

# Malvern Hills District Statement of Community Involvement

*How the Council intends to consult the community on the preparation of local development documents and planning applications*

September 2014



## Malvern Hills District Council



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## 1 Introduction

### What is the Statement of Community Involvement (SCI)?

- 1.1 This Statement of Community Involvement explains what Malvern Hills District Council will do to involve the community and other stakeholders in the preparation and revision of local development documents (including the Local Plan) and how the community will be consulted on planning applications. It was adopted by Council on 30<sup>th</sup> September 2014.
- 1.2 Planning shapes the places where people live and work, so it is right that people should be able to take an active part from the beginning of the process, identifying issues and debating options from the earliest stages. By involving the whole community in the planning process we can ensure that we create a strategy for development of the area that meets the aspirations of the widest possible range of people, communities, organisations and businesses.
- 1.3 The SCI provides a framework for future consultation and community engagement but it is intended to be a flexible approach to all future consultation. Certain requirements for consultation on plan-making and planning applications are set out in legislation. The SCI seeks to address and expand upon these provisions where appropriate and within the available resources.
- 1.4 It is important to note that whilst the Council will always consider any relevant comments in respect of the development of a policy document or a planning application, it will not always be possible or appropriate to decide the matter in accordance with the comments(s) received. There may be other material considerations, such as requirements of legislation, or national or local policies to which the Council must adhere.

### What is the status of the SCI?

- 1.5 Producing the SCI is a legal requirement set out in Section 18 of the [Planning and Compulsory Purchase Act 2004](#), and once finalised, its provisions in relating to plan-making become binding.

### Consultation on the SCI Review

- 1.6 The revision and adoption of the SCI has followed an informal process including a seven-week consultation period in which comments about the revised SCI were invited by anyone with an interest in the document. The Council has registered and acknowledged all representations received and then carefully considered the nature of the comments in preparing this final document for adoption by the Council's Planning Committee. There is no requirement for SCIs to be independently examined.
- 1.7 The Council has sought views on the content of this document. Consultation took place between 15<sup>th</sup> November 2013 and 3<sup>rd</sup> January 2014.

## **Relationship to other Council Communication and Consultation Strategies**

- 1.8 Local authorities need to have regard to the Public Sector Equalities Duty, as referred to in the Equalities Act 2010, in respect of engaging with people with 'protective characteristics'. Ensuring the SCI is up to date will ensure that Planning Services has due regard to this statutory duty in terms of public consultation on emerging planning documents and applications.
- 1.9 The SCI follows the principles of the [Council's Single Equality Scheme 2010-13](#), which sets out the Council's commitment to equality, making services responsive and increasing participation. This will mean taking steps to ensure that appropriate consideration is given to the views of 'hard to reach' groups who do not take part in consultation through choice, circumstances or lack of opportunity. Traditionally, the communities of these hard to reach groups have been based around age, disability, gender, sexual orientation, faith/belief and ethnicity. However, these six communities are not the only ones to benefit from this scheme; instead this scheme is intended to remove discrimination and harassment and improve access to services for all within the district.
- 1.10 The SCI also has regard to the Council's Communications Strategy 2009-2012 (*'Connecting with our communities and our people'*) and the South Worcestershire Joint Customer Service Strategy (2013-2017), which establish an overall framework within which the SCI will operate.
- 1.11 The Council must comply with both the Data Protection Act 1998, which protects the privacy of personal data, and the Freedom of Information Act 2000, which is concerned with the openness of public information. The challenge for local authorities is to comply with both Acts, which will require careful handling of requests for information and consultation responses. Details of the Council's policies under both Acts can be inspected on the Council's website. Moreover, the Council's Publication Scheme provides details of planning documents which can be readily inspected by the community.

## 2 The profile of the community & meeting the challenges presented

- 2.1 Malvern Hills district is the second largest in Worcestershire, covering an area of 57,707 hectares. It broadly lies to the west of Worcester, the north of Tewkesbury and the south of Stourport. The district is mainly rural with a significant area designated as an Area of Outstanding Natural Beauty. The population of the district at the 2011 Census was about 74,600 people, which remains relatively stable.
- 2.2 Any meaningful and practical programme of community engagement must have regard to the physical characteristics of the district and the dispersed nature of its settlements and communities. This dispersed settlement pattern means that there is a population density of 1.3 persons per hectare. From the northern boundary of the district to its southern boundary it is nearly 45km and east to west the district extends over 35km. Communication routes do not easily connect north to south through the district and drive times between Upton in the south and Tenbury in the north-west can take about an hour.
- 2.3 Within the rural areas there are 69 individual parishes and so the parish councils provide an important point of contact with local communities. The use of customer service centres in Tenbury Wells and Upton-upon Severn, together with greater use of electronic communication, provides increased options for contact across the rural areas. The Council is also represented on [SPARSE](#), which is a national representative group of local authorities seeking to address problems associated with having low density and widely dispersed rural populations.
- 2.4 The district's principal local towns are Malvern, Upton and Tenbury. At the 2011 Census the population of Malvern was 34,207 (including Malvern Wells), which is approaching about half of the overall population of the District.
- 2.5 The district population is ageing and the results of the 2011 Census indicate that the age structure of Malvern Hills is older than that of Worcestershire as a whole, with 24.1% of the population being over 65 compared to the national average of about 16%. Overall, the physical and social nature of the district gives rise to the following issues for effective consultation.
- The dispersed nature of the population, many of whom live away from the main administrative centre of Malvern.
  - The need to consider developing and using different consultation mechanisms in urban and rural locations, tailored to meet specific needs and opportunities.
  - To consider the widest range of possible consultation mechanisms to deliver a meaningful response.
  - Where appropriate and possible, offer decision makers options with respect to consultation measures to be undertaken, identifying the potential resource implications for each option.
  - How to consult and involve a population that is relatively elderly, but with above average education and training.
  - How to consult the relatively small numbers of ethnic residents, where English may not be understood.
  - How to consult with the socially excluded, including those people whose health or disability does not enable them to use traditional methods of involvement.
  - How to engage young people in the consultation process and ensure that responses are balanced by input from young people.

- How to work proactively with the large number of parish and town councils in the district and with resident and special interest groups, particularly given that they do not necessarily meet frequently or on a consistent basis.

# Plan-making

## **3 Plan-making**

### **3.1 Introduction**

- 3.1.1 This section of the SCI sets out how formal planning policy documents are prepared by the Council and how the Council will involve people in the preparation of these documents at each of the main preparation stages. Minimum legal requirements for consultation are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012, which will simply be referred to as ‘the 2012 Regulations’. The Council will exceed these requirements where it considers this would improve engagement and where resources allow.

### **3.2 The fundamentals of plan-making**

#### **What are Local Development Documents?**

- 3.2.1 Local Development Documents (LDDs) is the collective term used to describe the Statement of Community Involvement, Development Plan Documents (such as the South Worcestershire Development Plan) and Supplementary Planning Documents.

#### **National policy and the duty to co-operate**

- 3.2.2 The National Planning Policy Framework sets out the Government’s vision for the planning system, and together with the Planning Policy for Traveller Sites, sets out the key national planning policies that development plan documents must be consistent with. The Framework stresses the importance of a plan-led system and reiterates the role of early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses to produce a plan that reflects the vision and aspirations of local communities.
- 3.2.3 The Localism Act (2011) abolished regional planning and paved the way for the revocation of the last remaining county-level structure plan policies. It introduced a ‘duty to co-operate’ which requires planning authorities and other ‘prescribed’ public bodies to actively engage on cross boundary strategic matters. For example, housing development, transport and flood risk can have impacts that cross administrative boundaries. The Council will continue to explore appropriate approaches to addressing such issues jointly with neighbouring councils and public bodies to ensure that strategic priorities are reflected in the Local Plan. These duties are in addition to the basic legal requirements for consultation when plan-making.

