

**Minerals and Waste Development Framework
Statement of Community Involvement: Second Revision**

Report of the Chief Planner

Please note that the following recommendation is subject to consideration and determination by the Committee before taking effect.

Recommendation: It is recommended that the Committee note and endorse the Second Revision of the Statement of Community Involvement attached as Appendix I for publication on 26 March 2018.

1. Summary

- 1.1 This report seeks endorsement of the second revision of the Council's Statement of Community Involvement.

2. Background

- 2.1 Members are aware that the County Council prepares Mineral and Waste Plans for the parts of Devon outside of the National Parks and the unitary Authorities of Plymouth and Torbay. As part of this process the Council is required to prepare and maintain a Statement of Community Involvement that sets out how the Council will engage with local communities and individuals in the preparation of its policy documents and determination of planning applications. The Council's original Statement of Community Involvement was published in 2007 and subsequently revised in 2013.

3. Second Revision of the Statement of Community Involvement

- 3.1 Recent changes to the regulations governing preparation of Local Plans and associated documents requires that a Statement of Community Involvement is reviewed at least every five years, and that it should now include a Council's approach to providing guidance on neighbourhood planning.
- 3.2 The proposed Second Revision is attached as Appendix I, and has been updated to reflect the requirement for neighbourhood planning guidance and to update changes to organisations, website addresses and other minor alterations. In preparing this revised version, the Council is also meeting the new obligation for five-yearly review of the Statement.

4. Reasons for Recommendation/Alternative Options Considered

- 4.1 The maintenance of a Statement of Community Involvement is a statutory requirement, and the Council is obliged to undertake a review at least every five years. There is thus no alternative to the proposed revision.

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Electoral Divisions: All

Local Government Act 1972: List of Background Papers

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Background Paper	Date	File Ref.
None		

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sc/cr/Minerals and Waste Development Framework Statement of Community Involvement Second Revision

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Devon County Minerals and Waste Development Framework

Statement of Community Involvement – Second Revision

1. Introduction

1.1 Background

- 1.1.1 As a Local Authority, Devon County Council is accountable to the people of Devon and other stakeholders, and has a responsibility to be open, honest and transparent, to engage and involve citizens and communities in decision-making, and to keep the community well-informed of its activities. This Statement of Community Involvement [SCI] explains how the County Council applies these principles to its preparation of planning policy and determination of planning applications.

1.2 The planning system

- 1.2.1 The Planning and Compulsory Purchase Act 2004 requires a Planning Authority to prepare a SCI in order to demonstrate how it will involve interested persons in the production of relevant policies and the determination of planning applications. Subsequent legislation requires the SCI to include an Authority's policies for providing guidance on neighbourhood planning.
- 1.2.2 The National Planning Policy Framework [NPPF] was published in March 2012 and sets out the Government's planning policies for England and how these should be applied. The NPPF must be taken into account in the preparation of Local and Neighbourhood Plans, Minerals and Waste Plans and is a material consideration in planning application decisions.
- 1.2.3 At the heart of the NPPF is a presumption in favour of sustainable development which encourages a culture in which development plays a key role in meeting the needs of the area.
- 1.2.4 The Duty to Cooperate, another key strand, requires public bodies to cooperate on planning issues that cross administrative boundaries. This is also outlined in the 2011 Localism Act which gives more detail on which bodies need to be cooperated with.

1.3 The role of Devon County Council as a Planning Authority

- 1.3.1 Devon County Council is the Minerals and Waste Planning Authority for Devon. In this role, the Council is responsible for:
- producing plans to guide mineral and waste development;
 - determining planning applications relating to minerals and waste developments;
 - determining its own planning applications which include development at schools, recycling centres and some schemes carried out as Highway Authority;
 - providing a strategic consultation response when required to the eight District Councils in Devon; and
 - providing comment on emerging policy, including District Council and neighbouring authorities' planning policy documents and appropriate Government consultation papers.

