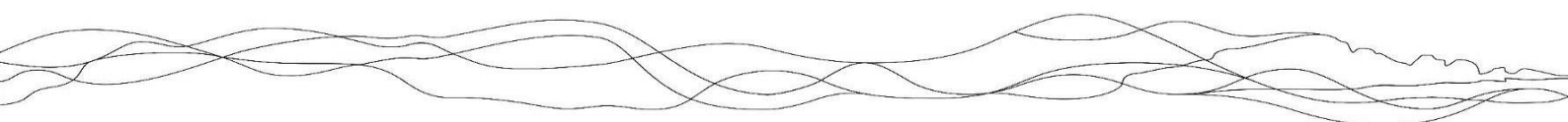




**South Downs National Park**  
**Statement of Community**  
**Involvement**  
**(Version 3)**  
**August 2017**

---



If you need this document in a different format please contact the Planning Policy Team at:

South Downs National Park Authority

South Downs Centre

North Street

Midhurst

West Sussex

GU29 9DH

Or to: [planningpolicy@southdowns.gov.uk](mailto:planningpolicy@southdowns.gov.uk)

or contact the Planning Policy Team on 01730 814810

The Statement of Community Involvement is available:

- On the SDNPA website [www.southdowns.gov.uk](http://www.southdowns.gov.uk)
- At the South Downs Centre, Midhurst
- By post, on request

# CONTENTS

---

CHAPTERS	PAGE No.
<b>1. Abbreviations</b>	<b>1</b>
<b>2. Glossary</b>	<b>2</b>
<b>3. Introduction</b>	<b>4</b>
<b>a) What is a Statement of Community Involvement?</b>	<b>4</b>
<b>b) The Planning System</b>	<b>4</b>
<b>c) Changes to the Planning System</b>	<b>5</b>
<b>d) The South Downs National Park Authority and Planning</b>	<b>6</b>
<b>e) Parish Workshops</b>	<b>7</b>
<b>f) Developing the Statement of Community Involvement</b>	<b>8</b>
<b>4. Developing Planning Policy</b>	<b>9</b>
<b>a) The Planning Policy Framework</b>	<b>9</b>
<b>b) Local development documents</b>	<b>10</b>
<b>c) Local Plan production</b>	<b>11</b>
<b>d) Neighbourhood Development Plan production</b>	<b>12</b>
<b>e) Compliance</b>	<b>14</b>
<b>f) Links with the National Park Partnership Management Plan</b>	<b>14</b>
<b>5. Approach to consultation (Planning Policy)</b>	<b>15</b>
<b>a) Who will we consult?</b>	<b>15</b>
<b>b) Ongoing engagement on the Local Plan</b>	<b>16</b>
<b>c) Consultation principles</b>	<b>16</b>
<b>d) Minimum consultation requirements</b>	<b>17</b>
<b>e) Optional consultation methods</b>	<b>18</b>
<b>f) Standards for acknowledging and reporting back on representations</b>	<b>19</b>
<b>6. Approach to consultation (Development Management)</b>	<b>20</b>
<b>a) Introduction</b>	<b>20</b>
<b>b) Significant applications</b>	<b>21</b>
<b>c) Pre-application consultation</b>	<b>21</b>
<b>d) Publicity for planning applications</b>	<b>22</b>
<b>e) Planning applications decided by the Planning Committee</b>	<b>24</b>

<b>f)</b> Planning application decisions	25
<b>g)</b> Appeals	25
<b>7.</b> Approach to advice and assistance for Neighbourhood Planning	26
<b>a)</b> Introduction	26
<b>b)</b> Neighbourhood Development Plans	26
<b>c)</b> Neighbourhood Development Orders	26
<b>d)</b> Community Right to Build	27
<b>e)</b> How are we going to work together?	27
<b>f)</b> What support will we provide?	27
<b>g)</b> Our Legal Duties	28
<b>h)</b> Funding	28
<b>i)</b> Reviewing NDPs	28
<b>8.</b> Further Information	29
<b>a)</b> Planning Aid	29
<b>b)</b> Monitoring and Review of the Statement of Community Involvement	29
<b>c)</b> Legislation	29

## APPENDICES

## PAGE No.

---

<b>1.</b> Indicative map of the South Downs National Park showing Local Authority Boundaries	30
<b>2.</b> Planning Policy within the National Park	31
<b>3.</b> List of statutory consultation bodies	33
<b>4.</b> Minimum statutory publicity requirements	35
<b>5.</b> Map of designated Neighbourhood Areas	36
<b>6.</b> Memorandum of understanding in relation to Neighbourhood Planning	37