#### **Local Development Scheme (LDS)**

- 3.2.4 The Local Development Scheme sets out the Council’s plan making intentions over a 3-year period and can be viewed on the [Council's website](#). The current LDS has been prepared in cooperation with the other South Worcestershire authorities (Worcester City Council and Wychavon District Council). The LDS also identifies and programmes the Council’s intentions regarding the production and adoption of this Statement of Community Involvement.



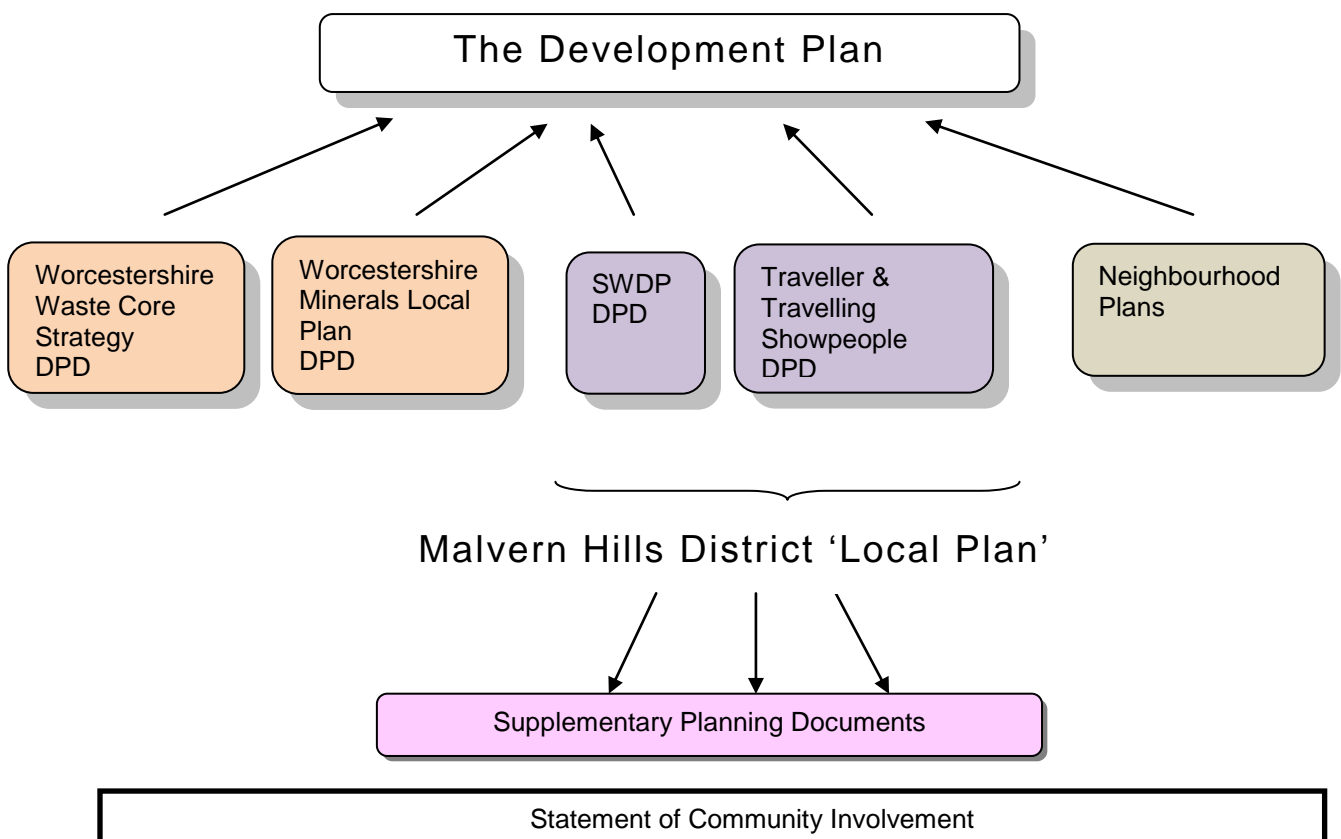
## Development Plan Documents (DPDs)

- 3.2.5 Development Plan Documents are formal plans which, together with any minerals and waste plans at county level, make up the ‘development plan’ in accordance with which planning applications should be determined unless material considerations indicate otherwise. The term ‘Local Plan’ is used to describe the DPDs produced by an individual Council.
- 3.2.6 The South Worcestershire Development Plan (SWDP) is a development plan document which, together with the proposed Traveller and Travelling Showpeople Site Allocations DPD, will make up the new Local Plan for the Malvern Hills district. The draft joint SWDP has been submitted for independent Examination and Phase 1 of the Examination Hearing Sessions took place in early October 2013 and January 2014..

## Supplementary Planning Documents (SPDs)

- 3.2.7 Supplementary Planning Documents do not form part of the development plan but provide more detailed guidance on the implementation of policies in Local Plans, for instance in relation to the development of specific sites or on particular issues such as design. SPDs can be a material consideration in planning decisions. The Council is currently jointly progressing a number of SPDs with Worcester City Council and Wychavon District Council on topics such as affordable housing, planning obligations and renewable energy. A list of these documents and a timetable for their production is set out in the LDS.

**Figure 1. The Developmental Plan Diagram**




## **Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA)**

- 3.2.8 All DPDs must be subject to a Sustainability Appraisal and most DPDs and some SPDs to a Strategic Environmental Assessment, the latter normally being incorporated into the former in the form of a combined 'Sustainability Report'. The Scoping Report, which sets out the methodology for the appraisals, will be updated as necessary and be the subject of consultation with relevant stakeholders each time a DPD is prepared to ensure that it provides for an up-to-date and appropriate appraisal of the document in question. The Sustainability Reports will be published alongside the relevant DPD.
- 3.2.9 The Sustainability Appraisal seeks to assess the environmental, social and economic effects of the implementation of the policies contained in the documents or the effects of not having these policies.

