation with local residents, businesses and other organisations. Examples of potential other LDDs could include sub regional planning work such as infrastructure and environmental studies for example coastal and flood management, Bird Aware Solent, transport plans at a strategic level and local planning policy protocols.

## Local Development Orders

- 6.5 Local Development Orders (LDO) grant permission for the type of development specified in such an order and by doing so remove the need for a planning application to be made by the developer. Consultation is very important.
- 6.6 There are currently no LDOs in the Borough and at present there are currently no plans to prepare one. However it is considered necessary to set out the arrangements in case such circumstances arise. It is at the discretion of the Council whether it wishes to make an LDO. The Borough Council is required to consult persons whose interests they consider would be affected by the Order and those persons they would have been required to consult on an application for planning permission for development proposed by the LDO.
- 6.7 In carrying out the consultation, the Council will send a copy of the draft order and statement of reasons to consultees. In addition the draft LDO statement of reasons and the environmental statement must be made available at the Council's offices and other appropriate locations in the Borough such as the local libraries as well as on the Council's website and advertised in the local paper.

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<sup>22</sup> The Council will make use of social media where appropriate and will post information on Facebook, Twitter and other social media platforms to promote consultations. However, formal representations will not be able to be accepted via social media as these need to be duly made in order to submit to the Planning Inspector to be examined.

- 6.8 The Council will display a site notice on or near site and serve a site notice on everyone the Council knows to be the owner or tenant of the site.
- 6.9 As part of the consultation process, the Council shall specify a consultation period, this must not be less than 28 days within which time representations must be received.
- 6.10 Once representations have been taken into account, the Council can consider if any modifications are needed or whether the draft LDO can be adopted.
- 6.11 Once all the consultation requirements have been met, the Council must send a draft of the LDO, any environmental statement relating to that Order, a statement of reasons and any modifications resulting from consultation to the Secretary of State.

## Conservation Area Appraisals

- 6.12 Conservation Area Appraisals are prepared by the Local Planning Authority under the provisions of Part II of the Planning (Listed Buildings and Conservation Areas) Act 1990. The Borough currently has 17 Conservation Areas<sup>23</sup>. From time to time the Council will prepare Conservation Area Appraisals. These act as a guide to the buildings and features that contribute to the character of a particular area. Once a Conservation Area Appraisal has been adopted it is used to help inform consideration of planning applications.
- 6.13 As with LDF related documents, there will be an opportunity for the public and other interested organisations to view and comment on the draft proposals and the comments received will be taken into consideration and reported to the relevant Council Board prior to them making a decision to adopt the Conservation Area Appraisal.
- 6.14 The Council will undertake public consultation in a number of ways including:
- Letters by post or by electronic communication to statutory consultees and local interest groups.
  - The relevant documents will be made available at the Council Offices as well as the local libraries.
  - The relevant documents will be available to view on the Council's website.
  - Presentation to local interest and amenity groups to raise awareness of the draft proposals (See Reg. 71 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990).
  - Publicity in accordance with the relevant legislative requirements. Press release/media briefing.
  - Article in the on-line Coastline where timing allows.

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<sup>23</sup> [www.gosport.gov.uk/conservation-area-appraisals](http://www.gosport.gov.uk/conservation-area-appraisals)

## 7 Involvement in the Planning Application Process

- 7.1 Public consultation is an important part of the development management process. The Council processes an average of 306 planning and related applications a year. This Statement of Community Involvement explains how the Council undertakes notification and consultation on planning applications with members of the public, interested organisations and statutory consultees. This ensures that anyone who is interested in a particular planning application has the opportunity to view and make comments on the proposals and these are fully considered before any planning decisions are made.
- 7.2 The requirements for consultation and notification on planning applications is made in accordance with the relevant planning legislation and associated planning regulations, primarily this is contained within the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The Council complies (as a minimum) with these Regulations and exceeds them where appropriate and practicable.

