

Guildford borough Statement of community involvement

Local Development Document



May 2020

Alternative formats

If you would like a summary of the Statement of community involvement in planning document in a different format such as large print please let us know by calling us at Planning Policy on 01483 444471 or email us at planningpolicy@guildford.gov.uk

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1 Introduction

1.1 Planning affects all of us

- 1.1.1 Planning shapes the environment that we live in, where we live, work, shop and play. Planning decisions determine where new homes, offices, shops and leisure facilities go and what happens to our countryside, open spaces and historic environment.

Did you know...

The Council has a duty to involve you. You have the right to be heard. This document is a legal requirement of Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended by the Planning Act in 2008 and the Localism Act in 2011) and it sets out how and when we will involve and consult with you on planning matters.

- 1.1.2 For many people planning is something they only get involved with when a development directly affects them, and this can sometimes be too late to really influence the process. You can be involved in how our borough develops from the early stages of local planning policy formulation to the end stage of commenting on planning applications. This document sets out how.

1.2 Your thoughts matter

- 1.2.1 What you think matters; we will try to reflect this in the documents we produce and the decisions we make. Whilst there will not always be a consensus of views, we will always listen to what you have to say.
- 1.2.2 We are working within a framework and must follow guidance set by others, for example, planning law and Government guidance. There are certain things we can't influence or change, and we will let you know when this is the case.

Note

This document reflects the current planning situation but we recognise that Acts and regulations may well change. We will consult in line with new legislation and update this document to reflect this. See www.legislation.gov.uk for the latest information.

1.3 Purpose of this document

1.3.1 The purpose of this document is:

- to clearly set out how and when you can get involved
- to include a brief explanation about how planning works and what you can expect when you get involved
- to provide a baseline against which all planning consultation can be measured

1.4 The planning system

1.4.1 The planning system in England is plan-led. This involves preparing local plans that give firm guidance on what can be built and where. The Planning and Compulsory Purchase Act 2004 (and amendments in subsequent Acts) requires all councils to produce a Local Plan. The Local Plan sets out the policies that will guide the determination of planning applications.

1.4.2 The Council is also proactive in the management of its conservation areas, heritage and in implementing environmental improvements. This includes landscape planning and improvements, undertaking conservation area appraisals and improving the appearance of our local environment. When things don't go to plan, the enforcement team can investigate alleged breaches of planning control and take steps to resolve identified breaches.

Planning policy

The Planning policies within the Local Plan guide the borough's future development and take into account local, regional and national issues. It must be prepared in accordance with national policy and guidance.

This includes developing policies for the historic environment, green spaces and allocating sites to meet identified needs for new homes, employment and other needs. They also need to consider how changes will be delivered and monitored.

The Local Plan provides the main planning policy for the borough.

Planning applications

In addition to the preparation of plans, the planning system also deals with development decisions.

Development management prescribes the way that the Council deals with planning applications. This is where specific, detailed decisions are made about what happens to a piece of land or a building.

Most new buildings or major changes to buildings require planning consent.

1.5 Neighbourhood planning

- 1.5.1 Each neighbourhood is unique and has its own individuality that makes up its local character. As well as getting involved in Local Plan policy formation or planning decisions you can also get involved more locally. Parish councils and some community groups can get involved in community led planning. You can find out more from Surrey Community Action¹(<https://www.surreyca.org.uk/>).
- 1.5.2 New statutory legislation and guidance on neighbourhood plans was introduced in the Localism Act 2011. A neighbourhood plan is produced by a parish council or, in non-parished areas, by a body designated as a neighbourhood forum. It must be in general conformity with the strategic policies of the existing development plan for the local area, have regard to national policy and be compatible with European Union regulations and human rights regulations. Alternatively, a community may wish to produce a neighbourhood development order or a community right to build order. Further information is available on our website at <https://www.guildford.gov.uk/neighbourhoodplanning>. We will give advice and/or assistance to neighbourhood forums or Parish Councils undertaking a neighbourhood plan in Guildford borough as follows:

The Council will designate a planning policy officer to act as the first point of contact between neighbourhood planning groups and the Council.

- The Council will provide appropriate technical advice and assistance to neighbourhood planning groups to facilitate the preparation of a Neighbourhood Development Plan.
 - Assistance will not extend to financial aid. Direct financial aid for neighbourhood planning groups is provided by the government which can be spent on professional planning consultant support.
- 1.5.3 Neighbourhood forums are steering groups facilitating the development of neighbourhood plans and do not play any role in making day-to-day planning decisions. They have the right to respond during public consultations and can be added to the recipients of a 'weekly list of planning applications' if they wish to be kept abreast of developments across the borough. The same rights apply to all other people and organisations.

2 Planning policy

2.1 The Local Plan

- 2.1.1 The Local Plan is central to delivering Guildford's vision for the future. It sets out how the borough will grow and develop over the next 15 years. It includes the vision, objectives, strategy for growth, site allocations and detailed development management policies (Development Plan Documents). Other Local Development Documents are Supplementary Planning Documents, the Statement of Community Involvement and the Annual Monitoring Report.

Types of Local Development Documents

Local Development Documents include:

1. Development Plan Documents (DPD):

These are formal plans for the development management and use of land or site allocation. They are subject to rigorous procedures including public consultation and an independent examination by a Planning Inspector. They also require a [Sustainability Appraisal \(SA\)](#) – an assessment of the economic, social and environmental impacts of a plan and its policies.

- **Local Plan Strategy and Sites Document** - the Local Plan Strategy is the main, over-arching, strategic framework for Guildford borough that sets out where and when different areas of the borough are likely to change in the future and how this will happen. It makes planned decisions about the future use of land in the borough.
- **Local Plan Development Management Policies Document** - Contains detailed development management policies to guide development and assess planning applications in the borough.

2. Other Local Development Documents:

- **Supplementary Planning Documents (SPD's)** - these provide further planning guidance and details in addition to the Development Plan Document

policies. They do not create policy but may be guides for design, sustainability, infrastructure and conservation and are useful tools when designing or considering planning proposals. These documents are consulted on and adopted by the Council.

- **Statement of Community Involvement** - this document, which sets out how we will consult on planning applications, local development documents and other planning policy documents.
- **Annual Monitoring Report (MR)** - provides a yearly update on the progress of the Local Plan and the implementation of planning policies. It is published at the end of each year.

Top tip

The [Local Development Scheme](#) sets out the timetable and processes for the Local Plan. Have a look at the latest copy at <https://www.guildford.gov.uk/lds> so you know what is happening and when.