### 3.3 Preparing Development Plan Documents (The Local Plan)

**Figure 2. Process for producing a Local Plan**

	Stage	Process and Requirements
	1. Pre-production	<ul style="list-style-type: none"> <li>Collect evidence and establish wider policy framework</li> </ul>
<b>INFORM</b> 	2. Involvement Informal and early engagement	<ul style="list-style-type: none"> <li>Informal consultations may be carried out and the nature/extent of these will be determined by the specific requirements of evidence gathering or subject matter</li> <li>Consider issues and alternatives</li> <li>Consult on the Scope of the SA/SEA</li> </ul>
	3. Consultation Preferred Options	<ul style="list-style-type: none"> <li>Prepare 'preferred options' draft document</li> <li>Consult over six week period in line with Regulation 18</li> <li>Council to consider the comments made*</li> </ul>
	4. Publication Publication of Proposed Submission Document and SEA/SA Report for final representations	<ul style="list-style-type: none"> <li>Statutory stage where a minimum of 6 weeks is provided to make 'representations' on the plan, its sustainability appraisal and supporting evidence (Regulations 19 and 20)</li> <li>These 'representations' will be considered by the Inspector at the Examination</li> </ul>
	5. Examination Submission of Plan for Independent Examination	<ul style="list-style-type: none"> <li>Main issues raised in the representations at Regulation 19/20 summarised and made publicly available</li> <li>Plan submitted to Secretary of State for independent examination in line with Regulation 22</li> <li>Independent Examination (notice given 6 weeks in advance to people who have requested to appear - Regulation 24)</li> <li>Examination likely to involve public Hearing Sessions</li> <li>Planning Inspector issues Report</li> </ul>
	6. Main Modifications	<ul style="list-style-type: none"> <li>Optional Stage - where the Council agrees, the Inspector can propose changes or 'main modifications' to the plan (including to add 'omission sites', i.e. additional sites put forward by objectors to the DPD) to avoid it being found 'unsound'</li> <li>Inspector considers representations on main modifications</li> <li>The hearings may be re-opened</li> </ul>
	7. Adoption	<ul style="list-style-type: none"> <li>Plan adopted by the Council if agreed as 'sound' by Inspector (Regulation 26)</li> </ul>
	8. Monitor & Review	<ul style="list-style-type: none"> <li>Monitor Plan to make sure it is achieving its aims</li> <li>Plan may be reviewed where necessary</li> </ul>

\* It is important to note that any comments made at this stage will not be carried forward to the Independent Examination. If anyone is not satisfied that their comments have been taken on board, they must comment again on the Proposed Submission Document in order to have their comments considered by the Inspector.

## **The Preparation Stages in more detail**

### **Stage 1. Pre-production**

- 3.3.1 This is the evidence gathering stage where the Council will collect the relevant social, economic and environmental data and establish the national policy framework. There may be informal meetings and discussions with consultees and identified stakeholders at this stage to consider any specific issues arising during the evidence gathering process.

### **Stage 2. The Informal Consultation Stage**

- 3.3.2 At this stage consultation will be informal, and will vary depending on the nature of the document. This will normally involve informal meetings to discuss issues and options with relevant groups and public sector bodies. The aim of this stage is the 'front loading' of community involvement and stakeholders are encouraged to put forward their ideas at the early stages and thus participate in developing the document. An issues and options document, papers or leaflets may be produced for wider public engagement.
- 3.3.3 At this stage, any previous relevant consultation exercises and the comments received in respect of these will also be taken into consideration in the development of a Preferred Options Draft document.

### **Stage 3. Consultation on a Preferred Options Draft**

- 3.3.4 This stage will be a more formal six week consultation period on a Preferred Options Draft document. The availability of the document will be advertised and there may be a display or exhibition prepared. Notifications will be sent to relevant consultees and all others who have requested to be notified will be advised of its availability. Meetings may be arranged during this period to discuss the Preferred Options Draft.
- 3.3.5 At this stage there will also be consultation on a Scoping Report for the Sustainability Appraisal and Strategic Environmental Assessment, if this has not already occurred at an earlier stage.
- 3.3.6 The Council will consider all the comments received in response to this public consultation and amend the document in the light of these, as appropriate. It is important to note that any comments made at this stage, or the earlier stages, will **not** be carried forward to the Independent Examination. If anyone is not satisfied that their comments have been taken on board, they must comment again at the Publication stage set out below in order to have their comments considered by the Inspector.

### **Stage 4. Publication of Proposed Submission Document**

- 3.3.7 The amended DPD, now called the 'Proposed Submission Document', will be published and there will be a formal six week period during which final representations can be made. The Sustainability Report and a Consultation Statement, which summarises the consultation that has been undertaken in connection with the preparation of the DPD to date, will be published alongside the DPD.

- 3.3.8 Following this period, the Council will submit the Proposed Submission Document together with all the other relevant reports, the representations received and a Statement of Representations to the Secretary of State.

### **Stage 5. Examination**

- 3.3.9 All representations will be considered by the Independent Inspector appointed by the Secretary of State, who will conduct an Examination into the 'soundness' of the DPD (see the Planning Inspectorate's guide to Examinations). The Inspector will consider most comments by way of written submissions and these will carry equal weight as appearances in person at an oral 'Hearing'. The Hearing can be in the form of a round table discussion, an Informal Hearing or a Public Inquiry.
- 3.3.10 There will normally be a Pre-Hearing Meeting (PHM) at which the Inspector will agree with all those who have made representations how their views will be considered. On occasion, there may also be an Exploratory Meeting which is called by the Inspector prior to the PHM to address or clarify any outstanding issues and explore how best to proceed with the Examination.

### **Stage 6. Main Modifications**

- 3.3.11 During the Examination, the Inspector may ask the Council to allow him/her to propose changes, known as 'main modifications', to address issues of soundness or legal compliance. The Council will normally consult on any such main modifications for a time period agreed with the Inspector. Any further representations received would then be considered by the Inspector who may reopen the Hearing sessions if he/she thinks this is necessary. Minor changes, such as typographical corrections, factual updates or other changes which taken together do not 'materially' affect the policies of the Plan, do not require further consultation.


### **Stage 7. Adoption**

- 3.3.12 Following the Examination, the Council will receive an Inspector's report. Should the Council wish to adopt the Plan they must follow the Inspector's recommendations and if any main modifications are proposed, amend the Plan accordingly. There is a short period during which the Council can seek to clarify factual matters. Following consideration of the Inspector's report by the full Council, the final Plan can be adopted. There will then be a six-week period for the submission of any legal challenge to its adoption. The Council must publish the Plan, Adoption Statement, SA Report and details of where these can be inspected, in accordance with Regulation 26 of the 2012 Regulations.

### **3.4 Producing a Supplementary Planning Document (SPD)**

- 3.4.1 The procedure for preparing and adopting Supplementary Planning Documents is shorter than for DPDs, as illustrated at Figure 3. SPDs are not subject to Independent Examination.
- 3.4.2 Initial consultation on SPDs will be informal and will be targeted at particular groups and individuals depending on the subject matter or location to be dealt with by the SPD. Consultation techniques will vary depending on the nature of the SPD. This informal consultation will seek to influence the scope and content of the SPD. At this stage, any previous relevant consultation exercises and the comments received in respect of them will also be taken into account.
- 3.4.3 Following initial consultation, a Draft SPD will be prepared and this will then be the subject of formal public participation as required by Regulation 13 of the 2012 Regulations. Parish and town councils, charitable and voluntary bodies who may have a particular interest in the SPD, and all others who have requested to be notified, will be advised of the availability of the document.
- 3.4.4 The Draft SPD will be made available through the Council's website. This publicity will offer an opportunity for individuals and bodies to contribute their views. Depending on the nature of the SPD, the consultation may be further publicised through a local exhibition or display, or meetings may be held to discuss the draft document.
- 3.4.5 All comments received will be considered and the SPD amended in the light of these comments. Following consideration by the Council's Planning Committee, the final document will be adopted.