### Pre-Applications

- 7.3 The NPPF places significant emphasis on the role of pre-application engagement and early community engagement as part of the decision making process.
- 7.4 The Council encourages pre-application discussion on proposals before applications are formally submitted. This allows key issues to be identified and advice given prior to a formal submission of an application. This approach does not prejudice the full public consultation process or planning procedures as all planning applications are subject to publicity procedures and the representations received are an integral part of the determination process. Pre-application advice does not influence how an application will eventually be determined. Further guidance on pre-application advice is available on the Council's website<sup>24</sup>.
- 7.5 The Council actively encourages developers to undertake their own consultation arrangements with local communities to explain their development proposals. Future updates to the Council's website may include advice to developers emphasising the importance of the need for them to carry out and submit evidence demonstrating community consultation along with the planning application.

### Planning Performance Agreements

- 7.6 The NPPF encourages the use of Planning Performance Agreements. These are voluntary agreements between the Local Planning Authority and an applicant to agree matters of project management for particular planning applications that may be (but not exclusively) large scale or have complex issues. A Planning Performance Agreement can be used to agree

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<sup>24</sup> [www.gosport.gov.uk/article/1220/Pre-application-advice](http://www.gosport.gov.uk/article/1220/Pre-application-advice)

timescales, actions and resources for processing a particular application. It can cover the pre-application and formal planning application stages but may also include the post determination stage as well. They can be useful tools as part of the pre-application process prior to any application being submitted.

- 7.7 The use of these agreements can be helpful in setting out an efficient clear cut process for determining large or complex planning applications and encourage joint working between the Council, the applicant and other interested parties such as statutory consultees.

## **Planning Applications**

- 7.8 Decisions on planning applications may be taken by the Regulatory Board or an officer of the Council in accordance with the scheme of delegation set out in the Council's Constitution. This can be viewed at the Council's website at [www.gosport.gov.uk/constitution](http://www.gosport.gov.uk/constitution)
- 7.9 The Council currently consults on planning and related applications in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). Bodies such as Natural England will be allowed a longer period of time to comment on applications where this is prescribed by legislation. Table 5 summarises the consultation techniques that the Council uses to consult on planning applications.

**Table 5: Consultation Methods for Planning Applications**

Application Type	Method of Publicity		
	Press Notice	Site Notice	Neighbourhood Notification Letter
<b>Major:</b>	Y	Y	Y
<b>Minor:</b>	N	Y	Y
<b>Other:</b>			
Listed Building Consent	Y	Y	Y
Works to TPO trees	N	Y	Y
Advertisement Consent	N	Y	N
Change of Use	N	Y	Y
Householder applications	N	N	Y
<b>Special Cases:</b>			
All applications for development to Listed Buildings and/or on sites within Conservation Areas	Y	Y	Y
Applications submitted with an Environmental Impact Assessment.	Y	Y	Y
Applications for development that constitutes a departure from development plan policies.	Y	Y	Y
Applications for planning permission for Telecommunication Equipment or for prior approval of siting and appearance of Telecommunications Equipment.	Y	Y	Y <sup>25</sup>

- 7.10 When the Council consults on planning and related applications it allows a period of 21 days from the date of the publication of the consultation which may be by notification letter, press notice and/or site notice, for the public to respond in writing. After this publicity period expires the application can be determined. However, any representations received up to the date of determination will be taken into consideration. There are seven categories of application that are advertised both by press and site notices.
- 7.11 When used site notices are displayed (usually on a lamp post or other street furniture) for 3 weeks on the site frontage or as close to the site frontage as possible. For sites that front more than one road, where possible, a site notice will be displayed on each frontage. For sites where occupiers of adjacent properties will not pass the frontage of the application site when accessing their properties, site notices will be displayed in locations which as far as possible ensures occupiers accessing their properties will pass the notice.
- 7.12 For most applications, the Council will send a Neighbour Notification Letter to all properties with a boundary within 5 metres (excluding the width of any road or footpath) of the boundary of the application site.

<sup>25</sup> Head Teachers of schools with a boundary within 500 metres of the site will also be notified by letter.