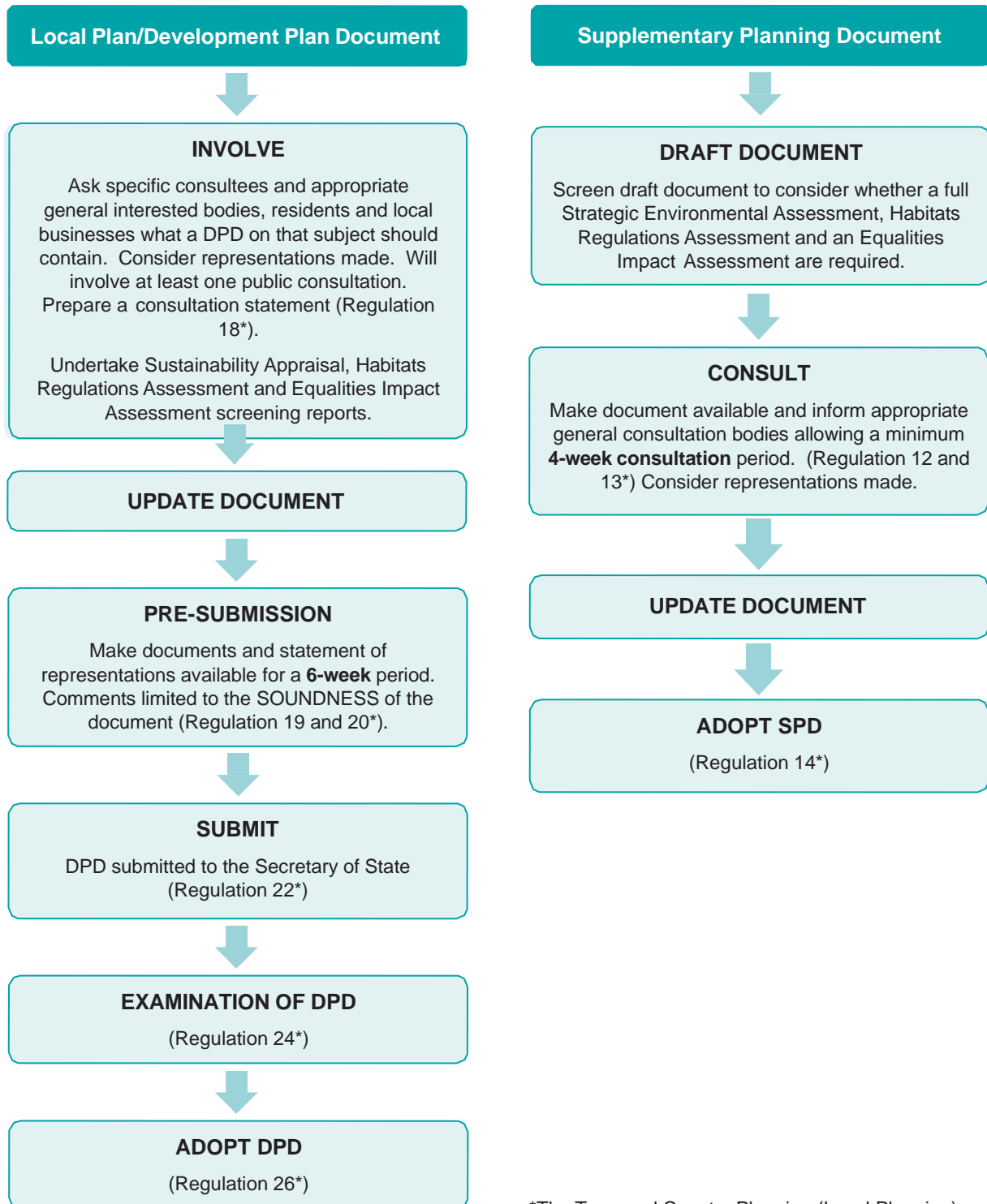
2.2 What we have to do by law

- 2.2.1 We must follow the law, relevant planning regulations and guidance set out in this planning document when preparing development plan documents. In order for development plans to be found sound (approved) by a Planning Inspector all development plan documents must be legally and procedurally compliant, positively prepared, justified, effective and consistent with [national policy](#)¹.
- 2.2.2 Specific consultation requirements are set out in The Town and Country Planning (Local Planning) (England) Regulations 2012. A summary of the minimum requirements for development plan documents and supplementary planning documents is set out in the following table. Please note that different procedures apply to the local development scheme, annual monitoring report and the statement of community involvement document as shown in Appendix B.
- 2.2.3 The Community Infrastructure Levy is a standardised, non-negotiable, local levy that is placed on new development for the purpose of helping to raise funds to support the delivery of the infrastructure that is required as a result of new development. A Community Infrastructure Levy Charging Schedule sets out the level of charge the Council will require for every additional square metre of new development. Regulations² require local authorities to undertake a clearly defined procedure prior to adopting a Community Infrastructure Levy Charging Schedule, and the Council will follow these, and any subsequent regulations.

¹ National Planning Policy Framework 2019 paragraph 35.

² Regulation 15 and 16 of the Community Infrastructure Regulations 2010 (as amended) (updated by The Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019).

Steps in producing some Local Development Documents



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

- 2.2.4 The Council's aims for community engagement in planning are that involvement should be appropriate and proportionate to the planning issues, transparent, accessible and well planned. As well as using specific methods of engagement during a formal consultation process, we will also keep you posted on planning issues through updates on our website.

2.3 Who are we involving?

- 2.3.1 Planning regulations³ set out minimum requirements for consulting on Local Development Documents. The regulations require councils to consult several organisations, called **specific consultation bodies**, when preparing Local Development Documents (the Local Development Scheme, Statement of Community Involvement and Annual Monitoring Report are not included). These organisations are mostly strategic bodies, neighbouring councils, and service suppliers such as gas and water companies. They are listed in Appendix A. The regulations also require the Council to consult with **general consultation bodies** (e.g. voluntary bodies, religious groups, groups that represent minorities and businesses etc). These are also listed in Appendix A.
- 2.3.2 The Council want to involve and hear from as many sections of the community as possible in the preparation of planning policies and guidance in the borough. However, we also want to keep the consultation proportionate to the scale of the issues being addressed. The Council has an extensive list of stakeholders - all the organisations, businesses, consultancies, landowners, community groups and individuals - that it consults. This information is held on a stakeholder database. The following list sets out the types of groups and organisations on the stakeholder database and is not definitive.

³ The Town and Country Planning (Local Planning) (England) Regulations 2012

- Members of Parliament
- Parish councils and resident associations
- Non-statutory local stakeholders, civic societies
- Relevant community groups and organisations
- Working groups and partnerships
- Voluntary bodies
- Landowners
- Developers, house builders and representative organisations
- Registered providers of social housing
- Interest groups and societies
- Religious groups
- Disabled groups
- Youth and older persons organisations
- Seldom heard groups

2.3.3 The Localism Act 2011 has introduced a requirement called duty to co-operate. This duty requires local planning authorities, county councils and a prescribed body or person to co-operate and engage constructively with each other when preparing local or development plan documents or working on strategic matters having a significant impact on at least two planning areas (councils). Further details and definitions are in **Appendix A**.

2.3.4 The stakeholder database also includes various other groups, organisations and individuals who have asked to be kept informed of the Local Plan process. We will carefully consider who to consult and when. This database is continually updated, and we are mindful of our responsibilities in relation to the Data Protection Act 2018.