**Figure 3. Preparing a Supplementary Planning Document (SPD)**

	Stage	Process and Requirements
<b>INFORM</b> 	1. Involve – Preparation and early engagement	<ul style="list-style-type: none"> <li>• Collect evidence. Informal consultations may be carried out and the nature/extent of this will be determined by the subject matter of document.</li> <li>• Work with relevant groups and organisations</li> <li>• Consider issues and alternatives in the production of a draft SPD</li> <li>• Screen to determine whether an SEA required</li> <li>• Report on the consultation undertaken is summarised within a Consultation Statement (Regulation 12)</li> </ul>
	2. Consult – Publication of draft SPD	<ul style="list-style-type: none"> <li>• Statutory stage where a minimum of 6 weeks* will be provided to comment on draft SPD and any supporting evidence, including the Consultation Statement (Regulation 13)</li> <li>• Documents made available for inspection including on the Council's website</li> <li>• Notifications will be sent to relevant groups and organisations and all those who have requested to be notified</li> <li>• Parish and town councils will be notified</li> <li>• Comments considered by officers and SPD amended</li> </ul>
	3. Adopt	<ul style="list-style-type: none"> <li>• Amended SPD and summaries of consultation responses received presented to Planning Committee for adoption under Regulation 14</li> <li>• Adoption statement produced and relevant people notified</li> </ul>
	4. Monitor	<ul style="list-style-type: none"> <li>• Final SPD is monitored, to make sure it is achieving its aims</li> <li>• SPD may be reviewed, where necessary</li> </ul>

\* The 2012 Regulations require a minimum of 4 weeks.

### 3.5 Neighbourhood planning

3.5.1 Neighbourhood plans are taken forward by communities themselves with the support of the Council. Neighbourhood plans can allocate land or establish policies for the development of land in a neighbourhood if the majority of voters in the neighbourhood give approval. These plans must be in conformity with the strategic policies in the Local Plan and have regard to national planning policy. Once adopted these plans form part of the statutory development plan.

3.5.2 Consultation procedures for neighbourhood plans and development orders are set out in the Localism Act 2011 and Neighbourhood Planning (General) Regulations 2012. Further information on neighbourhood planning is available on the [Council's website](#).

**Table 1. Consultation strategy by document type**

	Consultation letters & emails	Website	Media releases	Informal discussions with Officers	Structured response form	Formal meetings	Exhibitions & displays	Focus groups	Acknowledgement of all comments received within relevant time period (see para 3.6.10)
<b>SCI</b>									
Informal Consultation	✓	✓	Possibly	✓	✓	Possibly	✗	✗	✓
<b>DPDs</b>									
Informal Consultation	Possibly	Possibly	Possibly	✓	Possibly	Possibly	✗	✓	✗
Public Participation (Reg 18)	✓	✓	✓	✓	Possibly	Possibly	✓	✗	✗
Publication for final representations (Reg 19/20)	✓	✓	Possibly	Possibly	Possibly	✗	✗	✗	✓
Main Modifications (if necessary)	Possibly	✓	Possibly	✗	Possibly	✗	✗	✗	✗
<b>SPDs</b>									
Informal Consultation	Possibly	Possibly	✗	✓	Possibly	Possibly	✗	Possibly	✗
Formal Public Participation (Reg 13)	✓	✓	Possibly	✓	Possibly	Possibly	Possibly	✗	✗



### 3.6 The scope and methods of consultation

3.6.1 This section sets out who will be consulted, how they will be consulted and how the Council will accept and respond to the comments received.

#### Who will be consulted?

3.6.2 The minimum legal requirements for consultation and public participation for Local Development Documents are set down in the Town and Country Planning (Local Planning) (England) Regulations 2012. Specified bodies must be consulted where the Council considers that the body may be affected by what is proposed. These ‘**specific consultation bodies**’ are defined as:-

- The County Council
- Parish and Town Councils (within the plan area)
- Adjoining Councils (County, District, Unitary and Parish/Town)
- The Police and Crime Commissioner
- Adjoining Police and Crime Commissioners
- The Coal Authority
- The Environment Agency
- English Heritage (Historic Buildings and Monuments Commission for England)
- Marine Management Organisation
- Natural England
- Network Rail Infrastructure Limited
- The Highways Agency
- Relevant telecommunications companies
- Relevant Clinical Commissioning Group(s)
- NHS Commissioning Board
- Relevant electricity and gas companies
- Relevant water and sewerage companies
- The Homes and Communities Agency

3.6.3 The Regulations also require consultation with other interest groups, which cover a whole range of voluntary, community, special interest, amenity and business interests, referred to as ‘**general consultation bodies**’. These are defined as:-

- voluntary bodies some or all of whose activities benefit any part of the authority’s area; and
- other bodies who represent, in the authority’s area, the interests of different racial, ethnic or national groups; different religious groups; disabled persons; and persons carrying on business in the authority’s area.

3.6.4 Natural England, English Heritage and the Environment Agency are also ‘SEA Consultation bodies’ who will be specifically consulted on the requirement for and on the scope of any Strategic Environmental Assessments (SEAs).

3.6.5 In addition to the above, the Council maintains a commitment to both formal consultation and informal discussions with other local authorities and non-governmental organisations. The three South Worcestershire local planning authorities maintain an up to date database of contact details of organisations and individuals who have requested to be kept informed of planning policy documents in

South Worcestershire. This is kept up to date and can be amended at the request of the individuals and organisations.

- 3.6.6 If you want to be added to this database, or alternatively no longer wish to receive consultations, please let us know.

### **Consulting everyone**

- 3.6.7 Consultation documents will be made available in electronic and hard copy format. The Council seeks to produce its policy documents in an accessible and easy to read format; and documents for inspection, meetings and exhibitions will be held at accessible locations. For those who do not have internet access, other formats, e.g. large print, are available on request.
- 3.6.8 Consultation letters and email may be accompanied by specially designed comments forms (structured response forms) to assist people with their responses, and officers will be happy to provide guidance and assistance when required.

### **Receipt of representations**

- 3.6.9 The Council is able and willing to receive written representations and comments by email or letter, or at certain key stages, through its online consultation portal. At the formal stages of the process, those making representations will be encouraged to use the official forms supplied, although all written comments, however received, will be registered. Representations made by telephone will not normally be registered. Where possible, we would encourage you to use email or the online consultation portal as this helps us quickly and accurately store your comments.

### **Dealing with your comments**

- 3.6.10 All representations submitted on LDDs and the respondent's name and contact details will be entered on to the database maintained by the three South Worcestershire Councils. At early and informal consultation stages for DPDs and for SPDs the Council will not acknowledge receipt of comments other than through automated responses to emails confirming receipt. At the proposed submission stage for DPDs (see Table 1) the Council will acknowledge receipt of representations received as follows:
- an automated response confirming receipt will be generated for emails sent to [developmentplans@malvern hills.gov.uk](mailto:developmentplans@malvern hills.gov.uk) or [contact@swdevelopmentplan.org](mailto:contact@swdevelopmentplan.org);
  - a short acknowledgement letter/card in response to posted letters; and
  - a short acknowledgement letter/card in response to petitions - via the lead or first name.
- 3.6.11 All duly made comments on the relevant LDD will be analysed and carefully considered. How they are considered and reported will depend on the stage a document has reached. Individual written responses to the comments received will **not** normally be sent. Those who have commented will be able to see how their comments have been addressed, as set out below.