- 7.13 The Council offers an on-line service where applications can be viewed on the Council's website <https://www.gosport.gov.uk/planningapplications> . These are usually on the website within 2-3 days of validation. The notification letter that is sent out always gives a 21 day consultation period. Prospective consultees can view the applications on the website. It is possible to make comments on-line before the end of the publicity expiry date. The Council is able to take comments into consideration submitted by email or letter as long as the application has not been determined if it is delegated to officers and up until 5 p.m. on the day the application is considered by the Regulatory Board. The Council publishes weekly lists on-line<sup>26</sup> and these are also available in the Discovery Centre. Hard copies of the applications are available to view by appointment at the Town Hall during normal office hours.
- 7.14 Applicants and members of the public who have made representations will be advised if and when the application will be considered by Members of the Regulatory Board. Agendas and reports are available 5 working days before the meeting in hard copy at the Town Hall and on the website. Deputations can be made at meetings of the Council's Regulatory Board. Deputation requests must be made no later than 12 noon two working days before the meeting. A request to speak must be made in writing through the completion of a deputation form and must be supported by 10 signatures of electors of the Borough or signed by or on behalf of the person or persons having a private interest in the object of the deputation, and addressed to the Borough Solicitor at the Town Hall, High Street, Gosport, PO12 1EB. A deputation will be minuted and 20 copies of any relevant paperwork must be provided. These arrangements may be subject to change but the Council's website will provide up to date guidance on how this process works. These guidelines can be viewed at: <https://www.gosport.gov.uk/deputations>
- 7.15 The Council will consult the statutory consultees using any minimum thresholds for development they provide to the Council at both pre-application and application stages.

### **Prior approvals**

- 7.16 Some forms of development are granted planning permission without the need for a formal planning application process. This is known as 'permitted development'. However within the legislation there are limits and conditions which apply to each Class of development<sup>27</sup>.
- 7.17 In certain cases, some forms of permitted development require Prior Approval from the Council or there is a need to determine if Prior Approval is required. This allows the Council to consider the proposals with regards to certain factors such as transport, flood risk and

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<sup>26</sup> These can be viewed on the Council's website at: <https://publicaccess.gosport.gov.uk/online-applications/search.do?action=weeklyList>. Individuals and organisations can subscribe to the circulation list by emailing the Planning in-box at: [planning@gosport.gov.uk](mailto:planning@gosport.gov.uk)

<sup>27</sup> The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

conservation areas. The Council will consult in accordance with the requirements of the legislation. Consultation arrangements will vary depending on the nature of the prior approval but generally follow the same format as for planning applications and have a 21 day consultation period.

**Table 6: Consultation Methods for Prior Approvals and Prior Notifications**

<b>Prior Approval and Prior Notifications</b>			
	<b>Method of publicity</b>		
	<b>Press Notice</b>	<b>Site Notice</b>	<b>Neighbourhood Notification Letter</b>
Applications for prior approval	N	Y	Y

- 7.18 In the same way as for planning applications, the Council offers an on-line service where prior approval proposals can be viewed on the Council’s website [www.gosport.gov.uk/planning](http://www.gosport.gov.uk/planning). These are usually on the website within 2-3 days of validation. The notification letter that is sent out always gives a 21 day consultation period. Prospective consultees and members of the public can view the applications for Prior Approval on the website. It is possible to make comments before the end of the publicity expiry date. The Council is able to take comments into consideration submitted by email or letter. The Council publishes weekly lists on-line and these are also available in the Discovery Centre. Hard copies of the prior approval applications are available to view by appointment at the Town Hall during normal office hours.
- 7.19 There are certain proposals that are not publicised such as those where there are interests of national security and applications for Certificates of Lawfulness for existing or proposed works. Although works to trees in Conservation Areas must be notified to the Local Planning Authority they do not require planning permission and therefore are not publicised in line with the consultation methods outlined above. However if the Council is minded to make a Tree Preservation Order as a result of a Tree Notification local residents will be consulted.
- 7.20 Under the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 there are some forms of development that can proceed under Permitted Development rights and do not require planning permission. However, there are some restrictions and exemptions to this and it is therefore advisable to contact the Council before commencing any works on a project.