- 1.3.2 Devon County Council does not determine minerals or waste applications for proposals at locations within the National Parks of Dartmoor or Exmoor. However, the County Council has a strong relationship with each of the National Park Authorities and would be consulted on relevant applications that may affect land outside the National Parks.

1.4 Why is it important to involve communities in the planning process?

- 1.4.1 Involvement is important not only to inform individuals and stakeholders of the planning process but also to allow them to inform it, resulting in better plans and application decisions. Effective community involvement also has other benefits including:

- creating greater ‘public ownership’ of planning and sense of local democracy;
- allowing individuals and bodies to contribute to the community;
- informing the County Council of local priorities;
- increasing the communication and trust between the County Council and the people of Devon; and
- giving a better understanding of the way in which Devon County Council works for Devon’s future.

1.5 Aims of community involvement

- 1.5.1 The Council will seek early and continuous community and stakeholder involvement in the planning process which will include:

- informing and updating communities on the progress of the Minerals and Waste Plans and Sustainability Appraisals that are being produced alongside;
- informing the determination of planning applications;
- maintaining a meaningful two-way dialogue, including feedback so participants know that they are being listened to and their views are informing the planning process; and
- promoting engagement and understanding that comments and proposals are welcome.

1.6 Who will be involved?

- 1.6.1 The “community” comprises every individual or group living in Devon and potentially anyone living close to the County boundary, together with people who work or undertake activities in Devon but live elsewhere. Involvement will also be vital with individuals who have an interest in minerals and waste issues in Devon and other groups who may have an associated interest. This “community” has important local knowledge which can be invaluable in determining an appropriate strategy for planning.

- 1.6.2 The community and stakeholders will be encouraged to engage with, and be involved in, the planning process. In particular, this SCI directs attention to the following groups:

- individuals;
- lower tier authorities;
- other upper tier authorities including National Park Authorities;
- statutory bodies (e.g. Environment Agency, Natural England, Historic England, Highways England and Network Rail);
- parish/town councils;
- interest groups (e.g. CPRE, Devon Wildlife Trust);
- businesses (including the minerals and waste operators);
- developers, agents and landowners;
- residents’ associations and action groups;

- hard to reach groups;
- Local Enterprise Partnership; and
- Local Nature Partnership.

1.7 Engaging Devon

- 1.7.1 In addition to the SCI, Devon County Council has published 'Engaging Devon'. The purpose of this document is to explain how Devon County Council as a whole will engage across all of its activities to ensure that opportunities exist for partners to become involved in the development of services. The Engaging Devon Strategy can be found at:

new.devon.gov.uk/getinvolved/

1.8 Neighbourhood Planning

- 1.8.1 Devon's town and parish councils (and, within Exeter, other community organisations) have the power to undertake neighbourhood planning through the preparation of a Neighbourhood Plan and/or Neighbourhood Development Orders.
- 1.8.2 Devon County Council's role in neighbourhood planning is a supporting one in providing information on the infrastructure and service implications of proposed development, including implications for education, social care, public health, highways and other transport infrastructure, libraries and waste management. In addition, in its role as the minerals and waste planning authority, the County Council will need to consider the implications of development proposed in a Neighbourhood Plan or Neighbourhood Development Order on Devon's minerals and waste facilities.
- 1.8.3 To assist neighbourhood planning authorities, Devon County Council has published 'Neighbourhood Planning in Devon' to explain its responsibilities and the contribution that it can make to Neighbourhood Plans. This is available at:

<https://new.devon.gov.uk/planning/planning-policies/neighbourhood-planning>

2. Involvement in Devon County Council Plan-making

2.1 Background

- 2.1.1 Involvement of the public and stakeholders will be undertaken to inform the plan-preparation work undertaken by Devon County Council. This forms a vital element of the Authority's planning responsibilities. The County Council will also involve the community when determining planning applications.

