



# Statement of Community Involvement

July 2022

Epsom & Ewell Borough Council

Epsom & Ewell Consultation Statement of Community Involvement  
July 2022

## Contents

1.0	Introduction and Background.....	5
	What is a Statement of Community Involvement? .....	5
	Why has a new Statement of Community Involvement been produced? .....	5
	Why should I / my community get involved? .....	6
2.0	Getting Involved in Planning Policy .....	7
	What is Planning Policy? .....	7
	How can you get involved? .....	8
	Who will the Council consult on Planning Policy Documents? .....	8
	Consultation Principles – Planning Policy .....	9
	Table 1 – Consultation Methods for planning policy documents.....	10
3.0	Involvement in Local Plans .....	14
	Table 2: Statutory Stages of Local Plan Production.....	14
4.0	Supplementary Planning Documents .....	19
	Table 3 – SPD Key Stages of Production .....	19
5.0	Other Policy Documents.....	21
	Sustainability Appraisal Scoping Report .....	21
	Neighbourhood Plans and Neighbourhood Development Orders .....	21
	Table 4: Statutory Stages of Neighbourhood Plan Production.....	23
	Community Infrastructure Levy .....	24
	Table 5: CIL Charging Schedule Key Stages of Production .....	25
6.0	Planning Applications .....	28
	Pre-Application Advice.....	28
	Planning Performance Agreements .....	29
	Pre application consultation .....	29
	Publicity of planning applications .....	30
	Table 6: Statutory Publicity Requirements for Planning Applications.....	30
	Viewing / commenting on a Planning Application .....	32
	Determining planning applications .....	32
	Notification of planning appeals .....	33
7.0	Appendix A – Specific and General Consultation Bodies and Duty to Co-Operate Organisations for the purposes of Plan Making.....	35
	Duty to Co-operate Organisations .....	35

Specific Consultation Bodies .....	35
General Consultation Bodies .....	36
8.0 Glossary .....	38

## **1.0 Introduction and Background**

- 1.1 The council is committed to engaging with local people, organisations and businesses to get their views on different aspects of its work. This insight helps improve council services and is a key part of making good policy decisions. Planning directly affects the places where people live and work and meaningful public consultation and engagement on all aspects of planning is vital. It allows communities to have an input in the Planning system and by maintaining community involvement at the centre of what the council does, we can gain a real understanding of our communities' priorities. This helps the council to develop the right policies and proposals for the future.

### **What is a Statement of Community Involvement?**

- 1.2 A Statement of Community Involvement (SCI) describes how the public, businesses and interested groups within Epsom and Ewell Borough can get involved in the creation of local planning policy, neighbourhood planning and the planning application decision making process.
- 1.3 The SCI identifies how people and groups can engage with the planning system in the best way. Effective consultation enables stakeholders and the public to express their views. The SCI complements the council's broader commitment to effective consultation and engagement, access to information and openness.

### **Why has a new Statement of Community Involvement been produced?**

- 1.4 The preparation of a SCI is a legal requirement of the Planning and Compulsory Purchase Act 2004 (section 18) as amended by the Planning Act 2008, the Localism Act 2011 and the Neighbourhood Planning Act 2017. This legislation requires the Local Planning Authority (in this case the Council) to prepare a statement for how it will involve those with an interest in development in the area, including the preparation and review of the Local Plan and Supplementary Planning Documents, Neighbourhood Plans/Orders, Community Infrastructure Levy and the consideration of planning applications.
- 1.5 The Council recognises that there have been significant changes in the way communities and the Council interact. Access to the internet has increased and there has been a shift towards online virtual consultation, online meetings and visual collaboration platforms, correspondence by email and social media. However, despite these changes, there remains a significant number of people that are unable to use electronic forms of communication and access to information or prefer not to do so. As such, we will continue to ensure that

consultation materials are available in a variety of formats and that there are varied ways of participating in consultations, subject to government guidelines in place at that time.

- 1.6 The SCI should be reviewed at least every five years. Therefore, the document will be assessed on a regular basis to ensure it remains appropriate and effective. This will also take account of any legislative changes and any resulting requirements.

### **Why should I / my community get involved?**

- 1.7 The Planning process seeks to promote sustainable development through managing, guiding and facilitating the building of new homes, economic growth and investment, leisure and recreation facilities, retail and provision of new infrastructure. The principal purpose of the planning system is to ensure that new development meets the social and economic needs of our communities whilst at the same time protecting the natural and built environment.
- 1.8 Planning has a direct impact on the daily lives of residents and the business community therefore, it is very important that development proposals are transparent and that you have the opportunity to have a say in the planning decisions that are made by the Council. The public has a right to get involved and the only way that the Council will understand what people's views are, is if they are told by the public.
- 1.9 There are different aspects of the Planning system that people can get involved with such as, Planning Policy Documents, Planning Applications and Neighbourhood Planning. This SCI is designed to assist you with the different aspects of the planning system and provide you with information about how and when you can get involved.
- 1.10 The SCI is reviewed regularly to ensure it is in accordance with the regulations and the Council's consultation procedures. The Council will notify those [registered](#) to receive communications from the planning policy team, that the SCI has been updated.

## 2.0 Getting Involved in Planning Policy

### What is Planning Policy?

- 2.1 Planning Policy is the method by which the development of land and buildings is planned for, managed and controlled.
- 2.2 This is done through the creation of planning policies which are designed to guide future development in the borough, including how much development there should be and where it should go, and to aid the determination of planning applications.
- 2.3 Policies continually evolve with changing administrations, changes to legislation, lifestyles, environments and economic demands. It is the role of the Planning Policy team to develop, maintain, update and adapt policies on a local level to accommodate these changes.
- 2.4 There are various planning policy documents prepared by the Council, all with different processes for preparation and public involvement. Legislation details the minimum standards for publicity and consultation. The council will always meet these requirements. The core planning policy documents prepared by the Council are:
  - i) The Local Plan (Development Plan Documents)
  - ii) Supplementary Planning Documents
  - iii) The Community Infrastructure Levy Charging Schedule
- 2.5 In Surrey, planning policies relating to minerals and waste are prepared by Surrey County Council. Planning applications for minerals and waste developments are determined by Surrey County Council. The County Council is responsible for preparing and maintaining a Minerals and Waste Plan, providing the policy framework for new operations in the County. Epsom & Ewell Borough Council engages with the County in this process.
- 2.6 Surrey County Council adopted a [Minerals and Waste Consultation Protocol](#) in April 2022. This protocol sets out how the MWPA and Surrey's district and borough councils cooperate to ensure minerals and waste management development are considered during the preparation of local plans and determination of planning applications.
- 2.7 Further details about the programme for preparing these plans and opportunities for involvement in the process are published on Surrey County Council's website.