### **Brownfield Land Register – Permission in Principle**

- 7.21 Local Authorities are now required to publish a Register of previously developed sites (this is known as brownfield land) and to keep the Register under review. Sites included on the list are included because they may be suitable for future development. There are two parts to the Register:

Part 1 is a comprehensive list of suitable brownfield sites; and  
Part 2 is a list of only those sites granted 'permission in principle'.

- 7.22 Permission in Principle (PIP) is a new type of planning permission that will approve key planning principles such as land use, location and scale of development. When a site has 'permission in principle' a developer will still need to obtain a Technical Details Consent before the development can proceed. An application for PIP will be publicised by the Council in accordance with the provisions of the Town and Country Planning (Permission in Principle) (Amendment) Order 2017 (as amended).

### **How comments are considered**

- 7.23 Representations made by interested parties are acknowledged and considered and taken into account when an application is determined. Comments made by the public, other interested groups and organisations can help to secure improvements to the original scheme or highlight particular issues. However, only comments that are relevant to planning can be taken into account; the impact of a proposal on property prices, private disputes or matters dealt with under other legislation are not material considerations in the planning process. Issues that have been raised by interested parties are summarised and addressed in the final report on the application. All written comments that are received by the Council will be available on the website and officers' reports to Regulatory Board are also available on the Council's website. The Council will take reasonable steps to remove personal (but not business) telephone numbers, email addresses and signatures. The Council will not take into account, or display on the website, comments that include any inappropriate or offensive material. Further information relating to commenting on planning applications is contained on Council's website and can be viewed at: [www.gosport.gov.uk/planning](http://www.gosport.gov.uk/planning).

## **What happens after a planning application is determined?**

- 7.24 Once a decision is made it will be published on the Council's website together with the Officer's Report.

### **Appeals**

- 7.25 An applicant has the right to appeal to the Secretary of State if: a planning application is refused; or they do not consider a particular condition attached is reasonable; or a decision has not been made within the statutory period for determining applications and no alternative date has been agreed. The length of time an applicant has to make an appeal varies depending on the type of application made. The Planning Inspectorate has detailed advice relating to the planning appeals process and this information can be found at: [www.gov.uk/government/organisations/planning-inspectorate](http://www.gov.uk/government/organisations/planning-inspectorate)
- 7.26 When a planning appeal is lodged the Council will send copies of any responses received to the Planning Inspectorate. The Council will inform local residents and other interested parties when an appeal has been made.

### **Enforcement**

- 7.27 The NPPF recognises the important role enforcement plays in maintaining public confidence in the planning system.
- 7.28 The Council intend to prepare and adopt a Local Enforcement Plan that will set out how breaches of planning control will be investigated and resolved. Potential breaches of planning control can be reported confidentially to the Council's Development Management Team.
- 7.29 Planning applications that are submitted following investigations by the Development Management Team will be advertised in the same way as other applications.
- 7.30 Where formal enforcement action has been taken, details are held in an Enforcement Register that is available to view by appointment at the Town Hall during opening hours.

## 8 Monitor and Review

- 8.1 As part of any public engagement exercise it will be important to assess any feedback received regarding the consultation process itself to determine what improvements can be made in the future. In some instances it may be possible to make improvements during the consultation period. As part of the assessment it will be important to consider any feedback received relating to any inequalities or barriers to participation identified by any stakeholder.
- 8.2 The SCI itself will be reviewed at least every 5 years in accordance with the latest Government Regulations, new best practice or material changes in local circumstances.

# Appendix 1: Consultees for Planning Policy Documents and Planning Applications

## Local Development Documents

### Specific Consultation Bodies

The following bodies are known as specific consultation bodies (or consultation bodies in the case of a Neighbourhood Plan or Community Infrastructure Levy Charging Schedule) and who are consulted in accordance with and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). Please note, this list is not exhaustive and also relates to successor bodies where re-organisations occur.