2.2 Which Plans will be consulted on?

The Devon Waste Plan

- 2.2.1 As a Waste Planning Authority Devon County Council is responsible for setting out waste planning policy which is used to determine planning applications for waste management developments. The Devon Waste Plan was adopted in December 2014 and establishes the overarching principles and policy direction for waste planning in Devon while also identifying potential strategic sites for energy recovery within the County.

The Devon Minerals Plan

- 2.2.2 Devon County Council is also a Mineral Planning Authority and therefore is required to set minerals planning policy which will be used to determine planning applications for minerals developments. The Devon Minerals Plan was adopted in February 2017 and contains the Council's vision and objectives for minerals planning and provide the policy framework and site proposals to maintain the supply of minerals whilst limiting any significant impacts.
- 2.2.3 The County Council is obliged to review its Minerals and Waste Plans every five years, or sooner if warranted by changing circumstances that may be identified through its annual monitoring programme. The principles for community involvement in the SCI will apply to all future reviews of these Plans.

Other supporting documents

- 2.2.4 To support the development of the Minerals and Waste Plans, Devon County Council also produces Habitats Regulation Assessments (HRA), Strategic Flood Risk Assessments (SFRA) and Sustainability Appraisals (SA). Each of these documents is produced to assess the likely impacts of the Minerals and Waste Plans as part of the plan evidence-base. These documents are made available to the community as part of the plan-preparation process.

Habitats Regulation Assessment

- 2.2.5 Habitats Regulation Assessment [HRA] is undertaken to develop a sound evidence base and assessment of the likely impacts of the Minerals and Waste Plans. The HRA therefore informs the development of policies and site allocations within both of these documents.

Strategic Flood Risk Assessment

- 2.2.6 Strategic Flood Risk Assessments are undertaken for both the Minerals and Waste Plans. These documents identify relevant policies and strategies along with baseline information on flood risk in Devon informing the development of policies and site allocations.

Sustainability Appraisal

- 2.2.7 The purpose of sustainability appraisal [SA] is to promote more sustainable development by ensuring long-term environmental, social and economic issues are considered in an integrated way in plan-making. As Devon County Council prepares the Minerals and Waste Plans, the sustainability of their visions, objectives, policies and potential site allocations is examined alongside alternative options and developments with potential cumulative impacts.
- 2.2.8 SA must incorporate the legal requirements of the European Union's Strategic Environmental Assessment (SEA) Directive. Public consultation will be undertaken in accordance with the Directive's requirements which state that the draft plan or programme and the environmental report shall be made available to relevant organisations and the public. This will allow an effective opportunity to express opinions on plans and accompanying environmental reports such as SA documents. This takes place at the same time as the consultation on the pre-submission versions of the Minerals and Waste Plans.

2.3 When will involvement happen?

- 2.3.1 Involvement and consultation will be sought during various stages of the plan-making process for the Minerals and Waste Plans. This may start at the formative stages of plan-making to ensure early engagement but will also include the statutory stage. In some circumstances, it may be deemed appropriate to run a consultation that is not a statutory requirement but would assist in the plan making process or seek to address a local concern. Such processes will be advertised accordingly as and when appropriate. It is also vital to engage with the community when putting together the evidence base for the minerals and waste policy documents. Such engagement will occur as part of more formal consultations on the policy documents themselves.

2.4 Methods of Community Involvement

- 2.4.1 Table 1 outlines the suite of methods that Devon County Council may use to engage and involve communities and stakeholders in the plan-making process. The specifics of which methods will be used will be flexible to ensure that the process remains responsive.