Did you know?

Anyone can register their interest and be added to the stakeholder database by contacting the Planning Policy team on 01483 444471 or email planningpolicy@guildford.gov.uk.

If there are any changes to your contact details please inform the Planning Policy team.

2.4 Including everyone

- 2.4.1 The Council aims to involve the widest possible cross-section of the community in order to get a balance of views. Many people may not belong to any of the groups and organisations already identified, but we would like to hear from you. In particular, the Council is keen to involve under-represented groups of people, often referred to as hard to reach, hard to hear or seldom heard groups. We will look at different ways to engage with different sections of the community to encourage everyone to have their say. If you would like a document available in a different format (e.g. Braille, audiotape, large print, colour of font or page or a different language) please let us know and we will try to help.

Top tip

Documents, and their supporting [evidence base](#), are available to view for free on the Council's website (<https://www.guildford.gov.uk/newlocalplan/evidencebase>) and/or at the Council's offices at Millmead House, Millmead, Guildford. Some documents are also available to view in local libraries.

Documents are available on request in hardcopy, although Planning Services is committed to using material wisely to protect the environment and minimise costs. Consequently, we will charge for paper documents.

2.5 When you'll be involved

2.5.1 The following table gives an idea of who will be involved and when, although its flexible and certain groups will be targeted according to the subject matter of the document.

Consultation body	Development Plan Documents	Supplementary Planning Documents
Specific consultation bodies ⁴	Yes	Recommended
General consultation bodies	Yes	Recommended
General public	Recommended	Recommended
Business community	Yes	Recommended
Councillors and parish councils	Yes	Yes
Conservation groups	Recommended	Recommended
Development professionals	Recommended	Recommended
Housing associations	Recommended	Recommended

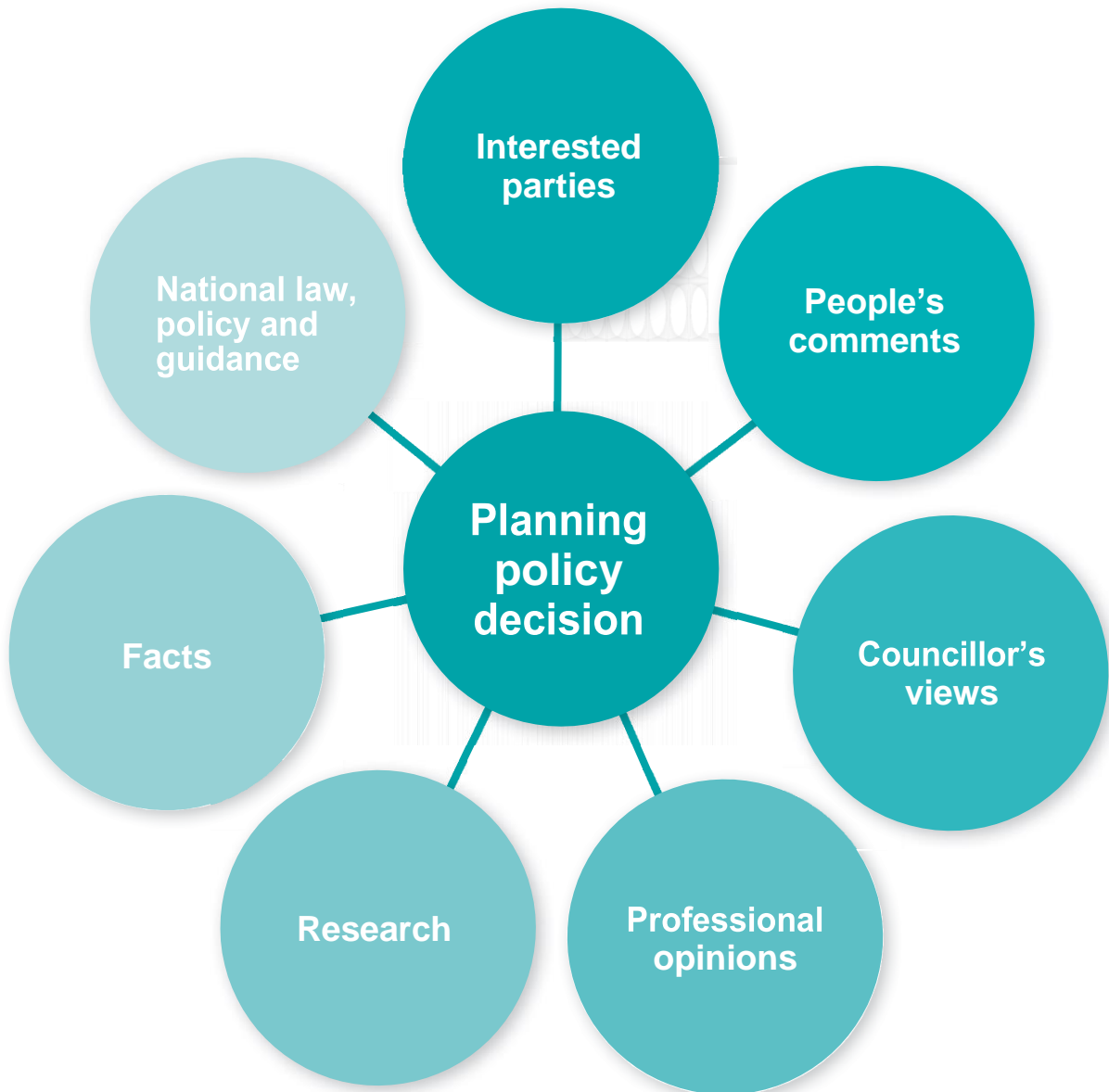
⁴ Specific consultation bodies are defined in Appendix A.

2.6 How you'll be involved

- 2.6.1 There are many different ways that we can engage with you. We will tailor the engagement undertaken to the document being produced and the stage of its development. Early stage involvement helps the Council to consider how issues affect people and may include targeted emails, meetings or workshops. A draft document will then be written building upon feedback received.
- 2.6.2 As a minimum for all public consultation on a draft document we will normally email or write to the relevant consultees on our stakeholder database, issue press releases, and post notices on our website. For development plan documents we will sometimes hold exhibitions or drop-in sessions. Documents will be available to view on our website, at the Council's main office and in most cases at local libraries (unless the Council offices and local libraries are closed due to unavoidable circumstances and Government legislation does not require otherwise). Full details are set out in **Appendix B**.

2.7 Making decisions

- 2.7.1 The information used to inform decisions within planning policy is called an evidence base. Consultation and individual comments are only part of the information used to make decisions. In addition, there is a range of research and information collected from a variety of sources including advice from experts in relevant fields. The diagram below shows the range of information that needs to be considered to make an informed decision. This often requires understanding and weighing up conflicting opinions and advice.
- 2.7.2 All of this information forms part of the evidence base and should be made public so that everyone has a chance to see what information there is and how it is being used to influence a decision. This includes the Council's response to the key issues raised.