- Hampshire County Council
- Portsmouth City Council
- Fareham Borough Council
- Solent Local Enterprise Partnership
- Neighbourhood Forum (where appropriate)
- Hampshire and Isle of Wight Constabulary (not required for Neighbourhood Plans)
- Natural England (or equivalent)
- The Environment Agency (or equivalent)
- Historic Buildings and Monuments Commission for England (Historic England) (or equivalent)
- Network Rail Infrastructure Limited (company number 02904587)
- National Highways (or equivalent)
- Active Travel England (or equivalent)
- The Marine Management Organisation (or equivalent)
- The Coal Authority<sup>28</sup>
- Any person to whom the electronic communications code applies by virtue of a direction given under Section 106 (3)(a) of the Communications Act 2003
- Any person who owns or controls electronic communications apparatus situated in any part of the area of the local planning authority
- Any of the bodies from the following list exercising functions in any part of the local planning authority:
  - Hampshire and Isle of Wight Integrated Care Board (or equivalent);
    - Person to whom a licence has been granted under section 6(1) (b) or (c) of the Electricity Act 1989;
    - Person to whom a licence has been granted under Section 7 (2) of the Gas Act 1986;
    - Sewage Undertaker;

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<sup>28</sup> The Coal Authority wrote on 16th April 2012 specifying that as Gosport's administrative areas lies outside of currently defined coalfields it will not be necessary for the Borough Council to specifically consult the Coal Authority on emerging planning documents.

- Water Undertaker; and
- Homes England (or equivalent).

### Other Consultees

There are a wide range of organisations that the Borough Council will consult. The Local Plan Consultation database of organisations and individuals for consultation is regularly updated and additional interested parties are welcome to be included at any time. Types of organisations include:

- Bodies which represent the interests of different racial, ethnic or national groups within the Gosport area;
- Bodies which represent the interests of different religious groups in the Borough;
- Bodies which represent the interests of disabled persons in the Borough;
- Bodies which represent the interests of persons carrying out business including transport providers in the Borough; and
- Other types of groups including environmental, amenity, youth, charities, sports, tenants, residents associations, neighbourhood groups and other voluntary bodies.

## Planning Applications

### Consultees<sup>29</sup>

The Joint Committee of the National Amenity Societies <sup>30</sup>	The Gosport Society
Historic Buildings and Monuments Commission for England (Historic England)	Gosport Borough Council – other services
Theatres Trust	County Archaeologist
Hampshire Gardens Trust	Crown Estate Office
Marine Management Organisation	DEFRA
King’s Harbour Master	Defence Infrastructure Organisation / MOD
Natural England	Environment Agency
Hampshire County Council - Lead Local Flood Authority	Hampshire and Isle of Wight Wildlife Trust
Portsmouth Water	Southern Water
RSPB	Forestry Commission
Hampshire County Council – other Departments	Building Control Partnership
Coastal Partners	Fareham LPA
Portsmouth LPA	Department of Transport
	Active Travel England

<sup>29</sup> This is not an exhaustive list and it is not necessary to consult all these bodies for every application. The list will be periodically reviewed. Please contact Planning and Regeneration Services to obtain further information.

<sup>30</sup> The following organisations are members of the Joint Committee of the National Amenity Societies: Historic Buildings and Places (formerly Ancient Monuments Society); Council for British Archaeology; The Gardens Trust; The Georgian Group; Society for the Protection of Ancient Buildings; The Twentieth Century Society and the Victorian Society. Further information can be found at: [www.jcnas.org.uk/](http://www.jcnas.org.uk/)

National Highways  
Health and Safety Executive  
Open Spaces Society  
Scottish & Southern Energy  
Design Council  
  
Aircraft Owners and Pilots Association (AOPA)

Hampshire Fire and Rescue  
OFCOM NATS  
Sport England  
Civil Aviation Authority  
The General Aviation Awareness Council  
(GAAC)  
National Planning Casework Unit

## Appendix 2: Methods of Consultation on Planning Policy Documents

A summary of potential consultation techniques that could be used for all or various parts of the consultation process are outlined below.