Method of involvement	How it works
Correspondence with statutory and other bodies	Emails or letters will be sent to a list of specific statutory and other bodies informing them of consultation periods.
Documents made available to view at Local Authority offices and Devon libraries	The relevant documents will be made available to view and information on how to comment will be provided.
Website	Key documents and information will be placed on the Devon County Council website.
Email/Online discussion forums/social media	This method of communication will be used and developed if practical.
Leaflets and brochures	These are used to publicise and inform the community of the proposed documents or planning applications, and can be used to inform the public about further opportunities to get involved.
Newsletters	Newsletters will be published at regular intervals to keep the public and stakeholders up-to-date with progress on planning documents, including forthcoming events and consultations.
Articles in local publications	Articles will be prepared for inclusion in relevant newspapers and other local publications.
Questionnaires/community surveys	Questionnaires have been identified as a preferred method of planning consultation by many groups and individuals in Devon.
Public exhibitions/displays/roadshows/posters	A resource-intensive activity that involves face to face meetings with communities to discuss plans and proposals.
Local Press, TV and radio	Local media is used for statutory notices concerning plan preparation and for advertising planning applications along with press releases.
Stakeholder events	An event bringing together key stakeholders to discuss key issues.
One-to-one meetings with selected stakeholders	Meetings with key stakeholders to discuss specific issues.
Public meetings/area, town and village and parish meetings	Open and inclusive robust debate in which key issues can be discussed.

Liaison group meetings	Larger ongoing development sites have established Local Liaison Groups, who are vital to engage in discussions and decisions for future operation.
Focus groups (selected groups of participants with particular characteristics) or citizen panels (randomly selected participants)	Area-based discussions and presentation of options that can help authorities gain more understanding of public concerns.
Distribution lists	Distribution lists will be utilised to inform interested groups either by email or letter.
Correspondence with specific individuals	Correspondence with specific individuals likely to be affected by plans or applications and who have responded to previous related consultations.

Table 1 – Methods of involvement in plan-making

2.5 How will consultation responses be used?

- 2.5.1 The comments and results acquired from consultations will be used to influence subsequent drafts of the relevant plan or policy. Further versions of the policies and plans will be subsequently available for further comment and engagement. Consultation comments will be published and reported as the Plans develop.

3. Planning Applications (Development Management)

3.1 Background

- 3.1.1 In addition to the preparation of planning policy documents, the County Council is responsible for determining relevant planning applications. These include applications for minerals and waste management developments and the County Council's own (Regulation 3) developments, for example, schools.

- 3.1.2 The County Council has published a range of guidance for applicants and other interested parties on how the County Council deals with the planning applications it receives, and this can be viewed on the County Council website at:

<https://new.devon.gov.uk/planning/>

- 3.1.3 The County Council considers it important to consult those people and organisations that it deems to be affected by any planning applications that it receives. Each planning application submitted will progress through a number of stages, with some also receiving pre-application advice. The general process for determining planning applications is included below:

- pre-application discussions (wherever possible and practical);
- submission of a planning application;
- consultation, publicity and making comments on an application;
- negotiation of potential amendments to a scheme where appropriate;
- determining whether the application should be approved or refused, and if permission is given, what conditions should be imposed on the development; and
- making the results of decisions available.

- 3.1.4 The extent to which the public will be directly involved varies with each stage and is described in the following sections.

3.2 Pre-application discussions

- 3.2.1 The County Council encourages developers to discuss their proposals with the Planning Authority at an early stage before formal submission. Developers proposing large or significant developments will be actively encouraged to undertake early community consultation. This will ensure that the community have an opportunity to inform the nature of proposals at an early stage.

3.3 Consultation and publicity on receipt of a planning application

- 3.3.1 The County Council is required by planning legislation to publicise applications and notify specific bodies and organisations of applications it receives. In addition to the statutory consultees the Council will also consult local residents, businesses and local interest groups where it considers this to be appropriate.

- 3.3.2 The County Council will hold a minimum of 21 days' consultation for any application during which time comments are welcomed. For all applications the County Council will:

- display site notices at, or near to, the planning application site in positions that are visible to anyone passing by;
- consult the relevant District Council, Parish/Town Council and the locally elected Member; and
- publish the details of the application on the County Council's website at <https://new.devon.gov.uk/planning/>.