Factors informing planning policy decision making:

2.8 Feedback

- 2.8.1 We will read all engagement and consultation responses. Where we can act on suggestions, within reason we will do so.
- 2.8.2 Where possible we will keep those who have responded informed of subsequent consultations, provided we have their written consent (in accordance with the Data Protection Act 2018).
- 2.8.3 After a formal consultation we will summarise the comments received and our response to them in a consultation statement that will be made available on our website. Following questionnaires, workshops and other forms of engagement we will make the findings available on our website.
- 2.8.4 Consultation feedback will normally be considered by councillors of the Local Plan Panel and at the Executive committee before a decision is made by Full Council on the adoption or submission of a local development document to the Secretary of State. There may be the opportunity for members of the public to speak at committee (<https://www.guildford.gov.uk/planningdecisions>). These may be virtual committee meetings, using methods such as video conferencing or live webcasting.
- 2.8.5 When submitting a development plan document (DPD) to the Secretary of State for examination we will include a statement setting out who, how and when we invited bodies and people to make representations on the draft document, a summary of the main issues raised and how they have been taken into account. We will also say how many representations were made on the proposed submission document (regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012).
- 2.8.6 For supplementary planning documents (SPD) we will normally produce an initial consultation statement setting out how we have engaged with interested people in the preparation of a draft SPD. After the formal consultation period and before adopting an SPD we will produce a statement setting out who, how and when we invited bodies and people to make representations on the document and publish a summary of the main representation issues and how those issues have been addressed, where possible ([regulation 12 of the Town and Country Planning \(Local Planning\) \(England\) \(Amendment\) Regulations 2012](#)).

3 Planning applications

3.1 Planning application consultation

- 3.1.1 The Council prepares plans but also implements the plans and their policies through the planning decisions it makes. This is known as development management. Through development management the Council deals with applications for planning permission. This is where specific, detailed decisions are made about what happens to a piece of land or a building. Most new buildings or major changes to land or existing buildings require planning permission.
- 3.1.2 Guildford Borough Council's development management team is responsible for making decisions on most of the development proposals within the borough. These can range from new shops and offices to a simple house extension. However, it does not include mineral or highway projects which are determined by Surrey County Council. Guildford Borough Council also determines its own applications (for example, development on council owned land) and applications affecting historic areas such as conservation areas. These need to follow special procedures, but the consultation process is the same as for other applications.

The consultation process

DEVELOPERS PRE- APPLICATION CONSULTATION

For major planning applications

- Developer agrees engagement process with Planning Services.
- Developer consults with relevant communities, organisations and council representatives.
- Developer produces a statement on the engagement done, the issues raised and how those issues have been considered in the final application.
- Application is validated by Planning Services and recorded on the public planning register.

APPLICATION CONSULTATION

For all planning applications

- Publicise the planning application (website, letters, or site notice for specific applications).
- 21 days for you to make comments.
- The Council examines all material considerations and comments made.
- The majority of planning decisions are made by the Planning Development Manager or Principal Planner. However, in certain circumstances applications can be referred to planning committee where there are specific rules around public speaking.

DECISION MADE

Requirement for all planning applications

- The decision notice is issued to the applicant or their agent and entered on the planning register and available to view on the Guildford Borough Council website.

- 3.1.3 There are two distinct stages for community involvement in planning applications:
1. **Pre-application consultation:** this is consultation run by a developer prior to putting in a formal planning application.
 2. **Application consultation:** once a planning application has been submitted the council is responsible for carrying out consultation through statutory publicity and notification.

Top Tip

For all planning applications, large or small, we'd suggest talking to your neighbours about your plans before formally submitting a planning application.

3.2 Pre-application consultation (by developers)

- 3.2.1 Pre-application engagement with the community is encouraged where it will add value to the process and the outcome⁵. Early engagement on general principles with the local community and relevant organisations and groups, before submitting a planning application, benefits local communities, as well as helping applicants who should see faster and more informed consideration of their proposals if they address issues early on. The more people participate early on, the more likely they are to understand and be supportive of a development.
- 3.2.2 Developers proposing to make an application for planning permission for the development of any land in England that is of a description specified in a development order are legally obliged to consult the local community⁶ and any specified persons; they need to have regard to comments received before submitting their planning application. It is mandatory to carry out pre-application consultation with the local community for planning applications for wind turbine development involving more than 2 turbines or where the hub height of any turbine exceeds 15 metres.

⁵ Planning practice guidance <https://www.gov.uk/guidance/before-submitting-an-application>

⁶ Localism Act 2011 Part 6 Chapter 4 Section 122: 'bring the proposed application to the attention of a majority of the persons who live at, or otherwise occupy, premises in the vicinity of the land.'
www.legislation.gov.uk/ukpga/2011/20/part/6/chapter/4

- 3.2.3 In particular, the development management team expects developers to:
- set clear objectives and agree the consultation approach with the development management team
 - inform people and ward councillors about the details and scope of the scheme and be clear what can be influenced by making comments
 - present proposals for larger schemes to members of the Council
 - consider how to involve seldom heard groups and groups that will particularly be affected by the changes
 - clearly show changes made as a result of comments based on sound planning reasons
 - submit a statement outlining the community engagement that has been carried out with the planning application - stating the methods used, who was consulted and how matters raised have been addressed in the development proposal - to enable the process and outcomes to be validated
 - give consideration as to how the community will be kept up to date on the progress of larger developments delivered over a longer time period and who they can contact with queries. This could include a dedicated website and updates via email.
- 3.2.4 Pre-application discussions and meetings can take place between applicants and the Council. The Council charges a fee for pre-application advice. Further details can be viewed on our website at <https://www.guildford.gov.uk/preapplicationadvice>
- 3.2.5 For large developments the Council and developers can also sign up to a [planning performance agreement \(PPA\)](#)⁸. A PPA provides a structure and key milestones for the planning stages of a development.
- 3.2.6 The applicant will need to manage pre-application engagement to ensure that the development management team remain impartial. [Councillors](#)⁹ will also have to be careful about expressing opinions during the pre-application process although they can attend discussions, seek clarification and ask questions about a proposal.

Note

For nationally significant infrastructure projects such as power stations and new electricity transmission lines there are specific pre-application processes that must be complied with. For full details please see the CLG publication 'Planning Act 2008 Guidance on pre-application process' January 2013 (www.gov.uk/government/publications/guidance-on-the-pre-application-process-for-major-infrastructure-projects).

⁸ Webpage: www.atlasplanning.com

⁹ Guildford Borough Council Constitution Codes and protocols 2019

3.3 Planning application consultation (by the Council)

3.3.1 We aim to determine most planning applications within 8 weeks and major planning applications within 13 weeks. This time period includes formal public consultation, the details are outlined below. Please note the Government has published [guidance](#) that may affect public consultation in certain circumstances.