- 3.6.12 At early and informal stages, comments may be reported to the decision-making body, i.e. Planning Committee, as summaries or as a summary report. All comments will however be available to inspect in full on request. Other than names and postal addresses, representors' contact details will not be published on the Council's website. At the early and informal stages only, the Council may allow anonymous comments through specific engagement exercises where overall outcomes will be summarised e.g. focus groups or briefings sessions.
- 3.6.13 At the Preferred Options stage for DPDs, or following consultation on a draft SPD, comments will be reported to the decision-making body, i.e. Planning Committee, as summaries or as a summary report. All comments will be available to inspect in full on request. These summaries or summary reports will be considered alongside the officer report and recommendation and will be made available through the Council's website. Other than names and postal addresses, representors' contact details will not be published on the Council's website.
- 3.6.14 For DPDs, the Council has to prepare a **Consultation Statement** for publication alongside the Proposed Submission DPD, which summarises the consultation that has been undertaken in connection with the preparation of the DPD.
- 3.6.15 For SPDs the Council also has to prepare a **Consultation Statement** for publication alongside the Draft SPD, which summarises the consultation that has been undertaken in connection with the preparation of the draft.
- 3.6.16 For DPDs at the Proposed Submission stage, representations will not normally be considered by the Council. These representations will be assessed and a summary of the key issues raised will be prepared in a **Statement of Representations**. All the original comments as submitted will be sent to the Inspector when the Plan is submitted for Examination and will be published through the Council's website in full but with signatures, private telephone numbers and email addresses redacted (removed). All comments will however be available to inspect in full on request.
- 3.6.17 It is important to note that whilst the Council (or Inspector) will always consider any relevant comments in respect of the development of a policy document or a planning application, it will not always be possible or appropriate to decide the matter in accordance with the comments(s) received. There may be other material considerations, such as requirements of legislation, or national or local policies to which the Council must adhere.

### What are 'duly made' comments?

- 3.6.18 For comments to be considered 'duly made' they must:
- a) be received within the timescales set out
  - b) relate to the document, its content, or its preparation
  - c) not be anonymous
  - d) not be offensive, libellous or otherwise breach the law (i.e. inadmissible)
- 3.6.19 Whilst all duly made comments will be considered and welcomed, not all comments may be able to be taken on board and at the Examination only soundness or legal compliance issues can be addressed by the Inspector.

- 3.6.20 It is really important that you send your comments in on time as late comments at the formal stages cannot be accepted. Please also be aware that there may be size limits on email attachments than can cause failure of delivery. If you send any such large document it would be advisable to check we have received it well before the deadline expires. Please ensure you send your comments to the correct email address and you should receive an automated receipt.

### **Publicity and availability of documents**

- 3.6.21 All formal draft and final documents will be available through the Council's website and for inspection at the three Customer Service Centres (see back cover for locations). All draft versions will be available for information even after the consultation period has closed, until such time as the document is finally adopted. Copies will also be available for purchase in hard copy form or CD on request.

### **Charges for documents**

- 3.6.22 All consultees and interested parties will be encouraged to use the Council's website for viewing or downloading documents, although it is appreciated that this is not appropriate for everyone.
- 3.6.23 Consultation notifications will normally be sent by email with a link to the relevant document on the website or the document provided as an attachment. Where people do not have access to email or cannot use this method for specific reasons, a letter can still be sent, but the Council will in future move away from this method due to the additional costs involved.
- 3.6.24 A scale of reasonable charges for documents will be published on the Council's website and reviewed periodically.
- 3.6.25 The three South Worcestershire Councils currently host a dedicated SWDP website which can be accessed directly at [www.swdevelopmentplan.org](http://www.swdevelopmentplan.org) or through each Council's website. This hosts all the documents relating to the jointly prepared SWDP and will similarly host all the joint SPDs. It also provides access to an Interactive Policies Map where allocations can be viewed.

# Applications

## 4 Planning applications

- 4.1 The SCI must set out standards of consultation to be achieved by the Council in making decisions on planning applications. Planning applications can range from modest house extensions to major schemes for urban extension. The County Council is the planning authority in respect of development involving mineral extraction and waste disposal and its own SCI will set out arrangements for the processing of such applications.
- 4.2 Planning legislation sets out a minimum standard of publicity and notification of applications, depending on the nature of the application. . Statutory Consultees as listed in Schedule 5 of The Town and Country Planning (Development Management Procedure) (England) Order 2010, should be consulted.

For further information please see:

<http://www.legislation.gov.uk>

However, the need for the wider involvement of the community and stakeholders at an early stage of the planning process is of benefit to the public, individuals, organisations and the development industry. The Council will continue to meet the minimum requirements associated with statutory requirements, but where appropriate exceed them, as illustrated within Table 2

- 4.3 The SCI therefore provides an important framework to engage the wider community in development proposals, especially those that are deemed to be ‘significant’, and throughout the various stages of the process. Although the formal planning application process is the stage most associated with public involvement, there can also be a more limited form of consultation at the pre-application stage.

**Table 2. Publicity for planning applications**

Nature of development	Statutory provisions	MHDC publicity and timescales
Applications accompanied by an Environmental Statement	Article 13, Part 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2010	Advertise in the local press (21 days); <b>and</b> Display site notice (21 days); <b>and</b> Publication on the website (14 days); <b>and</b> Neighbour notification (21 days)
Proposal departs from the Development Plan		
Development affecting a Public Right of Way		
Major development	Article 13, Part 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2010	Advertise in the local press (21 days); <b>and</b> Display site notice (21 days); <b>and</b> Publication on the website (14 days); <b>and</b> Neighbour notification (21 days)
Minor development	Article 13, Part 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2010	Neighbour notification (21 days) or display site notice if no neighbours within 60m; <b>and</b> Applicant requested to display site notice; <b>and</b> Publication on the website (14 days)
Development affecting the setting of a listed building	Regulation 5A of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)	Advertise in the local press (21days); <b>and</b> Display site notice (21 days); <b>and</b> Publication on the website (21 days); <b>and</b> Neighbour notification (21 days)
Development affecting the	Regulation 5A of the	Advertise in the local press (21days); <b>and</b>

character or appearance of a Conservation Area	Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)	Display site notice (21 days); <b>and</b> Publication on the website (21 days); <b>and</b> Neighbour notification (21 days)
Applications for listed building consent	Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)	Advertise in the local press (21 days); <b>and</b> Display site notice (21 days); <b>and</b> Publication on the website (21 days); <b>and</b> Neighbour notification (21 days) <b>N.B.</b> Site and press notices are not required if the works only affect the interior of a grade II listed building.
Applications for certificates of lawfulness of proposed works to a listed building	No statutory requirement	None, as applications are determined purely on factual evidence rather than planning merits
Local listed building consent order	Sections 28A and 93 of, and Schedule 2A to, the Planning (Listed Buildings and Conservation Areas) Act 1990	Draft order advertised on the website (28 days) <b>and</b> a copy available for inspection by the public <b>and</b> display site notice (28 days) <b>and</b> serve a copy of the notice on every person whom the authority knows to be the owner of a listed building in the area to which the order would relate and whose name and address are known to the authority
Heritage partnership agreements (HPA)	Sections 26B(2) and 93 of the Planning (Listed Buildings and Conservation Areas) Act 1990	Draft HPA, plans and documents and statement of reasons advertised on the website (28 days) <b>and</b> a copy available for inspection by the public <b>and</b> display site notice (28 days) <b>and</b> serve a copy of the notice on every person not a party to the proposed agreement whom the authority knows to be an owner of the building or part of the building and whose name and address are known to the authority
Applications for certificates of lawfulness or existing use or development	No statutory requirement	Neighbour notification (21 days)
Applications for certificates of lawfulness of Proposed Use or Development	No statutory requirement	None, as applications are determined purely on factual evidence rather than planning merits
Applications for the approval of reserved matters	Article 13, Part 2 of the Development Management Procedure Order 2010	As per 'major' and 'minor' development categories above
Applications for discharge of details required by a planning condition	No statutory requirement	Generally, no publicity will be undertaken
Prior approval applications - Telecommunications	Class A, Part 24, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended)	Display site notice (21 days); <b>and</b> Neighbour notification (21 days) <b>N.B.</b> Press advert also required by legislation in certain circumstances
Prior approval applications - House extensions	Class A, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended)	Adjoining neighbour notification (21 days)
Prior approval applications - Change of use of	Class J, Part 3, Schedule 2 of the Town and Country Planning (General Permitted	Display site notice (21 days); <b>or</b> Adjoining neighbour notification (21 days)