- 3.3.3 The County Council may also when appropriate:

- give notice (if considered necessary or expedient) of the application in a newspaper circulating in the area of the planning application;
- consult neighbours by letter (where any property shares a common boundary or lies opposite the planning application site or is close to the site, or where it is deemed that the enjoyment of a nearby property could be affected);
- consult other statutory undertakers such as the Environment Agency, Highways England, Natural England or Historic England; and
- consult relevant County Council officers, along with other Local Authorities, both upper and lower tier.

- 3.3.4 Following initial consultation, applicants may decide, or be asked, to amend their original proposals, or to submit further information. Any material amendments will require further consultation.

3.4 Availability of planning application documents

- 3.4.1 Planning applications (including application forms, plans and supporting documents) are made available on the Council's website at <https://new.devon.gov.uk/planning/>.

- 3.4.2 Copies of planning application documents are available for inspection from the Development Management Team at Devon County Council, Lucombe House, County Hall, Topsham Road, Exeter, EX2 4QD. Some copies will also be available for inspection at the relevant District Council.

- 3.4.3 The County Council may, if it considers it appropriate to do so, stage public exhibitions, issue press releases or arrange public meetings to provide information about major developments or proposals which are particularly significant or have wide-spread effects on communities.

3.5 Development Management Committee

- 3.5.1 The Development Management Committee delivers the functions of the Council as the County Planning Authority. Some applications are straightforward and can be determined by a Planning Officer on behalf of the Committee under delegated powers. However, in some circumstances applications are not straightforward and therefore will be referred to the Committee for determination. The County Council welcomes public attendance at Committee meetings and individuals have an opportunity to request to speak at Committee. Reports are available before the meeting and minutes afterwards on the Council's website. The meeting is also available to watch live or later via an online webcast, which can be accessed via the County Council website.

3.6 Notification of decisions

- 3.6.1 Once a decision has been made on an application, the decision notice will be posted on the planning webpages. If it is a case that has been considered by the Development Management Committee, it can be found either by contacting the Development Management team the day after the Committee meeting, or by viewing the minutes of the meeting which will be published on the County Council website within three to five working days.

4. Monitoring Report

- 4.1.1 A Monitoring Report is produced to assess the progress that the Planning Authority is making on preparing plans and achieving the objectives set out in its policies. The Localism Act 2011 made changes to the way in which the Monitoring Report is produced and consulted on. The report will now be produced at least annually and will be made publicly available for comment. All monitoring reports can be found via the link below:

<https://new.devon.gov.uk/planning/planning-policies/minerals-and-waste-policy>

5. Further Help

5.1 Planning Aid

- 5.1.1 Planning Aid England supports communities and individuals by offering advice on a wide variety of planning related queries.

- 5.1.2 More information is available at:

www.rtpi.org.uk/planning-aid/

5.2 Planning Advisory Service

- 5.2.1 The Planning Advisory service is a good source of information on planning related topics in particular planning reforms.

- 5.2.2 More information is available at:

<https://local.gov.uk/pas>

5.3 Planning Portal

5.3.1 The Planning Portal is the Government's online planning and building regulations resource for England and Wales.

5.3.2 More information is available at:

<https://www.planningportal.co.uk/>

6. Contact Information

The Planning Department at Devon County Council can be contacted using the details below.

By post:

Planning, Transportation and Environment Group
Devon County Council
Lucombe House
County Hall
Topsham Road
Exeter
EX2 4QD

For Waste Plan related queries

E-mail: wasteplanning@devon.gov.uk
Telephone: 0845 155 1010
For general information: [Devon Waste Plan](#)

For Minerals Plan related queries

E-mail: mineralsplanning@devon.gov.uk
Telephone: 0845155 1010
For general information: [Devon Minerals Plan](#)

If you would like to be kept up to date with the progress of the Minerals and Waste Plans and notified of future consultation events, please contact us using the details above.

For Development Management (planning applications) related queries:

E-mail: planning@devon.gov.uk
Telephone: 0845 155 1015
For more information: <https://new.devon.gov.uk/planning/>