- Once a planning application is submitted and registered there is a statutory **21-day** consultation period.
- The application will be published on the Council website with letters sent to neighbours immediately adjacent to the site.
- Site notices are displayed where there is a statutory requirement to do so such as for major applications and those applications affecting listed buildings, conservation areas, historic parks and gardens, public rights of way and those departing from the development plan or subject to an environmental assessment. A site notice will also be displayed where there are no adjoining occupiers to the application, or it is unclear who the adjoining occupiers are. Press notices will be issued when required by statute.
- The Part 1 Planning Register of all applications is held online on the Council's website. The Council will publish planning applications on-line at <https://www.guildford.gov.uk/searchforaplanningapplication>. A weekly list of newly received planning applications is also available to view at our planning reception or you can search online at <https://www.guildford.gov.uk/searchforaplanningapplication>. We also send a weekly list of new planning applications to the Surrey Advertiser, for them to publish at their discretion.
- Relevant organisations or groups (such as Parish Councils (or Neighbourhood Forums where there is no Parish Council), specific Surrey County Council departments, the Environment Agency, Historic England, electricity, sewage or gas companies, network rail) will also be contacted with 21 days to comment.
- Neighbourhood forums can request to be added to the weekly plans list for their information.
- We will **notify you** of the planning application by post if your home or business shares a boundary with the application site. For major applications we will also send letters to homes and businesses near the application site, the extent of these will be assessed on a case by case basis.
- You can register online through public access to receive notifications of new applications on a site (<http://www2.guildford.gov.uk/publicaccess/>).
- We are unable to notify residents of new applications who have commented on an earlier application on the same site if they fall outside of the normal notification area, due to data protection.

- All comments must be received in writing within the specified consultation period of 21 days of the date on our letter. You can comment online at: <https://www.guildford.gov.uk/commentonaplanningapplication>. You can check that your letter/email has been received by looking up the application on the website and viewing documents (please allow 3-5 working days to upload it). Anonymous comments are not accepted, and your name will be published.
- We encourage comments via public access <http://www2.guildford.gov.uk/publicaccess/> or by e-mail (planningenquiries@guildford.gov.uk) but they can also be submitted as a letter.
- Comments made outside of the formal consultation period may be considered if circumstances allow.
- If any amendments to an application are submitted the case officer will consider the effect of these changes and may require a further consultation. In these cases, a further 7, 10, 14 or 21 days is usually given to comment.

3.3.2 Certain other types of applications have different consultation requires for example:

- Certificates of lawful development have no consultation requirements. We will not consult on certificates of proposed development. On certificates of existing development we will normally carry out notifications as we would for a planning application for the same development as neighbours may have information regarding how long the development has been in place.
- Prior approval applications are submitted for certain types of Permitted Development and have individual notification requirements. We will undertake notifications required by the specific section of the General Permitted Development Order for each type.

3.3.3 Further information can be found on our webpage at <https://www.guildford.gov.uk>

Top tip

Comments should focus on material planning considerations, such as:

- ✓ transport problems
- ✓ noise and disturbance resulting from use
- ✓ loss of light or overshadowing
- ✓ overlooking or loss of privacy
- ✓ strategic views
- ✓ loss of trees and nature conservation
- ✓ local, strategic and national planning policies (e.g. the Local Plan policies)
- ✓ effect on listed building and conservation
- ✓ areas layout and density of building
- ✓ design, appearance and materials
- ✓ disabled persons' access
- ✓ previous planning decisions (including appeal decisions).

Examples of issues that are not planning considerations include:

- ✗ the loss of value on a property
- ✗ the loss of a person's private view
- ✗ the motives of the applicant.

3 Planning applications

3.4 Recommended planning application consultation plan

Development*	Type of Engagement	When?	For how long?	Note
Householder and small developments e.g. change of use, householder developments, advertisements, listed building consents	Letter/email	Pre-application stage	n/a	Confidential if between Council officers and enquirer**
	Letter to neighbours, site/press notice if statutory requirement	After application submitted and validated	21 days for consultees to comment on proposal	Application documents can be viewed online
Minor development e.g. 1-9 homes or site area less than 0.5ha or all other uses with a floorspace less than 1000sqm or less or site area less than 1 ha.	Meeting	Pre-application stage	n/a	Confidential if between Council officers and enquirer**
	Potential to hold drop-in event or meeting	Pre-application stage	n/a	Event to discuss proposals with interested neighbours, community and amenity groups
	Letter to neighbours	After application submitted and validated	21 days for consultees to comment on proposal	Application documents can be viewed online
Major planning application e.g. 10 or more homes or site area of 0.5ha or more when dwelling number unknown, or the building/s floor space is 1000 sqm or more or the site area is 1ha or more.	Meeting	Pre-application stage	n/a	Confidential if between Council officers and enquirer**
	Publicity, exhibition or public meeting	Pre-application stage	n/a	Developer run exhibition or public meeting with neighbours, community /amenity groups and appropriate consultation bodies
	Letter to neighbours also site notice for majors	After application submitted and validated	21 days for consultees to comment on proposal	Application documents can be viewed online
Major planning application - continued	Provide verbal evidence	Planning Committee meeting in some cases	Maximum of 3 minutes to speak per person at planning committee	A maximum of four people per item may speak at Planning Committee.

*See the Governments Housing Statistics and English Housing Survey glossary for information on application classification at <https://www.gov.uk/guidance/housing-statistics-and-england-housing-survey-glossary/a-to-z> under 'District Matters'.

**The pre-application letter may be published once a planning application is submitted.

3.5 Who makes the decisions?

- 3.5.1 Once the consultation period has been completed, a report with a recommendation on the planning application is written by a planning officer. This report will take into account the relevant legislation, national policy, facts, guidance and comments raised. The final decision is then made in accordance with the Council's [scheme of delegation](#)¹⁰ either by the Planning Development Manager, Team Leaders, Principal Planners or by the Planning Committee. These may be virtual committee meetings, using methods such as video conferencing or live webcasting.
- 3.5.2 An application will be determined at planning committee where:
- the number of representations received as set out in the public speaking rules for planning committee is reached
 - large scale applications submitted by Guildford Borough Council
 - where a councillor or council employee or relation is the applicant
 - a Director asks the committee to decide the application
 - a councillor asks the committee to decide the application for identified planning reasons.
- 3.5.3 If an application is heard at Committee up to four people may speak per item for up to three minutes each. The Councillors will then debate the issues before voting for or against granting planning permission. You must let the Committee Clerk know in writing by midday on the working day before the meeting if you wish to speak. The scheme is operated on a 'first come, first served' basis. Details are set out at <http://www2.guildford.gov.uk/councilmeetings> at [Agendas](#)¹¹ are normally available five working days before Planning Committee and available to view at the Council's main reception or on the Council's website.
- 3.5.4 In some circumstances where there is an appeal, as set out in appeals section below, the final decision will be made by an independent [Planning Inspector](#)¹².