## How can you get involved?

- 2.8 If you are interested in your area and would like to be involved in shaping future planned growth, then Planning Policy Documents will be relevant to you.
- 2.9 You can:
- Sign up to receive [notifications](#) on local plan consultations.
  - Read our [Local Development Scheme](#) to find out what documents are going to be produced and when.
  - Monitor the Council's [Planning Policy](#) webpages for updates and latest news.
  - Check if a [Neighbourhood Forum](#) has been established in your area to prepare a neighbourhood plan.

## Who will the Council consult on Planning Policy Documents?

- 2.10 Government [Regulations](#) require us to ensure that certain organisations (known as Specific Consultation Bodies), are consulted at key stages during the preparation of planning policy documents. These include for example neighbouring Councils, the Environment Agency, Natural England, Historic England and utility companies. The full list of Specific Consultees is provided in Appendix A.
- 2.11 In addition to consulting Specific Consultation Bodies noted above, the Planning Policy Team has a further list of organisations, bodies, businesses, consultancies, landowners, voluntary bodies and bodies representing the interests of ethnic, religious or disabled groups for example, as well as individuals, that we will consult (known as General Consultation Bodies). Examples of General Consultation bodies are contained within Appendix A.
- 2.12 The above list is not exhaustive and is amended or added to as required. In some cases, we have a degree of discretion over whether to notify certain general bodies if the topic of the document in question is not likely to be of interest or relevance to that body. We will target consultation towards those most likely to be affected.
- 2.13 Planning Policy documents, where relevant are supported by additional documents such as a Sustainability Appraisal (SA) / Strategic Environmental Assessment (SEA) and technical studies (referred to as the evidence base). The Council will only provide paper copies of the main consultation documents<sup>1</sup> (i.e. the Plan) and Sustainability Appraisal / Strategic Environmental

---

<sup>1</sup> Town and Country Planning Regulations 2012



Assessment for reference purposes at the Town Hall and local libraries. All evidence base reports will be publicly available on the Council's website, however should you wish to receive a hard copy of the consultation document and any evidence base document (this will be subject to staff costs of printing, postage and packaging) please contact the Planning Policy team.

## Consultation Principles – Planning Policy

- 2.14 **To Inform:** The Planning Policy Team will inform people of the planning process and provide people with the information they need to get involved at the earliest opportunity possible. The following approaches, where relevant will be used to inform people:

### Statutory Requirements:

- Electronic versions of the consultation documents will be made publicly available on the Council's website.
- Hard copies of the main consultation documents for reference use will be made available during normal opening hours at libraries within the borough and the Town Hall. This information will be made available as part of any consultation.
- Consultation notifications will be sent via email (or where no email address is held a letter will be posted) to, specific consultation bodies, general consultation bodies and to anyone who has registered to receive [notifications](#) of planning policy consultations using our consultation system or who has contacted the planning policy team requesting to be notified of planning policy consultations.

- 2.15 Additional notification methods that may be used to advertise consultation:

- Advertised on the front page of the Council's website within the News section
- Consultations publicised via social media – Twitter / Facebook

- 2.16 **To Involve:** The Planning Policy Team will encourage the active participation of individuals, groups, landowners and developers in the planning process through a variety of techniques including the use of online services.

- 2.17 The Planning Policy Team, wherever possible, and where safe to do so, will undertake these consultation exercises in locations which are accessible to the

local community. For example, at community halls or online and at a variety of times of the day.

- 2.18 **To Consult:** In order to understand the needs of different stakeholders, consultation methods will be as wide-ranging as possible, making the best use of new technologies and digital platforms, to actively engage and consult comprehensively.
- 2.19 **To Respond:** The Planning Policy Team will take account of all responses to consultations and will identify how views expressed in representations have been incorporated into the Council's decision-making processes.
- 2.20 Table 1 provides an assessment of different consultation methods that can be used in the development of planning policy documents with regards to their effectiveness. This table also provides useful information to be considered by local communities who wish to prepare Neighbourhood Plans.

**Table 1 – Consultation Methods for planning policy documents**

Consultation Method	Benefits	Limitations
Electronic copy of consultation document and associated documents on the Council's website.	Relevant documents will be made available on the Council's website. The Council Offices in addition to local libraries, offer internet access and assistance to those who need it. There are also opportunities to respond to consultations via our <a href="#">online consultation portal</a> , email, letter and using response forms.	<ul style="list-style-type: none"> <li>• Not everyone has access to the internet.</li> <li>• Not everyone is able to use the internet.</li> </ul>
Hard copies of main consultation documents and any key associated documents for reference use will be available during normal opening hours at the Town Hall and Libraries within the local planning authority area.	<ul style="list-style-type: none"> <li>• Accessible location.</li> <li>• Inclusive for those who do not have access to the internet or not able to use the internet.</li> <li>• Easy to read.</li> <li>• Reaches residents on cross boundary issues.</li> </ul>	<ul style="list-style-type: none"> <li>• Restricted opening hours.</li> <li>• Not able to take documents away.</li> </ul>