building from B1(a) offices to C3 dwellinghouses	Development) Order 1995 (as amended)	
Prior approval applications - Change of use of building from B1, C1, C2, C2A or D2 to use as a state-funded school	Class K, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended)	Display site notice (21 days); <b>or</b> Adjoining neighbour notification (21 days)
Prior approval applications - Change of use of agricultural building to either A1, A2, A3, B1, B8, C1 or D2 use	Class M, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended)	Display site notice (21 days); <b>or</b> Adjoining neighbour notification (21 days)
Prior approval applications - Demolition	Class A, Part 31, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended)	The Applicant is required to display a site notice (21 days). <b>N.B.</b> Publicity is for information purposes only
Prior approval applications - Agriculture	Class A, Part 6, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended)	Where the LPA requires the prior approval of details the Applicant is required to display a site notice (21 days) <b>N.B.</b> Publicity is for information purposes only
Applications for advertisement consent	No statutory requirement	Neighbour notification (21 days); <b>and</b> Display site notice if located within conservation area (21 days)

### Pre-application discussions

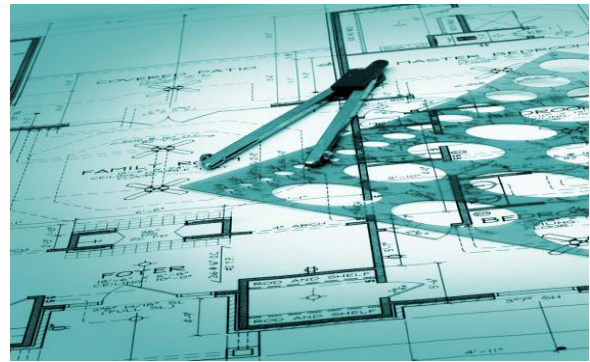
- 4.4 The Council encourages any person contemplating development, including house extensions, to have informal discussions with planning officers as early as possible. Since 1<sup>st</sup> November 2010 the Council has made charges for pre-application advice for most types of development. This is so that we can provide the best possible advice and a higher quality service. The new approach to pre-application advice is set out in 'The Guidance Note and Scale of Charges', which is available on the [Council's website](#). We will continue to publicise the availability of such advice and provide guidance for officers, councillors and the public alike.
- 4.5 The chargeable pre-application service is intended for specific proposals, to provide applicants with an indication as to whether their scheme is likely to gain planning permission or not, what the key policies and planning issues are likely to be, and what information they would need to submit with an application. Planning officers will also be able to advise whether an application falls within the tiers of 'significant development' set out at Table 3. Furthermore, in accordance with good practice guidelines, we will offer a development team response to major proposals, with a nominated case officer co-ordinating the input of other specialist advice on an initial scheme. The Council encourages the use of Planning Performance Agreements to formalise this project management process and the methods of community engagement, as set out on the [Council's website](#).
- 4.6 The Council recognises that applicants may wish to keep pre-application discussion confidential and will normally respect this. However, under the provisions of the



Freedom of Information Act 2000, the Council may have to make public any information it retains unless one of the stated exemptions apply. For instance, personal information or commercially sensitive information are exempt from disclosure. Further details are available on the [Ministry of Justice](#) website.

### **Giving local communities a say before applications are submitted**

- 4.7 Whatever the scale of development proposed, applicants or developers are always advised to discuss the proposals with the owners/occupiers of neighbouring land prior to making an application. Pre-application discussion also provides an opportunity to engage with the wider community and others such as infrastructure providers, and should also include the key consultees on the type of development proposed such as the Highway Authority and the Environment Agency. Such informal discussion can often help to allay fears within the community on the nature of the development. Moreover, an applicant may be able to make changes to a proposal to accommodate a neighbour and avoid an objection at the formal application stage.
- 4.8 For development proposals that fall within Tiers 1 to 3 of 'significant development' set out at Table 3, the Council will expect applicants and developers to have carried out initial consultation with the local community. This is in line with Section 122 of the Localism Act 2011, which introduced a statutory requirement for prospective developers to consult local communities before submitting planning applications for very large scale developments. This is intended to give local people an opportunity to comment on proposed developments which may have an impact on them, and to collaborate on issues such as design at an early stage, when they still have a chance to influence proposals before they are submitted.
- 4.9 For Tier 1 and 2 development, this engagement will normally take the form of a public exhibition of the proposals, held locally, and advertised on site and in the local press. The local town or parish council should also be notified. Planning officers will normally be able to advise on any local community groups or user groups that should be involved. In respect of Tier 3 development, the applicants are encouraged to notify the local town or parish council of the proposal.
- 4.10 If and when a formal application is submitted for 'significant development', the Council will expect the developer to include a Statement of Community Consultation outlining what consultation has been carried out and how the results of the exercise have been taken into account in the submitted scheme. The Council recognises that over and above the legal requirements of the Localism Act 2011, pre-application consultation with the local community cannot be enforced, nor can an application be rejected in the absence of a supporting statement. However, any additional notification and consultation that the Council might have to undertake may delay the consideration of the application.



### Notification and consultation arrangements for applications

- 4.11 As soon as a planning application has been submitted and validated, the Council will undertake notification and consultation with the local community (other than for applications considered by the County Council).
- 4.12 Best practice advice states that that the SCI should pay particular attention to 'significant' planning applications, i.e. those development proposals which merit wider publicity and consultation with the local community. The nature and type of publicity and involvement will be dependent on the nature of the proposal and a 'tiered' approach has been adopted by the Council, as set out in Table 3.

**Table 3. 'Significant Development' Tiers**

<p><b>Tier 1: Large scale and controversial applications not in accordance with the Development Plan</b></p> <ul style="list-style-type: none"> <li>Development Plan 'departures' that have to be referred to the Secretary of State, for instance, proposals for development at out of town centres in excess of 5,000 sqm of retail, leisure, office or mixed commercial floorspace, as per the Town and Country Planning (Consultation) (England) Direction 2009.</li> <li>Development falling within Schedule 1 of the Town and Country Planning (EIA) Regulations 2011. Large scale development and infrastructure like power stations, chemical installations and waste disposal facilities.</li> </ul>
<p><b>Tier 2: Applications broadly in accordance with the Development Plan but raising controversial issues</b></p> <ul style="list-style-type: none"> <li>Development falling within Schedule 2 of the Town &amp; Country Planning (Environmental Impact Assessment) Regulations 2011.</li> <li>Applications requiring a full transport assessment (i.e. where development will have wider transport implications).</li> <li>Applications for development proposed on existing playing fields and subject to the Town and Country Planning (Consultation) (England) Direction 2009.</li> </ul>
<p><b>Tier 3: Applications of local significance as determined by the District Council</b></p> <ul style="list-style-type: none"> <li>Applications for 'major' development, which have to be advertised under Article 13 of the Town and Country Planning (General Development Management Procedure) (England) Order 2010.</li> </ul>