¹⁰ <https://www.guildford.gov.uk/planningdecisions>

¹¹ <https://www.guildford.gov.uk/article/19078/What-does-the-planning-committee-do->

¹² <https://www.gov.uk/government/organisations/planning-inspectorate>

3.6 Feedback

- 3.6.1 You can view all of the documents and letters received in response to a planning application [on-line¹³](#) where you can also view the planning officer's report and recommendation.
- 3.6.2 After determining an application the decision notice will be posted on the Council website at www.guildford.gov.uk/searchforaplanningapplication and will be emailed to the applicant/agent.
- 3.6.3 If an application has been refused, withdrawn or if an applicant wishes to make changes to an approved scheme then post-application discussions may be held with the applicants.
- 3.6.4 If you are concerned that building work or the use of land doesn't have planning permission you can contact the enforcement team at: <https://www.guildford.gov.uk/article/16944/Planning-enforcement-complaint-form>. The enforcement team can investigate potential breaches of planning control.

3.7 Appeals

- 3.7.1 The applicant has the right to appeal against a refused planning application, a planning condition or if the Council has not determined the application within a set timeframe. The Planning Inspectorate deals with appeals. All those people who were originally consulted or who commented on the planning application will be notified of the appeal. The Planning Inspectorate will be sent or emailed copies of all the plans, application forms and correspondence received regarding the original planning application so they will have all the relevant information before them when making a decision.
- 3.7.2 For some [householder appeals¹⁴](#) interested people will not have the opportunity to make representations about the appeal. Any representations made at the application stage will be taken into account by the Planning Inspector. For all other appeals there will be the opportunity to make further representations. For further information please visit the Planning Inspectorate website at www.planningportal.gov.uk/planning/appeals.

¹³ <https://www.guildford.gov.uk/searchforaplanningapplication>

¹⁴ <https://www.planningportal.co.uk/info/200207/appeals>

4 And finally...

4.1 Are we doing what we have said?

4.1.1 Guildford Borough Council Planning Policy is committed to involving you with good quality engagement and opportunities. We will review and update this document when practicable. If you have any comments about how we are involving you, or how our Statement of Community Involvement can be improved, please get in touch.

4.1.2 You can do this by:

- contacting us directly
- going through the Council's formal comment procedure
- comment formally as part of the planning process that we, or a developer, have not met the commitments outlined in this document.

4.2 Contact us



Write to us

Planning Policy
 Guildford Borough Council,
 Millmead House
 Guildford GU2 4BB

Planning policy team



Email us

planningpolicy@guildford.gov.uk



Call us

01483 505050

Development management team



Email us

planningenquiries@guildford.gov.uk



Call us

01483 505050

4.3 Where will the resources come from?

- 4.3.1 Community involvement has clear cost implications. The Council will aim to run all public engagement as effectively as possible. It will also try to make the most from other engagement, consultation or existing networks to avoid duplication and reduce consultation fatigue (over-consulting).
- 4.3.2 Engagement carried out on Local Plan documents, and submitted planning applications will, in most cases, be resourced and run in-house by Planning Services. Pre-application consultation will be resourced by the applicant, with the assistance of Planning Services where necessary. Planning Services may also work together with other organisations to jointly fund or support events where appropriate.

4.4 Further information

- 4.4.1 If you do not have access to the internet please let us know and we can make paper copies of relevant documents available at the Council offices.
- 4.4.2 General information about the planning system can be found on the Governments Planning Portal website at www.planningportal.co.uk. Government guidance can be viewed at www.communities.gov.uk.
- 4.4.3 Planning Aid is a service offering independent free professional advice support on town and country planning matters (e.g. Development Plan Documents and planning applications) to community groups and individuals who cannot afford to pay the fees of a consultant.

You can contact them at:

To: Planning Aid England, RTPI, 41 Botolph Lane, London EC3R 8DL

Phone: 020 7929 8338

Email: advice@planningaid.rtpi.org.uk

Website: www.planningaid.rtpi.org.uk

4.5 Glossary

Annual Monitoring Report: a yearly update report on the progress of the Local Plan and planning policies.

Community: in this document community is considered to be a group of people who have common characteristics. Communities can be defined by location (such as a street or a neighbourhood), race, ethnicity, age, occupation, a shared interest (such as cycling or local businesses) or affinity (such as religion and faith) or other common bonds.

Consultation: a more structured form of participation. A dialogue between individuals or groups, based upon a genuine exchange of views, and normally with the objective of influencing decisions, policies or programmes of action.

Development Plan Document (DPD): spatial planning documents prepared by the relevant plan-making authority. Subject to independent examination.

Engagement: actions taken to establish effective relationships with individuals or groups so that more specific interaction can then take place.

Equality impact assessment (EqIA): An EqIA helps ensure we deliver services in a fair, equitable and needs-sensitive way and do not discriminate against groups based on their age, disability, faith and belief, gender, race and sexual orientation. Council policies, procedures and service delivery may have differential impacts on certain groups, and these will be highlighted in the EqIA screening. Where likely significant adverse differential impacts are identified, consideration should be given to opportunities to reduce or mitigate this through a full equalities impact assessment.

Involvement: applies to a wide variety of interactions between decision makers, individuals and representatives or interested parties to identify issues and exchange views on a continuous basis.

Interested parties: organisations selected on the basis of their interest in the outcomes.

Local Development Documents (LDD): comprises the Development Plan Documents, Supplementary Planning Documents and Statement of Community Involvement i.e. both statutory and non- statutory documents.

Local Development Scheme (LDS): project plan for the production of Local Development Documents.

Local Plan: the Council's long-term spatial vision for an area and the primary strategic policies and proposals to deliver that vision. Defined in the Town and Country Planning (Local Planning) Regulations 2012 (page 4) as development plan documents dealing with the development and use of land, the allocation of sites, development management and site allocation policies for that area, an area of significant change or special conservation, local plan policies in relation to the area, or any other site allocations document.

Major planning application: applications for larger scale housing, retail and commercial developments. Defined as a residential development of 10 or more new homes, or if number of homes not known, a site area of 0.5 hectares or more or the building/s floor space is 1000 sqm or more or the site area is 1ha or more.

National Planning Policy Framework: issued by Central Government to guide planning policy and the determination of planning applications.

Participation: an all-round term that describes the extent and nature of activities undertaken by those who take part in public or community involvement.

Planning committee: the planning committee is responsible for making decisions on the bigger and more sensitive planning applications received by the Council. The planning committee is made up of 15 councillors who are responsible for deciding planning applications, listed building and conservation area consents. Which items are considered by the committee is decided through the Council's Scheme of Delegation.

Planning consideration: the councillors or council officers who decide your application must consider whether to grant permission subject to conditions or whether there are any good planning reasons for refusing planning permission. They are not permitted to reject a proposal simply because people oppose it. They will look at whether the proposal is consistent with the development plan for the area. The types of planning issues they can additionally consider include the effect on amenity, impact upon the appearance of surrounding areas and potential traffic problems. Personal circumstances of the applicant, moral issues or the effect the development may have on nearby property prices are not relevant to the consideration of a planning application and will not be taken into consideration by the Council.