Consultation Method	Benefits	Limitations
We will notify Specific Consultation Bodies by email at the start of the consultation	<ul style="list-style-type: none"> <li>• Direct notification.</li> <li>• Provides accurate information.</li> </ul>	<ul style="list-style-type: none"> <li>• Contact details may have changed that the Council is not aware of.</li> </ul>
Notification emails / letters sent to those who have registered to receive notifications through our <a href="#">online consultation portal</a> .	<ul style="list-style-type: none"> <li>• Direct notification</li> <li>• Provides accurate information</li> <li>• People can remove their contact details at any time if they no longer wish to be kept informed</li> </ul>	<ul style="list-style-type: none"> <li>• Contact details may have changed that the Council is not aware of</li> <li>• Not everyone has access to email</li> <li>• May not be accessible for those people whose first language is not English</li> <li>• May not be the most inclusive method for hard to reach groups</li> </ul>
Local newspapers – the notice will provide details of where and when documents can be inspected. It will also detail how and when to respond to consultation documents.	<ul style="list-style-type: none"> <li>• Can reach a wide audience.</li> <li>• Provides the public with accurate information.</li> </ul>	<ul style="list-style-type: none"> <li>• May not be accessible for those people whose first language is not English.</li> <li>• May not be the most inclusive method for hard to reach groups.</li> </ul>
Social media	<ul style="list-style-type: none"> <li>• Effective way of reaching hard to reach including youth, people with limited time e.g. business/professional people, working people with families.</li> <li>• Information can be accessed at anytime</li> </ul>	<ul style="list-style-type: none"> <li>• Not everyone has access to the internet or a social media account.</li> <li>• Difficult to manage posted comments / content.</li> </ul>

Consultation Method	Benefits	Limitations
	during the consultation period.	
Posters / Leaflets	<ul style="list-style-type: none"> <li>• Can be used to advertise or inform local communities of planning policy consultations and where they can access further information.</li> </ul>	<ul style="list-style-type: none"> <li>• May not be located in places visited by all sectors of the community so not wholly inclusive.</li> <li>• Limited information.</li> <li>• May not be accessible for those people whose first language is not English.</li> </ul>
Public exhibitions (online or face to face)	<ul style="list-style-type: none"> <li>• Enables people to access information on display boards.</li> <li>• Provides the opportunity to speak with Council officers for further information / discuss concerns.</li> <li>• Provides accessibility.</li> <li>• People can fill out comment forms.</li> <li>• This could be achieved by virtual exhibitions online or if possible; holding face to face exhibitions.</li> </ul>	<ul style="list-style-type: none"> <li>• May not be attended by hard-to-reach groups.</li> <li>• May not be accessible for those people whose first language is not English.</li> <li>• Creating and updating displays is expensive and time consuming.</li> <li>• Not everyone has internet access.</li> </ul>
Council Officers attending Public Meetings	<ul style="list-style-type: none"> <li>• Reaches out to people in the local area.</li> <li>• Provides the opportunity to speak with Council Officers for further information / discuss concerns.</li> </ul>	<ul style="list-style-type: none"> <li>• Need to ensure there is sufficient publicity in order to have a good attendance rate to encourage a constructive / meaningful meeting.</li> </ul>

Consultation Method	Benefits	Limitations
	<ul style="list-style-type: none"> <li>• Council Officers can understand the views of the public.</li> </ul>	<ul style="list-style-type: none"> <li>• Sometimes there can be too many views to be heard in a limited time frame.</li> <li>• People may not want to discuss their views in a public forum.</li> <li>• The loudest voices tend to get heard.</li> <li>• Not fully inclusive / representative of local community.</li> <li>• May not be accessible for those people whose first language is not English.</li> </ul>

## 3.0 Involvement in Local Plans

- 3.1. The **Local Plan** is the statutory plan setting out the principal policies and proposals for land use and development in the borough. It contains the overall vision and objectives, the development strategy, allocates sites for development and sets out a suite of policies used in decision making on planning matters.
- 3.2 The process for preparing the Local Plan is summarised in Table 2 which identifies each of the stages and the key opportunities for community involvement in the process.

**Table 2: Statutory Stages of Local Plan Production**

Key stages of production	Your opportunities for involvement
<b>Initial Evidence Gathering and Informal Engagement</b> <ul style="list-style-type: none"><li>• Begin initial evidence gathering process (commissioning technical studies, identifying available sites, collating data, identifying the scope of the Plan).</li><li>• Formulate initial aims and objectives.</li><li>• Start preparing the Sustainability Appraisal Scoping Report and collating baseline data.</li><li>• Identify relevant environmental<sup>2</sup>, economic and social objectives to inform the Sustainability Appraisal.</li></ul>	<ul style="list-style-type: none"><li>• Sign up to our <a href="#">planning policy consultation database</a> to receive notifications on local plan consultations.</li><li>• Provide the Planning Policy Team with details of any sites you may wish to promote for development through the Call for Sites process.</li><li>• Provide the Planning Policy Team with any local evidence studies.</li><li>• Providing the Planning Policy Team with information on community facilities and key services in your local area.</li><li>• Providing the Planning Policy Team with information on</li></ul>

---

<sup>2</sup> Including climate change

Key stages of production	Your opportunities for involvement
<ul style="list-style-type: none"> <li>Engage with consultation bodies set out in Appendix A</li> </ul>	<p>infrastructure capacity in your local area.</p> <ul style="list-style-type: none"> <li>Where appropriate, the Council will publish evidence base documents once they have been finalised.</li> </ul>
<p><b>Regulation 18: Consultation</b></p> <p><b>Initial Formal Public Consultation(s)</b></p> <ul style="list-style-type: none"> <li>The Council will undertake public consultation for a period of 6 weeks.</li> <li>Engage with local communities, businesses and other interested parties.</li> <li>Engage with consultation bodies set out in Appendix A.</li> </ul>	<ul style="list-style-type: none"> <li>Review the Local Plan, the Sustainability Appraisal and other supporting evidence base and identify any comments you may have.</li> <li>Submit a formal representation to the Council outlining your comments, support or objection.</li> <li>Attend any public exhibitions being held (online or face to face).</li> </ul> <p><b>Please Note:</b> All submitted representations will be made public and personal information will be removed in accordance with the Council's privacy policy, comments can be viewed by others.</p>
<p><b>Regulation 19: Proposed Submission Consultation</b></p> <p><b>2<sup>nd</sup> Public Consultation and final consultation before submitting Plan for Examination</b></p> <ul style="list-style-type: none"> <li>The Planning Policy Team will review all the representations submitted during Regulation 18 consultation and make any</li> </ul>	<ul style="list-style-type: none"> <li>Review the Local Plan, Sustainability Appraisal and Habitat Regulations Assessment</li> </ul>