<ul style="list-style-type: none"> <li>• Departures from the Local Plan that must be referred to an Area Development Management Committee under the Council’s adopted Scheme of Delegation.</li> </ul>
<ul style="list-style-type: none"> <li>• Applications for affordable housing involving 5 or more residential units outside of the defined settlement boundaries.</li> </ul>
<ul style="list-style-type: none"> <li>• Planning applications for telecommunication development for the erection of masts that exceed 15 metres in height.</li> </ul>

- 4.13 The Council’s procedures for notification of the public are in excess of the minimum requirements laid down in planning regulations and comprise the following.
- The listing of the application details and plans on the Council’s website and a facility to enable people to comment online [www.malvern hills.gov.uk](http://www.malvern hills.gov.uk)
  - A letter to the owners or occupiers of property adjoining an application site advising of an application and the period to make comments. The Council has adopted a [Neighbour Notification Policy](#) which sets out the standards for notification of different types of development and in different locations such as built-up or rural areas.
  - Where the proposal is ‘major’ development as defined in the Regulations, the application will be advertised in the local press and by means of a site notice displayed by the Council. For Tier 1 and 2 applications where development has off-site implications, such as a highways impact, consideration will be given to wider display of site notices within the area likely to be affected.
  - For all applications, the applicant will be requested to display a site notice explaining the nature of the proposal and the period for comments.
  - In the case of certain types of development, such as that affecting a Conservation Area, a Public Right of Way or a Listed Building, the application will be advertised in the local press and by means of a site notice displayed by the Council.
  - The local press are also notified of all applications and details of recent applications may appear in local newspapers at the editor’s discretion.
- 4.14 The Council will also carry out consultation with statutory and appropriate bodies, such as the local parish or town councils, the Highway Authority, the Environment Agency and drainage companies. The consultation arrangements for all application types are shown in Table 4.
- 4.15 The Council no longer provides parish and town councils with paper copies of application details. Instead they receive an email that provides basic details of the application and a link to the application search facility on the Council’s website, where the plans may be viewed. Whilst the majority of applications are easily understood and are not submitted with a great deal of supporting information, where a major or complex application is submitted and a key drawing, such as a site layout drawing for a large housing scheme, is required for display at a public meeting, the Council will endeavour to provide this in a black and white format.

**Table 4. Consultation arrangements**

Consultation method	'Significant development' applications			Other applications
	Tier 1	Tier 2	Tier 3	
Pre-application exhibition / development brief	✓	✓		
Pre-application consultation with town/parish councils	✓	✓	✓	
Basic details and key drawings at Malvern Customer Service Centre	✓	✓	✓	✓
Design Review Panel	✓	✓		
Details on website	✓	✓	✓	✓
Parish/town council email consultation	✓	✓	✓	✓
Letter to adjoining occupiers	✓	✓	✓	✓
Formal press notice and site notice(s)	✓	✓	✓	
Informal site notice (displayed by the applicant)	✓	✓	✓	✓
Weekly list provided to local newspapers (and included at editor's discretion)	✓	✓	✓	✓
Statutory consultees	✓	✓	✓	✓

### How your comments are dealt with

- 4.16 The comments made by individuals and groups, the local community, and specialist technical bodies will be taken into account before a decision is made. An initial assessment will be made by the application case officer. However, in order to ensure consistency in the determination of planning applications, the assessment of cases will be overseen by a senior planning officer, prior to a formal recommendation or decision being made. Comments made up until the date a decision is formally issued will be taken into account in so far as they are material to the determination of the application. Comments will be balanced with all other material considerations in relation to the provisions of the Development Plan, where relevant, when a formal decision is made on an application. In some cases, as determined by the Council's adopted [Scheme of Delegation](#), the application will need to be reported to the relevant Development Management Committee.
- 4.17 Comments on planning and related applications will be held on the application file and made publicly available for others to see. Where an application is reported to a Committee, comments will be summarised in the Committee report. The comments of parish and town councils, where succinct, will be reported in full. Where it is necessary to summarise a Council's response this will be made clear in the agenda

report. Furthermore, every attempt will be made to ensure that any summary does not dilute or change the content of the parish or town council representation.

- 4.18 Councillors will have complete access to all comments received prior to making a decision. Respondents are encouraged to return comments within the stated period. However, late comments will normally be picked up via the Committee update sheet or reported verbally prior to a decision being made at Committee.

### **Public speaking at Committee**

- 4.19 Where applications are reported to Committee, the Council operates a public speaking scheme where an applicant and objector can address the Committee for a specified time, details of which can be found on the [Council's website](#). Where people have commented on an application, we will write to let them know when and where the application will be considered and the arrangements for public speaking.

### **The role of District Councillors**

- 4.20 District Councillors are an important source of local knowledge and advice on local issues. However, on planning matters, local councillors operate under a formal code of conduct and it is therefore important that they do not have, or appear to have had, a closed mind on a proposal which they may need to consider formally at a later stage. Therefore, whilst lobbying of councillors can be appropriate, their main role in pre-application discussions is providing information on procedures/policies and sign-posting the community to sources of advice within the Council.

### **What happens after a decision is made?**

- 4.21 As soon as a formal decision is made on an application, the decision notice will be published on the Council's website and include the reasons for refusal or the conditions imposed on a permission. We will write to each individual who made representations to advise them of the decision and where the decision notice can be viewed. We also notify these parties of any subsequent appeal.

### **Applications that cross parish and district boundaries**

- 4.22 For those applications within the district which straddle a parish boundary, both the relevant parish councils will be consulted. Where applications are received near to or adjoining the district boundary, the relevant neighbouring local planning authority will be consulted if the proposed development is likely to affect land in that district. This decision will be based on the scale and nature of the proposed development. The neighbouring authority will be given 21 days to make representations.



- 4.23 In some cases, an application site may fall within the boundary of more than one local planning authority. In such cases the applicant must submit the application to all planning authorities concerned. However, the fee is payable only to the authority in which the largest part of the site is located, in line with the [Town and Country Planning Fees Regulations 2012](#). Local planning authorities have discretion as to how to determine cross boundary applications, and as such, each one will need to be considered on a case-by-case basis. Without special arrangements being put into place, each authority can only determine the application relating to the part of the site in its own area and will also be responsible for carrying out the necessary consultation within their area. However, given that this would be contrary to the overall tenor of Government guidance, which encourages joint working between local planning authorities in relation to the use of their planning powers, it may be appropriate in certain cases to set up a joint decision-making committee, or alternatively, to devolve decision-making powers to the authority receiving the fee. Any such arrangements will need to be formally approved by the relevant councils.

### **Enforcement of planning control**

- 4.24 Where development takes place without the necessary consents and causes material harm to the local environment, the Council will normally pursue appropriate enforcement action. Retrospective applications may be submitted to regularise the position regarding minor breaches and the Council will consult the local community on these. Where a proposal involves *significant development*, and we are notified that that development is to be carried out, we will ask the developers to provide contact details for the person overseeing the construction work, so that the local community may approach them to resolve any issues of local concern that may arise.

### **Consultation on other conservation matters**

- 4.25 The [Council's website](#) provides information about the natural and built environment conservation services and activities undertaken by the Conservation Team and any publicity arrangements in respect of these matters.