METHODS	MAIN CONSIDERATIONS
Availability of paper versions of consultation documents	<p>A copy of all documents will be available at the Council's Office. This is a minimum requirement prescribed by the Regulations.</p> <p>Where available, copies of those documents which are the subject of public consultation (i.e. the Local Plan or SPDs) could be placed in the Gosport Discovery Centre, Bridgemary Library and the community libraries and hubs of Lee-on-the-Solent and Elson. Other venues could be used for particular documents depending on the cooperation of the site manager. The geographical extent of a document or issues covered will have a bearing on what venues are approached.</p> <p>The Council operates a popular community loan scheme whereby local groups and residents can borrow consultation documents. This improves availability to documents for those that do not have internet access or wish to consider the document over a period of time.</p> <p>These services can be provided at little cost but need to be well publicised. Attention will need to be given to how accessible the venues are in terms of location and the ease of being able to enter and move around the venue.</p>
Availability of documents in electronic format	<p>The Council's website includes information relating to the Gosport Local Plan. This will be updated regularly and allow access to all the relevant documents as well as an opportunity to make representations.</p> <p>This can deliver an extensive information base and interactive possibilities at relatively little cost. Regular updating is necessary. The audience is limited to those with internet access. Website needs to be user-friendly.</p> <p>The Borough Council will also consider using website surveys for certain DPDs and SPDs where appropriate.</p>
Consultation by e-mail	The Council has established a mailing list for any organisation or individual who wishes to be consulted on all or part of the Gosport

	Borough Local Plan. This list is GDPR compliant. A list of statutory organisations and a list of other types of organisations are shown in Appendix 1.
Consultation by letter	Organisations and individuals can be consulted by printed letter upon request.
Use of Council's community publications	The Council will use its own on-line newsletter 'Coastline'. The Council will use these articles to inform residents about the draft Gosport Borough Local Plan, its progress, how they can get involved and make representations. The on-line Coastline can be subscribed to and details of how to do this are on the Coastline section of the Council's website and is available to view here: <a href="http://www.gosport.gov.uk/coastline">www.gosport.gov.uk/coastline</a>
Use of the Council's Housing Department consultation initiatives	<p>The Council's Housing Department already have some established methods of reaching Council tenants and other resident groups. These may represent an excellent opportunity to consult with parts of the community that may not normally be engaged in long term spatial planning issues.</p> <p>Initiatives which could be used include:</p> <ul style="list-style-type: none"> <li>• The Resident Panel which is attended by tenants and leaseholders who are interested in 'Housing' issues.</li> <li>• Twice yearly newsletter 'At Your Service' which is delivered to Council tenants and leaseholders.</li> <li>• Neighbourhood Involvement database which is a network of tenants and leaseholders who wish to be consulted on local issues.</li> </ul>
Use of local media (local press, TV and radio)	In addition to statutory requirements to advertise development plan documents, the Council will brief local media (press, TV and radio) in the form of a press release. This can be an effective way of reaching a large proportion of the community.
Leaflets	<p>The Council will produce short summary leaflets with certain consultation documents. These leaflets will be available as hard and electronic versions and be available in large print. These need to be well designed and user friendly.</p> <p>Leaflets will be available at the Council Offices, local libraries and in some instances certain community venues, doctors' surgeries and other appropriate sites. These will also be available on-line.</p>