Key stages of production	Your opportunities for involvement
<p>changes to the Plan where justified.</p> <ul style="list-style-type: none"> <li>• The Council will prepare a statement summarising how they consulted during the initial consultation(s), the key issues that came out of the consultation(s) and how these will be taken into account in amending the Plan.</li> <li>• The Council will undertake public consultation on the revised draft Plan, Sustainability Appraisal and Habitat Regulations Assessment for a period of 6 weeks.</li> </ul>	<p>and identify any comments you may have.</p> <ul style="list-style-type: none"> <li>• If you submitted a representation during the previous consultation that remains unresolved, resubmit your representation if you wish to maintain your objection.</li> <li>• Attend any public exhibitions (online or face to face).</li> </ul> <p><b>Please Note:</b> This is the final opportunity to submit a duly made representation.</p> <p>You should be specific as to why you consider the Plan to be unsound, what change(s) you are seeking and why it would make the document sound.</p> <p>The Planning Inspector will only consider written representations submitted during this stage as it is considered that these representations (objections) are unresolved.</p> <p>It is important to note that any representations submitted during the Regulation 18 Consultation will not be considered by the Planning Inspector.</p>
<p><b>Regulation 22: Submission of Local Plan</b></p> <p><b>Final Draft Plan</b></p> <ul style="list-style-type: none"> <li>• The Council will produce a statement setting out how it consulted throughout the development of the Plan, the issues raised and how the Plan has been amended to address relevant issues.</li> </ul>	<ul style="list-style-type: none"> <li>• The Council will notify those registered to be notified of planning policy consultations and those who submitted representations at the Regulation 19 stage, that the Local Plan has been submitted to the Secretary</li> </ul>



Key stages of production	Your opportunities for involvement
<ul style="list-style-type: none"> <li>• The Council will submit the Plan and any representations submitted during Regulation 19 and the Statement of Consultation to Secretary of State.</li> <li>• The Government will appoint a Planning Inspector to examine the plan.</li> <li>• The Planning Inspector will set the timetable for Examination in Public.</li> </ul>	<p>of State for independent examination.</p>
<p><b>Examination of submitted Local Plan</b></p> <ul style="list-style-type: none"> <li>• An independent Inspector assesses the submitted Local Plan to determine whether it has been prepared in line with the Duty to Cooperate and other legal requirements.</li> <li>• The Council via the Programme Officer will write to representor's informing them of the hearing start date (at least 6 weeks in advance of commencing).</li> <li>• The Council can ask the Inspector to recommend main modifications to make Plan sound or comply with other legal requirements.</li> <li>• Inspector issues a report at the end of Examination in Public.</li> <li>• Exceptionally, the Inspector will recommend the draft Local Plan to be withdrawn if it has not</li> </ul>	<ul style="list-style-type: none"> <li>• The Inspector will invite participants (via the Programme Officer) to speak at the hearing sessions on those matters and issues considered relevant by the Inspector.</li> <li>• Selected participants will receive a programme (via the Programme Officer) for hearing sessions including matters/issues and the Inspector's Guidance Note.</li> <li>• The hearing sessions are public and anyone can observe even if they haven't been selected to participate.</li> <li>• Further information regarding the Examination in Public process can be found within the <a href="#">Planning Inspectorate Procedure Guide for Local Plan Examinations</a> (February 2021).</li> </ul>

Key stages of production	Your opportunities for involvement
been prepared in accordance with the Duty to Cooperate or it is likely to be found unsound.	
<b>Adoption</b> <ul style="list-style-type: none"> <li>Local Plan is adopted by the Council.</li> <li>The Council publishes a post adoption statement.</li> </ul>	<p>The Council will notify those registered to receive notifications through our <a href="#">planning policy consultation database</a> and those who submitted representations at Regulation 19 Stage of receipt of the Inspectors Report and the date the Local Plan will be taken to Council for adoption.</p>
<b>Monitoring</b> <ul style="list-style-type: none"> <li>Local Plan policies are monitored against objectives and indicators and are reported within the Council's Authority Monitoring Report.</li> </ul>	

- 3.3 Epsom and Ewell Borough Council does not formulate or consult on local plans in respect of minerals and waste management development. This is the responsibility of Surrey County Council (SCC) in its capacity as the Minerals and Waste Planning Authority. The SCC website contains further information about the [minerals and waste policies and plans](#).

## 4.0 Supplementary Planning Documents

- 4.1 Supplementary Planning Documents (SPDs) may cover a range of issues, both thematic and site specific, which support policies in the Local Plan. They do not set new policy or allocate land. Whilst SPDs are adopted formally by the Council and are material considerations in the determination of planning applications, they do not form part of the development plan and are not subject to independent examination.
- 4.2 The Council has produced several SPDs which can be accessed on the Council's [website](#).
- 4.3 The Council is committed to involving the community in the preparation of these documents, but the level and scope of consultation will vary according to the nature of the document being produced. The preparation of an SPD is different to preparing a Local Plan Document. The Government sets out statutory consultation requirements that the Council must follow. Key statutory stages and opportunities for community involvement are set out within Table 3. It is recommended that Table 3 is read in conjunction with [Part 5 of the Town and Country Planning Regulations 2012](#) (as amended).