Planning inspector/Inspectorate: The Planning Inspectorate is an executive agency of the Ministry of Housing, Communities and Local Government. It may get involved in a variety of work; for example, the processing of planning and enforcement appeals and holding inquiries into local development plans. They also deal with a wide variety of other planning-related casework including listed building consent appeals, advertisement appeals, and reporting on planning applications.

Planning performance agreement (PPA): an agreement between the Council and developer or applicant to provide a planning structure for large development discussions, assessment and decision making. It sets out a clear project management process with a project plan and critical milestones.

Policies Map: illustrates policies and proposals in the development plan documents.

Scheme of delegation: sets out the roles and areas of responsibilities carried out by officers and councillors.

Statement of Community Involvement (SCI): sets out standards for involving the community in the preparation, alteration and review of local development documents and significant development management decisions.

Statements of Representations: statement setting out who has been involved in the preparation of a DPD, how they were involved, the issues raised and how they have been taken into account (regulation 18). Also the number of representations made on the submission DPD, a summary of the issues raised and copies of those representations (regulation 22).

Statutory: required by law (statute), usually through an Act of Parliament.

Supplementary Planning Documents (SPD): these are written and published by local councils. They are non-statutory documents that expand upon policies and proposals in development plan documents and are a material consideration when determining planning applications.

Sustainability Appraisal: a sustainability appraisal considers the likely social, economic and environmental effects of policies included in development plan documents.

Abbreviations

DPD = Development Plan Document

EqIA = Equality Impact Assessment

LP = Local Plan

LDS = Local Development Scheme

PPA = Planning Performance Agreement

SCI = Statement of Community Involvement

SPD = Supplementary Planning Document

SA = Sustainability Appraisal

Appendices

Appendix A

Local Plan consultees

Appendix B

Guildford's consultation plan

Appendix A

Local Plan consultees

Specific consultation bodies

The following specific consultation bodies must be consulted in accordance with the Act and Regulation¹⁵. The Council will consult those it considers have an interest in a DPD or will be affected by an SPD. This list is not exhaustive and also relates to successor bodies where re-organisation occurs. Please note the Acts and regulations may change - see www.legislation.gov.uk for the most up-to-date information.

- The Coal Authority.
- The Environment Agency.
- The Historic Buildings and Monuments Commission for England (Historic England).
- The Marine Management Organisation (where relevant).
- Natural England.
- Network Rail Infrastructure Ltd.
- Highways England (formerly The Highways Agency).
- A relevant authority any part of whose area is in or adjoins the local planning authority's area (including Waverley BC, Surrey Heath BC, Elmbridge BC, Woking BC, Mole Valley DC, Rushmoor BC, Hampshire County Council and Surrey County Council).
- Any person to whom the electronic communications code applies by virtue of a direction given under Section 106(3) (a) of the Communication Act 2003.
- Any person who owns or controls electronic apparatus situated in any part of the local planning authorities area.
- Any of the bodies from the following list who are exercising functions in any part of the local planning authorities area:
 - Clinical Commissioning Group
 - a person whom a licence has been granted under Section 6 (1) (b) or (c) of the Electricity Act 1989 (electricity companies)

¹⁵ Regulation 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (update October 2012 No 2613) and for neighbourhood forums the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2016 Regulation 2 Part 3 (b).

- a person whom a licence has been granted under section 7(2) of the Gas Act 1986 (gas companies)
- a sewerage undertaker (i.e. Thames Water) and
- a water undertaker (i.e. Thames Water)
- Homes England.
- A neighbourhood forum any part of whose area is in, or adjoins, the local planning authority's area

Relevant authorities are defined in the act

as:

- a local planning authority
- a county council
- a parish council
- and a local policing authority.

General consultation bodies

The following general consultation bodies are defined in the Act and Regulations¹⁶:

- voluntary bodies, some or all of whose activities benefit any part of the local authority's (councils) area
- bodies which represent the interests of different racial, ethnic or national groups in the local authority's area
- bodies which represent the interests of religious groups in the local planning authority's area and
- bodies which represent the interests of disabled persons in the local planning authority's area and
- bodies which represent the interests of persons carrying on business in the local authority's area.

Did you know?

We also have a stakeholder database that includes a range of other individuals, groups and organisations who we consult when preparing Local Development Documents when we consider it appropriate.

Let us know if you'd like to be included on the database by contacting the Planning Policy team on 01483 444471 or email planningpolicy@guildford.gov.uk.

¹⁶ Town and Country Planning (Local Planning) (England) Regulations 2012

Duty to co-operate

The [Localism Act 2011](#) (Chapter 1 part 110) has updated Part 2 of the [Planning and Compulsory Purchase Act 2004](#) (local development) section 33A to require a duty to co-operate in relation to planning of sustainable development. Please refer to the legislation for full details. In summary it requires a local planning authority, a county council or a prescribed body or other person to engage constructively, actively and on an ongoing basis for the following strategic matter activities:

- a) the preparation of development plan documents
- b) the preparation of other local development documents
- c) the preparation of marine plans
- d) activities to prepare the way for, or support, the above preparations.

The engagement required includes considering whether to consult, prepare, enter into and publish agreements on joint approaches to activities outlined above, or the preparation of joint local development documents.

A prescribed body or other person is defined¹⁷ as:

- a) the Environment Agency
- b) the Historic Buildings and Monuments Commission for England (known as Historic England)
- c) Natural England
- d) the Mayor of London
- e) the Civil Aviation Authority
- f) the Homes England and Regulator of Social Housing
- g) a clinical commissioning group established under 14D of the National Health Service Act 2006 and the National Health Service Commissioning Board¹⁸.
- h) the Office of Rail Regulation
- i) Transport for London
- j) each Integrated Transport Authority

¹⁷ The Town and Country Planning (Local Planning) (England) Regulations 2012 Part 2 section 4 Duty to Co-operate

¹⁸ The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013.

- k) each highway authority
- l) the Marine Management Organisation

A body within 33A subsection 9 is a local enterprise partnership or local nature partnership as designated by the Secretary of State¹⁹.

Strategic matters are defined as sustainable development or use of land that would have a significant impact on at least two planning areas (districts) in particular for strategic infrastructure.

¹⁹ The Town and Country Planning (Local Planning) (England)(Amendment) Regulations 2012

Appendix B

Guildford's Local Development Documents Consultation Plan

When	What we must do	What we may do
Stage of preparation	Legal requirements for consultation	Additional community engagement ideas
Local Plan or Development Plan Documents		
Preparations; Discussions, consultation and drafting document	<ul style="list-style-type: none"> • Make documents and representations available on website. • Send document to the specific consultation bodies. • Inform general consultation bodies, residents, local businesses and organisations who the Council considers may have an interest in the subject of the proposed DPD. • Allow a 6-week consultation period. <p>(Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012).</p>	<ul style="list-style-type: none"> • Make documents available for inspection. • Consult with seldom heard groups and where appropriate attend meetings with community groups. • Hold workshops if appropriate • Meet with service providers to discuss service and infrastructure capacity issues. • Send letter or questionnaires and emails to everyone on the stakeholder database inviting comments. • Publish discussion or consultation papers if appropriate (including on website and in Council newsletters/About Guildford), inviting comments on them and make copies available at the Council offices and local libraries for at least 6 weeks. • Use exhibitions and road shows to publicise discussion or consultation papers where appropriate. • If appropriate, issue press release, display information on notice boards and public places (e.g. posters). • Publicise on Guildford Borough Councils Facebook page or through Twitter. • Opportunity to speak at committee¹ when final draft document considered. • Publish feedback on website.