Hotline	Telephone link to a Planning Policy team member to assist with Planning Policy consultation queries.
Public exhibitions/displays	<p>The Council will set up public exhibitions for certain Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs). The Council will assess which documents will require a public exhibition and whether these should be in a number of venues across the Borough or targeted at a specific site. Sites can include the Council Offices, the Gosport Discovery Centre and the three other libraries in the area and other sites as appropriate. Choices for sites will depend on availability and appropriateness, for example where a document focuses on a particular area, it will be good practice to hold the exhibition in a site nearby.</p> <p>Certain exhibitions may be staffed to provide further information and answer questions.</p> <p>This is a good method of bringing information and advice to local communities. Attendees are self-selecting and good publicity is required beforehand. Attention will need to be given to how accessible the venues are in terms of location and the ease of being able to enter and move around the venue. Displays will need to be well-designed.</p>
Use of general notices	<p>The Council may also consider raising awareness of planning policy documents and consultation arrangements through the use of notices which can be placed in a network of community venues and/or appropriate public street furniture.</p> <p>This can be an inexpensive way of informing the community although only limited information can be conveyed.</p> <p>The Council may also consider raising awareness from limited targeted advertising for example a notice on the Gosport Ferry or on local buses.</p>
Use of site notices	<p>The Council may consider using site notices in the vicinity of those new allocations which do not already have a planning consent or are not currently the subject of a 'live' planning application.</p> <p>The Local Plan will include a number of site allocations; some of which may be carried over from previous Local Plans because development on such sites may have commenced but has not yet been completed and therefore still needs to be included in any new Local Plan. In cases where the allocated site already has a planning consent or is the subject of a 'live' planning application, such sites will already be in the public</p>

	<p>domain and will have been the subject of the planning application consultation process as set out in Section 7 above. Therefore in these cases a Local Plan site allocation notice will not be needed.</p>
<p>Surveys/ questionnaires</p>	<p>The Council will from time to time conduct general surveys of public attitudes on issues facing the Borough.</p> <p>Where appropriate, research focussed on particular types of organisations/ individuals who may have an interest on a particular issue/topic will be undertaken often in relation to particular evidence studies.</p>
<p>One to One informal meetings</p>	<p>The Council values the input of stakeholders and will arrange meetings where appropriate in order to inform planning policy documents as well as seeking to resolve any objections that are made.</p> <p>The Council will consider having one-to-one meetings with organisations and individuals as part of a wider event (focus group/workshop/active planning session).</p> <p>These are good for in-depth discussions but can be resource intensive.</p>
<p>Focus groups/Workshop Sessions</p>	<p>In order to inform certain documents, the Borough Council will consider setting up focus groups/workshops to discuss particular issues. Focus groups could also be used to understand the views of a particular group within the community, including hard to reach groups. It may be possible to organise these on-line and record particular sessions and uploaded on to the Council's website for wider consultation, subject to the agreement of all the participants.</p> <p>They are a good way of presenting information in detail. They can generate constructive comments and can create ownership of a policy document. They can be resource intensive and involve significant preparation work.</p>
<p>Active planning sessions</p>	<p>Where the Council is producing a development plan document or supplementary planning document relating to a particular site, it will consider the merits of using particular active methods of consultation with local residents, businesses and community organisations. Such methods could include Enquiry By Design and Planning For Real (see glossary).</p>

	<p>They can be expensive and resource intensive and generate significant preparation work. However they are a good way of presenting information in detail and generating ideas.</p>
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## The Glossary

**The Act (2004):** The Planning and Compulsory Purchase Act 2004.

**Authority Monitoring Report (AMR):** (Formerly known as the Annual Monitoring Report) The AMR will assess the implementation of the Local Development Scheme and the extent to which policies in the Local Plan (and other planning policy documents) are being successfully implemented.

**Area Action Plan:** Used to provide a planning framework for areas of change and areas of conservation. Area Action Plans will have the status of Development Plan Documents.

**Brownfield Land Register:** Local authorities are required to keep a statutory Brownfield Land Register as part of the Government's commitment to delivering 90% of suitable brownfield sites which have planning permission by 2020 to boost national housebuilding. The Register which can be found on the Council's Planning web pages and is in two parts:

- Part 1 is a comprehensive list of brownfield sites across the Borough that are considered suitable at least in part for residential development, regardless of planning status; and
- Part 2 is a list of only those sites granted 'Permission in Principle'. This is a new type of planning permission that will approve the fundamental principles of development such as land-use, location, and scale. When a site has 'permission' a developer will still need to obtain a Technical Details Consent before development can begin.