**Table 3 – SPD Key Stages of Production**

Key Stages of SPD Production	How we will consult	Your opportunities for involvement
<b>Initial Background Work</b>  The Planning Policy Team will carry out research to identify the issues and relevant policy context as part of evidence gathering.	Where necessary (for example to satisfy government guidance), preliminary consultations will be carried out prior to the publication of draft SPDs.	Sign up to our <a href="#">planning policy consultation database</a> to receive notifications of consultations.
<b>Regulation 12 &amp; 13: Publish the draft SPD for consultation</b>  The Planning Policy Team will undertake public consultation on the draft SPD for a period of 4 weeks.	<ul style="list-style-type: none"><li>Electronic versions of the consultation documents will be made publicly available on the Council's website.</li></ul>	Review the draft SPD  Submit a formal representation to the Council outlining your comments, support or objection

	<ul style="list-style-type: none"> <li>• Hard copies of the main consultation documents for reference use will be made available during normal opening hours at the Town Hall and libraries within the local planning authority area.</li> <li>• Consultation notifications will be sent via email to, specific consultation bodies, general consultation bodies and, to anyone who has registered to our planning policy consultation database.</li> </ul>	
<p><b>Finalise SPD</b></p> <p>The Planning Policy Team will review all the representations submitted during consultation and make any changes to the SPD where justified.</p> <p>The Council will produce a statement setting out how it consulted on the draft SPD, the issues raised and how the SPD has been amended to address relevant issues.</p>	Not applicable.	Not applicable.
<p><b>Regulation 14: Adoption of the SPD</b></p> <p>The SPD is adopted by the Council.</p> <p>The Council publishes an adoption statement.</p>	The Council will notify those who submitted representations of the date the SPD will be taken to Council for adoption.	Not applicable.

## 5.0 Other Policy Documents

### Sustainability Appraisal Scoping Report

- 5.1 The first stage of the sustainability appraisal is to consider the scope of the appraisal process. It includes a review of other relevant plans, policies and programmes that relate to the local area; information on the present state of the local environment (the baseline); a discussion of the local sustainability issues and a series of sustainability objectives that must be considered when preparing Development Plan Documents (DPDs) such as the Local Plan.
- 5.2 Consultation will be undertaken on the draft Scoping Report. The Environmental Assessment of Plans and Programmes (SEA) Regulations (2004) require that local authorities consult:
- The Environment Agency
  - Natural England; and
  - Historic England

### Neighbourhood Plans and Neighbourhood Development Orders

- 5.3 The production of Neighbourhood Development Plan is led by the local community. You and or your community may be interested in producing a 'Neighbourhood Plan' which enables your community to shape local development in your area. It is a way for communities to decide the future of the places where they live and work by having more of a say in where new homes, businesses, shops and community facilities should be placed in their local area, along with being able to allocate sites for development. Where they choose to, local people can draw up a plan or a development order.
- 5.4 Neighbourhood Plans allow communities to establish general planning policies for the development of land in their defined area. A neighbourhood plan comes into force as part of the statutory development plan once it has been approved at a local referendum. This means that the Council and planning inspectors will need to take the plan into consideration when making planning decisions.
- 5.5 Neighbourhood Development Orders (including community right to build orders) grant planning permission for a specific type of development in a particular area. This could be either a particular development or a particular class of development such as housing or retail.

- 5.6 Neighbourhood Plans and Neighbourhood Development Orders can be prepared by a duly constituted 'neighbourhood forum'.
- 5.7 It is important to note the Council's role is to provide advice and support to groups developing a plan. It is the Neighbourhood Forum that is responsible in creating and holding public consultation and engagement in its preparation up to submission of the final draft ('proposed submission') plan.
- 5.8 The Council has produced more detailed guidance in relation to Neighbourhood Planning for use by the community which can be accessed on our [neighbourhood planning webpage](#).
- 5.9 The stages of the Neighbourhood Plan preparation and how you can get involved are set out in the Table 4.

**Table 4: Statutory Stages of Neighbourhood Plan Production**

<b>Key stages of production</b>	<b>Your opportunities for involvement</b>
<b>Define the Neighbourhood area and establish a Neighbourhood Forum</b>	Proposals for a new Neighbourhood Forum and Neighbourhood Area will be consulted on.
<b>Approval of Neighbourhood area from Local Planning Authority (LPA)</b>	N/A
<b>Preparing the draft Plan</b>	The Neighbourhood Forum is responsible for the preparation of the plan. This includes the gathering of evidence, consultation with the community (including residents, organisations / institutions e.g., schools, business community, interest groups) and the writing of the Plan.
<b>Regulation 14: Pre-submission publicity and consultation</b>	The Neighbourhood Forum is responsible for the consultation of the plan. The consultation must be publicised, so that it is brought to the attention of people living, working and undertaking business in the neighbourhood area.
<b>Regulation 16: Submission of a Neighbourhood Plan to Epsom and Ewell Borough Council</b>	Epsom and Ewell Borough Council will advertise and run this consultation. It will be publicised on the Council's website and the council will organise for the consultation documents to be available at locations within the designated neighbourhood area.
<b>Examination</b>	<p>Epsom and Ewell Borough Council will collate the responses alongside the submission documents and send them to the independent examiner.</p> <p>It is not expected that the examination will include a public hearing, although an inspector can use this forum if it is considered necessary to ensure adequate</p>

Key stages of production	Your opportunities for involvement
	<p>examination of an issue or to give a person a fair chance to put a case.</p> <p>You will therefore be contacted directly, if relevant to participate at this stage.</p>
<b>Referendum</b>	<p>Epsom and Ewell Borough Council is the electoral authority. Referendum documents will be compiled by the Council. These documents will be made available on the Council's website and are a regulatory requirement.</p> <p>If you are a resident within the Neighbourhood Forum area who is on the electoral register, you can vote as part of this referendum.</p>
<b>Adoption</b>	<p>The Council will notify those who submitted representations of the date the Neighbourhood Plan will be taken to Council for adoption.</p>

### Community Infrastructure Levy

- 5.10 The CIL Regulations enable local planning authorities to raise funding for new infrastructure by levying a charge on new development within their area. The Community Infrastructure Levy (CIL) is an important mechanism for the Council and its partners to fund infrastructure provision to mitigate the impact of new development within the Borough.

#### Charging Schedule

- 5.11 The Community Infrastructure Levy (CIL) is a levy that local authorities can charge on developments in their area. CIL income can be used to fund additional infrastructure required to support new development including roads, schools, green spaces and community facilities.
- 5.12 The levy is charged in pounds (£) per square metre on new floorspace (measured as gross internal area) of any type of development which has a CIL rate set in the Charging Schedule (plus indexation as set out in the CIL Regulations). The Council adopted its CIL Charging Schedule on the 29 April 2014. Each year the Council update the figures (in January) for each



development type to ensure they are charged at the correct indexation. The CIL charging schedule will be reviewed in tandem with the preparation of a New Local Plan.