¹ These may be virtual committee meetings, using methods such as video conferencing or live webcasting. See the legislation as set out in the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 or/and subsequent updates.

Local Plan or Development Plan Documents - Continued		
<p>Before submission of document to Secretary of State</p>	<ul style="list-style-type: none"> • Make copy of proposed submission document and statement of the representations procedure available for inspection at the Council Office² during normal office hours and publish the document on the Councils website. • Notify specific and general consultation bodies invited to make representations under regulation 18 (above) that the documents are available for inspection (give time and place). <p>(Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012).</p>	<ul style="list-style-type: none"> • Notify everyone that responded to the earlier public consultation (if contact details provided and their permission given) that the document is now available for inspection.
<p>Examination</p>	<p>At least 6 weeks before the hearing starts:</p> <ul style="list-style-type: none"> • Publish details at the Council Office³ and on the Council website of the time, date and place where the hearing is to be held and the name of the person appointed to carry out the independent examination. • Notify people who made representations (and have not withdrawn that representation) of the date, time and place of the examination and of the name of the person appointed to hold the examination (there may be the opportunity to speak). <p>(Regulation 24 of the Town and Country Planning (Local Planning) (England) Regulations 2012).</p>	<ul style="list-style-type: none"> • Publish hearing agendas on the website. • Publish the Council's and representatives' responses to the agenda on the website.
<p>Inspector's report</p>	<ul style="list-style-type: none"> • Make the inspectors report with recommendations (or Secretary of States direction) available for inspection at the Council Office⁴ and on the Council website. • Notify those people who have requested to be notified of the publication. <p>(Regulation 25 of the Town and Country Planning (Local Planning) (England) Regulations 2012).</p>	

² Unless the Council Offices are closed due to unavoidable circumstances and Government legislation does not require otherwise.

³ Unless the Council Offices are closed due to unavoidable circumstances and Government legislation does not require otherwise.

⁴ Unless the Council Offices are closed due to unavoidable circumstances and Government legislation does not require otherwise.

Local Plan or Development Plan Documents - Continued		
<p>Adoption</p>	<ul style="list-style-type: none"> • As soon as possible the Council will make the adopted documents, adoption statement and sustainability appraisal available for inspection at the Council Office⁵ and on the Council website. Send a copy of the adoption statement to anyone who requested to be notified of the adoption. • Send a copy of the adoption statement to the Secretary of State. <p>(Regulation 26 of the Town and Country Planning (Local Planning) (England) Regulations 2012).</p>	
<p>Withdrawal or revocation or direction not to adopt or modification (where requested by the Secretary of State)</p>	<ul style="list-style-type: none"> • Publish a statement of the fact available on the Council website and at the Council Office⁶. • Notify the specific consultation bodies. • Cease to make withdrawn documents available. <p>(Regulation 27, 28, 29 of the Town and Country Planning (Local Planning) (England) Regulations 2012).</p> <p>If directed not to adopt, publish the direction on our website and make available for inspection.</p>	

⁵ Unless the Council Offices are closed due to unavoidable circumstances and Government legislation does not require otherwise.

⁶ Unless the Council Offices are closed due to unavoidable circumstances and Government legislation does not require otherwise.

When	What we must do	What we may do
Stage of preparation	Legal requirements for consultation	Additional community engagement ideas
Supplementary Planning Document (SPD)		
Preparation		<ul style="list-style-type: none"> • Notify and consult relevant bodies on specific areas of the SPD where appropriate.
Public Participation ⁷	<ul style="list-style-type: none"> • SPD documents made available for inspection at the Council Office⁸ and on the website for a minimum of 4 weeks. • Any person may make representation to the Local Planning Authority about the SPD within the consultation period. • Publish a consultation statement setting out who has been consulted, a summary of the main issues raised and how those issues were considered in the SPD. <p>(Regulation 12 and 13 of the Town and Country Planning (Local Planning) (England) Regulations 2012).</p>	<ul style="list-style-type: none"> • Consult with Seldom Heard groups. • Publicise consultation document in the Council e-newspaper 'About Guildford' where appropriate. • Send letters, questionnaires or emails to appropriate groups and individuals on Stakeholder database to invite comments. • Keep those who have made representations informed of progress. • Publicise on Facebook page or Twitter. • Opportunity to speak at committee⁹ when final draft document considered.
Adoption	<ul style="list-style-type: none"> • Adopted document, adoption statement and statement of representations made available for inspection (includes on website). • Send adoption statement to any person who has asked to be notified of the adoption of the SPD. <p>(Regulation 14 of the Town and Country Planning (Local Planning) (England) Regulations 2012).</p>	

⁷ The Town and Country Plan (Local Planning) (England) Regulations 2012 Part 5 sections 12, 13, 35.

⁸ Unless the Council Offices are closed due to unavoidable circumstances and Government legislation does not require otherwise.

⁹ These may be virtual committee meetings, using methods such as video conferencing or live webcasting. See the legislation as set out in the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 or/and subsequent updates.

Supplementary Planning Document (SPD) - Continued		
<p>Withdrawal or revocation of SPD</p>	<ul style="list-style-type: none"> • Publish a statement of the fact available on the Council website and at the Council Office¹⁰. • Notify any body which made representations on the SPD that it has been withdrawn. <p>(Regulation 15 of the Town and Country Planning (Local Planning) (England) Regulations 2012).</p>	
<p>Direction not to adopt or modification (where requested by the Secretary of State)</p>	<ul style="list-style-type: none"> • Publish a copy of the direction and the SPD available on the Council website and at the Council Office¹¹. • When adopting a SPD the Council must make available at their office¹² and on the website the SPD and statement that the Secretary of State has withdrawn the direction, or a copy of the Secretary of States notice that the authority has complied with the direction. <p>(Regulation 16 of the Town and Country Planning (Local Planning) (England) Regulations 2012).</p>	

Annual Monitoring Report, Local Development Scheme ¹³ (LDS) and Statement of Community Involvement (SCI)		
	<ul style="list-style-type: none"> • No legal requirement to consult. 	<ul style="list-style-type: none"> • Publish the document on the Councils website. • Make paper copies available at Guildford borough Council Office.

¹⁰ Unless the Council Offices are closed due to unavoidable circumstances and Government legislation does not require otherwise.

¹¹ Unless the Council Offices are closed due to unavoidable circumstances and Government legislation does not require otherwise.

¹² Unless the Council Offices are closed due to unavoidable circumstances and Government legislation does not require otherwise.

¹³ The Local Development Scheme is not classed as a Local Development Document, but it is included in this table for information.