**Community Infrastructure Levy:** is a charge on development, which, in Gosport, is set by the Borough Council to help the funding of infrastructure. The levy allows the Borough Council to raise, and pool contributions from developers to pay for transport, leisure and open spaces, schools and other infrastructure needed to support new development.

**Development Plan:** As set out in Section 38(6) of the Act 2004. In Gosport's case the development plan consists of the relevant Hampshire Minerals and Waste Plan (adopted 2013) and the Gosport Borough Local Plan 2011-2029 (adopted 2015).

**Development Plan Documents:** Types of documents that form the development plan which require formal examination. This includes Local plans, Area Action Plan and Neighbourhood Plans.

**Diversity:** Encompasses acceptance and respect. It means understanding that each individual is unique and recognising individual differences. Part of valuing diversity is about creating environments that everyone can be included in and can thrive in.

**Enquiry by Design:** This process challenges local stakeholders, planners and professionals to respond to the issues of a particular site through an intensive design process. An example of this can be found at: <https://princes-foundation.org/>

**General Data Protection Regulations (GDPR):** the GDPR is a new European Union wide requirement that works alongside the Data Protection Act 2018. It places greater obligations on how organisations handle personal data. The Regulations came into force in May 2018.

**Local Development Document:** The collective term in the Act for Development Plan Documents, Supplementary Planning Documents and the Statement of Community Involvement.

**Local Development Framework:** The name for the portfolio of Local Development Documents. It consists of Development Plan Documents, Supplementary Planning Documents, a Statement of Community Involvement, the Local Development Scheme and Authority Monitoring Reports. Together, these documents will provide the framework for delivering the spatial planning strategy for a local authority area and may also include Local Development Orders.

**Local Development Order:** Allows local planning authorities to introduce local permitted development rights.

**Local Development Scheme:** Sets out the programme for preparing Local Development Documents.

**Major Development:** 10 or more dwellings or 0.5 hectares or over. For commercial floorspace this is 1,000 m<sup>2</sup> or more.

**Minor Development:** 9 or less dwellings or land area under 0.5 hectares or up to 999m<sup>2</sup>.

**NPPF:** The NPPF, originally published in March 2012 sets out the Government's planning policies for England and how these are expected to be applied. It should be read alongside other national policies. The NPPF was revised in 2021.

**Permitted Development:** Forms of development for which planning permission is automatically given provided that no restrictive condition is attached or that the development is exempt from the permitted development rights.

**Planning for Real:** This uses consultation techniques which are designed to use simple models as a focus for people to put forward and prioritise ideas on how their area can be improved.

**PPG:** Planning Practice Guidance (PPG) is updated as needed to provide the most up-to-date advice on the interpretation of the NPPF published by the Government.

**Policies Map:** The adopted Policies Map illustrates on a base map (reproduced from, or based upon a map base to a registered scale) allocations and designations contained in the local plan.

**Regulations:** Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), The Neighbourhood Planning (General) Regulations 2012 (as amended) and the Town and Country Planning (Development Management Procedure) (England) Order 2015.

**Solent Local Enterprise Partnership:** Led by businesses and supported by a number of university partners, the further education sector, three unitary authorities, eight district councils, one county

council and the voluntary and community sector to act as a central driver for economic prosperity and job generation. Further details about the Solent LEP can be found at: <https://solentlep.org.uk/>

**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'.

**Supplementary Planning Documents:** Provide supplementary information in respect of the policies in the Local Plan (or other Development Plan Documents). They do not form part of the Development Plan and are not subject to independent examination.

**Sustainability Appraisal:** Tool for appraising policies to ensure they reflect sustainable development objectives (i.e. social, environmental and economic factors) and required in the Act to be undertaken for all local development documents. This includes the requirements of the Strategic Environmental Assessment.