- 5.13 Further information regarding the operation of CIL in the Borough can be found on our [website](#).
- 5.14 The stages of the preparing an updated CIL Charging Schedule are set out in Table 5 and should be read in conjunction with Part 3 of the CIL Regulations (as amended).

**Table 5: CIL Charging Schedule Key Stages of Production**

<b>Key stages of production</b>	<b>How we will consult</b>	<b>Your opportunities for involvement</b>
<b>Initial Evidence Gathering</b>  The Planning Policy Team will carry out research and evidence work to inform the proposed levy rates to be set out within the Draft Charging Schedule.	Not applicable	<a href="#">Sign up</a> to our planning policy consultation database list to receive notifications of consultations.
<b>Regulation 16: Publish the CIL Draft Charging Schedule for consultation</b>  <b>Public Consultation</b>  The Planning Policy Team will undertake public consultation on the Draft charging Schedule for a period of 6 weeks	<b>Statutory Requirements:</b>  The draft charging schedule, relevant evidence, statement of the representations procedure and statement of how to view hard copies will be made publicly available on the Council's website  Hard copies of the draft charging schedule, relevant evidence and statement of the	Review the Draft Preliminary Charging Schedule  Submit a formal representation outlining your comments, support or objection

Key stages of production	How we will consult	Your opportunities for involvement
	<p>representations procedure will be made available for inspection at the Town Hall and libraries within the planning authority area</p> <p>Send a copy of the draft charging schedule and statement of representation procedure to Local Planning Authorities (that adjoin the Charging Authority's area) and Surrey County Council and all Neighbourhood Forums within the borough</p> <p>Notification to be sent to persons who are resident or carrying on business in its area, appropriate voluntary bodies and bodies which represent the interests of persons carrying on business in the charging authority's area.</p>	
<p><b>Regulation 19: Submission of CIL Draft Charging Schedule to Examiner</b></p> <p><b>Final Draft Charging Schedule</b></p> <p>Submit CIL Draft Charging Schedule, evidence base and representations</p>	<p><b>Statutory Requirements:</b></p> <p>All submission documents will be electronically available on the Council's website and reference copies will be made available at the Town Hall and libraries within the planning authority area</p>	<p>The Council will notify those registered to receive notifications through our <a href="#">planning policy consultation database</a>, elected Members and those who submitted representations that the CIL Draft Charging Schedule has been submitted for Examination</p>

Key stages of production	How we will consult	Your opportunities for involvement
<p>received during Regulation 16</p> <p>Submit statement setting out the representations made during Regulation 16 and a summary of the main issues raised by representations and how they were taken into account</p> <p>The Council will then wait for the Planning Inspector to set the timetable for the Examination of the Charging Schedule.</p>	<p>Give notice to those persons who requested to be notified of the submission of the CIL Draft Charging Schedule</p>	
<p><b>Regulation 25: Approval &amp; Publication of CIL Charging Schedule</b></p> <p>CIL Charging Schedule is adopted by the Council and published</p>	<p><b>Statutory Requirements:</b></p> <p>Publish CIL Charging Schedule on the Council's website</p> <p>Make the CIL Charging Schedule available for inspection</p> <p>Give notice to those persons who requested to be notified of the approval of the CIL Charging Schedule</p>	<p>The Council will notify those registered to receive notifications through our <a href="#">planning policy consultation database</a>, elected Members and those who submitted representations that the CIL Charging Schedule has been approved</p>

## 6.0 Planning Applications

- 6.1 The council is responsible for processing and determining planning applications within the Borough. It is at the planning application stage where specific, detailed decisions are made about the use of land or a building. Planning applications are determined in accordance with the Development Plan unless there are material considerations that indicate otherwise. The National Planning Policy Framework represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application or appeal.
- 6.2 The council does not determine or advise on planning applications relating to County Matters (such as mineral processing and waste disposal), where Surrey County Council (SCC) acts as the Minerals and Waste Planning Authority. SCC also advise on and determine Regulation 3 planning applications (where land is controlled by SCC and SCC are funding the development). Further information about the process for these type of application can be found on the [SCC website](#).
- 6.3 The council is not primarily responsible for the consultation and publicity of applications determined by SCC, which is handled by SCC under their own SCI. Details of SCC determined planning application are, however, entered onto the statutory register.

### Pre-Application Advice

- 6.4 Seeking pre-application advice from the planning authority gives applicants the opportunity to discuss the principle of the development proposals with an officer. It also enables officers to identify any potential issues and provides a number of benefits:
- Providing an opportunity to better understand how an application will be judged against the policies in the development plan and other material considerations.
  - Identifying, at an early stage, where there is a need for specialist input such as with regard to listed buildings, trees, landscape, green infrastructure and natural green space noise, health, contaminated land or archaeology.
  - Providing the opportunity to modify a proposal to make it potentially more acceptable to the Council and anticipating other regulatory requirements.
  - Improving the design and quality of the finished scheme.
  - Indicating at an early stage if a proposal is unacceptable, saving the cost of pursuing a formal application.

- Avoiding rejection at registration stage or early refusal of permission because of inadequate or insufficient information.
  - Allowing discussions on and the preparation of legal agreements, where appropriate, in advance of an application being received and for negotiations to consider land value constraints.
- 6.5 Larger and significant or complex planning applications may also require involvement of external statutory bodies such as Surrey County Council (as the Local Highway Authority and Lead Local Flood Authority), the Environment Agency, Natural England, Historic England, National Highways and water companies who operate their own pre-application advice services. The Local Planning Authority will advise if contact should be made directly with these bodies when providing their written response.
- 6.6 Under the Freedom of Information Act, the Council may consider pre-application submissions, which are commercially sensitive, as confidential. A public interest test will be applied to decide whether a proposal can be deemed as confidential.
- 6.7 Further information on our pre-application service can be accessed on our [website](#).