# Monitoring



## 5 Monitoring and further advice

### Monitoring

- 5.1 In order to monitor the effectiveness of the SCI, the Council intends to develop a range of indicators through the Authorities Monitoring Reporting (AMR) that will have regard to outputs such as:
- The number of people engaged in planning consultations
  - Satisfaction ratings
  - Participation in public speaking
  - Seeking direct feedback on specific consultation exercises
- 5.2 It is proposed not to establish a formal review period for the SCI. However, a review will be undertaken if the AMR indicates that there is a substantial level of dissatisfaction amongst parish/town councils and 'hard to reach' groups on the nature of involvement in the preparation of local development documents or decisions on planning applications. A review will also be triggered by material changes in government policy or advice, which affect the principles of the SCI as adopted.

### Further advice

- 5.3 The Planning Portal is the Government's website that offers guidance on the planning system and can be viewed at [www.planningportal.gov.uk](http://www.planningportal.gov.uk)
- 5.4 In addition, Planning Aid England provides free, independent and professional planning advice to communities and individuals who cannot afford to pay professional fees. Planning Aid England's advice is available via 0330 123 9244 and their website is available to view at [www.rtpi.org.uk/planningaid](http://www.rtpi.org.uk/planningaid) Planning Aid England can help you to:-
- Understand and take part in the planning system
  - Take part in the preparation of plans
  - Comment on planning applications
  - Apply for planning permission
  - Appeal against a decision
  - Represent yourself at appeals or public enquiries
- 5.5 Key contacts and addresses are set out on the back page of this document. During consultation exercises, the relevant contact addresses for responses and queries will be clearly stated.
- For queries on the Malvern Hills District SCI, once adopted, please contact Malvern Hills Council directly
  - For queries relating to planning applications please contact Malvern Hills Council directly
  - For queries relating to non-joint SPDs, please contact Malvern Hills Council directly
  - For queries on joint plans please contact through the shared South Worcestershire Development Plan website

# Glossary

## Glossary

### **Affordable Housing (AH)**

Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision (NPPF, March 2012).

### **Development Plan**

The development plan is a statutory document or set of documents that set out the local authority's policies and proposals for the development and use of land in their area.

### **Development Plan Document (DPD)**

A statutory document which is part of the development plan under the provisions of the Town and Country Planning Act 1990 (as amended) and which forms part, or the whole, of a local plan. Its purpose is to guide long-term decisions about the future of the area and day-to-day development management decisions about individual planning applications.

### **Independent Examination**

An examination undertaken by an independent inspector into representations on a Development Plan Document (DPD), including its legal compliance and overall soundness. Likely to include public 'Hearing Sessions'.

### **Local Development Documents (LDD)**

The collective term used to describe the Statement of Community Involvement, Supplementary Planning Documents and Development Plan Documents.

### **Local Development Scheme (LDS)**

This is a public statement of a local authority's programme for the production of Development Plan Documents.

### **Local Plan (LP)**

The Local Plan is a term to describe all the DPD produces by an individual Council (can be a single combined document or series of documents).

### **Major Development (MD)**

'Major' development relates to planning applications and includes:

- a) Residential Development comprising 10 or more dwellings or if the number of dwellings is unknown, the site area is 0.5ha or more; OR
- b) Any other use where the floor space proposed is 1,000 square metres or more OR if the site area is one hectare or more.

### **National Planning Policy Framework ('the Framework')**

This was adopted in March 2012 and replaces previous national planning policy, formerly enshrined in a series of planning policy statements and guidance notes. The Framework sets out much of the Government's planning policies for England and how these are expected to be applied.

### **Statement of Community Involvement (SCI)**

This sets out the standards to be achieved by the local authority in involving the community in the preparation, alteration and continuing review of all Local Development

Documents and planning applications. The SCI is a clear public statement enabling the community to know how and when they will be involved in the preparation of Local Development Documents and how they will be consulted on planning applications.

**Strategic Environmental Assessment (SEA)**

SEA is a systematic decision support process, aiming to ensure that effects are considered effectively in policy, plan and programme making.

**Supplementary Planning Document (SPD)**

SPDs are Local Development Documents that explain how policies in Development Plan Documents will be implemented. They do not form part of the Local Plan and cannot allocate land, but are material considerations when determining relevant planning applications.

**Sustainability Appraisal (SA)**

Sustainability Appraisal is a systematic appraisal process to assess the social, environmental and economic effects of the strategies and policies in a Development Plan Document. Section 39 of the Planning and Compulsory Purchase Act 2004 requires Local Development Documents to be prepared with a view to contributing to the achievement of sustainable development.

**Sustainable Community Strategy (SCS)**

The six district authorities and the County Council have produced, in partnership with other service providers and local organisations making up their respective Local Strategic Partnerships, a Sustainable Community Strategy. The SCS outlines the needs and priorities of the community and also shapes the activities of the organisations within the partnerships, to fulfil those requirements and achieve the visions set out in the strategy.

**Transport Assessment (TA)**

A comprehensive and systematic process that sets out transport issues relating to a proposed development. It identifies what measures will be required to improve accessibility and safety for all modes of travel, particularly for alternatives to the car such as walking, cycling and public transport, and what measures will need to be taken to deal with the anticipated transport impacts of the development.

## Contacts and where to view documents

Malvern Hills District Council  
Planning, Economy and Housing  
The Council House, Avenue Road  
Malvern, WR14 3AF

Tel. 01684 862151

[www.malvernhills.gov.uk](http://www.malvernhills.gov.uk)

Plan-making queries: Development Plans and Conservation Section  
[developmentplans@malvernhills.gov.uk](mailto:developmentplans@malvernhills.gov.uk)

Planning application queries: Development Control and Enforcement Section  
[developmentcontrol@malvernhills.gov.uk](mailto:developmentcontrol@malvernhills.gov.uk)

South Worcestershire Development Plan & Joint SPDs  
For more information see the SWDP website [www.swdevelopmentplan.org](http://www.swdevelopmentplan.org) or email  
[contact@swdevelopmentplan.org](mailto:contact@swdevelopmentplan.org)

If you require this document in large print, Braille, on tape, or in a language other than English, please call the Customer Service Centre on 01684 862151

اگر آپ یہ جانکاری کسی اور شکل میں چاہتے ہیں تو براہ کرم مرکز برائے خدمت خریداران [Customer Service Centre] سے 01684 862151 پر رابطہ قائم کریں

ਜੇ ਤੁਸੀਂ ਇਸ ਸاٹھਕਾਰੀ ਨੂੰ ਕਿਸੇ ہور تھ (ہارمٹ) ویر چاہتے ہوں، تو ویرھا کرکے ساڈے گارھک سہا سٹار [Customer S C] ٹال 01684 862151 'ਤੇ سہارک کرکے

如果您需要本份資訊以另一種版本呈現，請聯繫 [Customer Service Centre] 顧客服務中心，電話：01684 862151

Niniejsze informacje w innej postaci, zamówić można w Centrum Obsługi Klientów [Customer S C] pod nr tel. 01684 862151

Malvern Hills Customer Service Centre	Tenbury Wells Customer Service Centre	Upton-upon-Severn Customer Service Centre
Malvern Library Graham Road Malvern WR14 2HU Tel. 01684 862151	Tenbury Wells Library 24 Teme Street Tenbury Wells WR15 8AA Tel. 01864 862151	Upton-upon-Severn Library School Lane Upton-upon-Severn WR8 0LE Tel. 01684 862151