### **Planning Performance Agreements**

- 6.8 A Planning Performance Agreement (PPA) is a project management tool that the applicant and the Council can use to agree timescales, actions and resources for handling particular applications. It covers the pre-application stage as well as the application and post application stages. PPAs are useful for setting out an efficient and transparent process or determining large and/or complex planning applications. They encourage joint working between the applicant and the council and can help to bring together other parties such as statutory consultees. For more information on PPAs can be accessed on our [website](#).

### **Pre application consultation**

- 6.9 The Council considers it very important that the local community is involved in the development management process as early as possible. The Council therefore encourages applicants of major development proposals, significant or sensitive sites to engage with the local community before a planning application is submitted to ensure that issues are identified and that applicants have the opportunity to make appropriate amendments to their scheme.

- 6.10 It is important to note that pre-application consultation with the community is dependent on applicants. The Council can only encourage and not require developers to involve the local community and planning applications cannot be refused if a developer refuses to involve the local community.

### Publicity of planning applications

- 6.11 When a planning application is submitted to the Council, it will be considered against a validation checklist to ensure the correct documents have been submitted. The local validation list is available on our [website](#). When validation is successful, a planning application will be registered and allocated to a Planning Officer.
- 6.12 Planning applications are subject to statutory consultation requirements which are primarily set out in the Town and Country Planning (Development Management Procedure) Order 2015 (as amended) and in [Planning Practice Guidance](#). The council will comply with the statutory requirements which are summarised in Table 6 for specific types of development.
- 6.13 In addition to the publicity set out in these tables the Council will also consult those bodies set out in the Town and Country Planning (Development Management Procedure) Order 2015 (as amended) or [Planning Practice Guidance](#).

**Table 6: Statutory Publicity Requirements for Planning Applications**

Type of development	Statutory Publicity requirement
<b>Major Development:</b> Residential developments involving 10 or more homes, or the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development comprises 10 or more homes.  Other development: 1000m <sup>2</sup> for more floor space or site area of 1.0 hectares or more.	Details of valid application entered on <a href="#">statutory register</a>  Press advert  Site notice and neighbour notification letter
Applications subject to Environmental Impact Assessment which are accompanied by an Environmental Statement.	Details of valid application entered on <a href="#">statutory register</a>  Press advert

	Site notice and neighbour notification letter
Application that is a departure from the Local Plan.	<p>Details of valid application entered on <a href="#">statutory register</a></p> <p>Press advert</p> <p>Site notice and neighbour notification letter</p>
<p><b>Minor Development:</b> Residential development: involving less than 10 homes.</p> <p>Other development: floor space is less than 1000m<sup>2</sup>.</p> <p>Change of use applications.</p>	<p>Details of valid application entered on <a href="#">statutory register</a></p> <p>Site notice or neighbour notification letter</p>
<b>Householder developments</b>	<p>Details of valid application entered on <a href="#">statutory register</a></p> <p>Site notice or neighbour notification letter</p>
Applications for listed building consent where works to the exterior of the building are proposed	<p>Details of valid application entered on <a href="#">statutory register</a></p> <p>Press advert</p> <p>Site notice</p>
Development affecting the setting of a Listed Building or affecting the character of a Conservation Area.	<p>Details of valid application entered on <a href="#">statutory register</a></p> <p>Press advert</p> <p>Site notice</p>

- 6.14 For developments requiring a press advertisement, advertisements are placed in the local printed press to advise of new development proposals in the area. These appear in the newspaper on a weekly basis.
- 6.15 For developments requiring a site notice to be displayed, the site notices are printed by the Council and displayed on the site for the period specified in the legislation (typically 21 days) and the first date of display is recorded by the case officer. It is the applicant / land owners' responsibility to maintain these notices for the consultation period.
- 6.16 For developments requiring neighbour notification of an application, this is in the form of a letter giving brief details of the proposal, details of where and when the application may be seen, and the last date for comments (normally 21 days from the date of the letter). Letters are addressed to 'the occupier/owner'. Neighbour notifications are sent to any neighbouring property that shares a common boundary with the land subject to the proposed development. For major or significant schemes, the Council may, at its discretion, notify the occupiers of more properties.

### **Viewing / commenting on a Planning Application**

- 6.17 Planning applications can be viewed on the Council's [website](#) or at the Town Hall during opening days/hours. Anyone can view and make comments on planning applications online via the planning application [search register](#).
- 6.18 Comments can also be submitted via email / post. Representations received cannot be treated in confidence and will form part of the public planning application file which (subject to the Data Protection Act) is available online, or, for inspection by appointment for 'live' files, at the Town Hall.
- 6.19 All representations that are valid planning issues, will be taken into account in the decision-making process and will be summarised. Representations should be sent into the Council before the end of the consultation period, which will be the last of the neighbour notification, site notice or press advertisement periods. Where an application is considered at Planning Committee any late representation will also be brought to the attention of the committee.

### **Determining planning applications**

- 6.20 Following review and analysis of all the information and submissions to a development proposal, a report is prepared on the acceptability of the development. The decision as to whether or not to grant planning permission is made either under delegated powers by the Head of Place Development, or by the Planning Committee.



- 6.21 Once a planning application is determined, a Decision Notice is issued. This is either a Notice of Refusal or a Notice of Approval and is sent to the applicant or their agent. A copy of the officer report is made available on the council's website, in addition to the Decision Notice.
- 6.22 Further information on how planning applications are determined, including statutory time limits for determining planning applications is detailed in the [planning practice guidance](#).

### **Notification of planning appeals**

- 6.23 In accordance with Section 78 of the Town and Country Planning Act 1990, there is a right of appeal for applicants against most local authority decisions on planning permission and other planning decisions, such as advertisement consent, listed building consent, prior approval of permitted development rights, and enforcement.
- 6.24 An applicant can appeal against a planning decision if:
- The application has been refused
  - The decision includes a condition that the applicant is not satisfied with
  - The application has not been determined within the statutory time period
- 6.25 Once planning permission has been granted, there is no statutory third party right of appeal to challenge the approval.
- 6.26 Once an appeal is received by the Planning Inspectorate and validated, they will determine the type of appeal procedure to be followed notifying the planning authority and applicant. The three appeal procedures are:
- Written representations
  - Hearing
  - Public Inquiry
- 6.27 The Council as the planning authority is required to notify interested parties on the application in writing of any planning appeal that has been made within a prescribed time period which varies based on the type of application that is subject to appeal and the appeal procedure being followed. Interested parties are those individuals formally notified of the planning application in writing in accordance with statutory publicity requirement (see Table 6 and paragraph 6.15) and those that made comments on the application subject to the appeal.

- 6.28 The letter sent by the Council will confirm that any representations made on the application subject to the appeal will be sent to Planning Inspectorate and the appellant, and will be considered by the Inspector when deciding the appeal. The letter will also set out how representations can be withdrawn and where applicable the date by which additional representations can be made.
- 6.29 Further information on planning appeals can be accessed from the following links:
- <https://www.gov.uk/guidance/appeals>
  - <https://www.gov.uk/government/publications/planning-appeals-procedural-guide/procedural-guide-planning-appeals-england>

## **7.0 Appendix A – Specific and General Consultation Bodies and Duty to Co-Operate Organisations for the purposes of Plan Making**

### **Duty to Co-operate Organisations**

7.1 The following are organisations which Epsom and Ewell Borough Council has a duty to cooperate with in accordance with Part 2 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Where the organisation (bodies) listed cease to exist, successor bodies will be consulted:

- Surrey County Council
- Mole Valley District Council
- Elmbridge Borough Council
- Reigate and Banstead Borough Council
- London Borough of Sutton
- Royal Borough of Kingston Upon Thames
- The Environment Agency
- Historic England
- Homes England
- Clinical Commissioning Groups
- NHS England
- Highways England
- Transport for London
- Coast to Capital Local Enterprise Partnership
- Local Nature Partnership (Surrey Nature Partnership)
- Civil Aviation Authority

### **Specific Consultation Bodies**

7.2 Organisations who have been identified under the requirements of the town and Country Planning (Local Planning) (England) Regulations 2012 that may have an interest in the proposals within a Development Plan Document are set out below. There is duplication with the prescribed authorities for the purposes of the Duty to Cooperate requirements as set out above. Where bodies listed cease to exist, successor bodies will be consulted:

- Surrey County Council
- Mole Valley District Council

- Elmbridge Borough Council
- Reigate and Banstead Borough Council
- London Borough of Sutton
- Royal Borough of Kingston Upon Thames
- The Coal Authority
- Homes England
- Natural England
- The Environment Agency
- Historic England
- Network Rail Infrastructure Ltd
- Highways England
- NHS Trusts and Clinical Commissioning Groups
- Utility companies including gas and electricity, sewage and water, and telecommunications operators
- Police and Crime Commissioner

### General Consultation Bodies

7.3 In addition to the specific consultation bodies listed above, the council/qualifying body will involve as many people and groups as possible in preparing Development Plan Documents and Supplementary Planning Documents in the categories below:

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

7.4 In the context of the five categories detailed above, general consultation bodies can include:

- Local political parties / associations
- Older persons groups
- Religious groups

- Transport providers / operators
- Housing interest groups
- Gypsy and Traveller and Travelling Show people groups / organisations
- The Crown Estate
- Civic Societies
- Environmental Groups
- Youth Group, schools and colleges

## 8.0 Glossary

Conservation Area	Conservation Areas are areas of special architectural or historic interest, that are desirable to preserve and enhance.
Community Infrastructure Levy (CIL)	A levy that local authorities can choose to charge on new developments in their area. The charges are based on formula relating to the size and type of new development and money can be used to fund infrastructure.
Development Plan	Documents which set out the policies and proposals for the development and use of land.
Duty to Co-operate	The National Planning Policy Framework and Localism Act 2011 places a statutory requirement on Local Planning Authorities, County Councils, and public bodies to actively engage on an on-going basis during the Local Plan preparation in the context of strategic cross boundary matters.
Evidence Base	Information gathered by the Local Planning Authority to support the Local Plan and other Development Plan Documents.
Environmental Impact Assessment (EIA)	A procedure to be followed for certain types of project to ensure that decisions are made in full knowledge of any likely significant effects on the environment.
Habitats Regulations Assessment (HRA)	Requires 'appropriate assessment' of plans and projects that are, either alone or in combination with other plans and projects, likely to have a significant impact on national and international designated sites. The designation, protection and restoration of European sites is embedded in the Conservation of Habitats and Species Regulations 2017, as amended, which are commonly referred to as the 'Habitats Regulations'. The most recent amendments (the Conservation of Habitats and Species (amendment) (EU Exit) Regulations) take account of the UK's departure from the EU.
Listed Building	A Statutory Listed Building is a building of special architectural or historic interest.
Local Development Document	The collective term for Development Plan Documents (DPDs), Supplementary Planning Documents (SPDs) and the Statement of Community Involvement (SCI)

Local Development Scheme (LDS)	Provides a project plan identifying which development plan documents will be produced and when.
National Planning Policy Framework (NPPF)	Introduced in 2012 and subsequently amended, this framework sets out the government's planning policies and how these are expected to be applied.
Neighbourhood Development Order	An order made by a local planning authority through which parish councils and neighbourhood forums can grant permission for specific development proposals or classes of development.
Neighbourhood Plans	Neighbourhood Plans are a way for communities to allocate land for new homes, shops or offices to be built, and to have a say on what those new buildings should look like and the type of infrastructure which would be provided.
Planning Policy Consultation Database	Consultation database maintained by the planning policy team which includes anyone who has requested to be consulted on the preparation of planning policy documents.
Qualifying Body	A designated neighbourhood forum
Sustainability Appraisal (SA)	Process to appraise policies to ensure they reflect sustainable development objectives (i.e. social, environmental and economic factors) that are required to be undertaken for all Development Plan Documents.
Strategic Environmental Assessment (SEA)	A generic term used to describe environmental assessment as applied to policies, plans and programmes. The European 'SEA Directive' (2001/42/EC) requires a formal 'environmental assessment of certain plans and programmes, including those in the field of planning and land use'.
Supplementary Planning Documents (SPDs)	Provide supplementary information in respect of the policies in Development Plan Documents. They do not form part of the Development Plan and are not subject to independent examination.