# I. ABBREVIATIONS

---

<b>AMR</b>	Authority Monitoring Report
<b>DM</b>	Development Management
<b>DPD</b>	Development Plan Document
<b>LDD</b>	Local Development Document
<b>LDS</b>	Local Development Scheme
<b>LP</b>	Local Plan
<b>LPA</b>	Local Planning Authority
<b>NPA</b>	National Park Authority
<b>NPPF</b>	National Planning Policy Framework
<b>RTPI</b>	Royal Town Planning Institute
<b>SA</b>	Sustainability Appraisal
<b>SEA</b>	Strategic Environmental Assessment
<b>SCI</b>	Statement of Community Involvement
<b>SOS</b>	Secretary of State
<b>SDNP</b>	South Downs National Park
<b>SDNPA</b>	South Downs National Park Authority
<b>SPD</b>	Supplementary Planning Document

## 2. GLOSSARY

---

### **Authority Monitoring Report**

This report looks at the implementation of the *Local Development Scheme* and how well the policies in the Local Development Documents are being achieved.

### **Development Plan**

As set out in section 38(6) of the *Planning and Compulsory Purchase Act (2004)*, an area's development plan consists of adopted Local Plans and Neighbourhood Development Plans. In March 2013, the relevant Regional Strategy, the *South East Plan (2009)* was partially revoked. The order revokes the *South East Plan (2009)*, except for *Policy NRM6: Thames Basin Heaths Special Protection Area*.

### **Development Plan Documents**

All Planning Authorities must produce Development Plan Documents, such as the Local Plan. These are spatial documents and are subject to independent examination. There will be a right for those making representations seeking change to be heard at an independent examination.

### **Local Community**

A generic term which includes all individuals (including the general public) and organisations external to the SDNPA that have an interest in a local area. It includes the statutory and other consultees.

### **Local Development Document**

The collective term for documents that form part of the wider Local Plan and set out the spatial planning strategy for the area. These include Development Plan Documents and Supplementary Planning Documents.

### **Local Development Scheme**

This document sets out the timetable for the preparation of the Local Development Documents. It identifies which Development Plan Documents and Supplementary Planning Documents are to be produced and when.

### **Local Plan**

The plan for the future development of the local area. The Local Plan will set out the vision, objectives and provide the framework for the preparation of Supplementary Planning Documents (SPDs) and Neighbourhood Development Plans. It will also include a number of criteria-based development management policies needed to achieve the strategy.

### **National Planning Policy Framework**

The Government published the *National Planning Policy Framework (NPPF)* on 27 March 2012, and the *National Planning Policy for Waste* on 16 October 2014. These replace all the previous Planning Policy Statements.

### **Neighbourhood Development Plan**

A community led and developed document which forms part of the planning policy framework. It is subject to independent examination and a community referendum.

### **Neighbourhood Forum**

Body responsible for the production of a Neighbourhood Plan if there is no Parish or Town Council.

### **Partnership Management Plan**

The National Park *Partnership Management Plan* provides statements on the National Park Authority's policies for managing and carrying out its functions in relation to the National Park and reflects the Purposes and Duty of the National Park Authority. This document sets the context for the planning policy framework of the National Park.

### **Proposals Map**

The adopted *Proposals Map* illustrates all of the policies and proposals in the Development Plan Documents and any saved policies that are included in the Local Plan.

### **Regulations**

As set out in the *Town and Country Planning (Local Planning) (England) Regulations (2012)*. The 2012 regulations come into force on 6 April 2012 and replace the *Town and Country Planning (Local Development) (England) Regulations (2004)*; the *Town and Country Planning (Local Development) (England) (Amendment) Regulations (2008)* and (2009).

### **Stakeholders**

Stakeholders include any person or organisation, local or national, who has a legitimate interest in what happens in our area.

### **Statement of Community Involvement**

This *Statement of Community Involvement* is the South Downs National Park Authority's formal policy to identify how and when local communities and stakeholders will be involved in the preparation of the documents to be included in the South Downs National Park Local Plan. The Statement also governs the development management process for all planning applications within the South Downs National Park.

### **Supplementary Planning Documents**

These documents provide supplementary information to the policies in the Development Plan Documents. They do not form part of the Development Plan and are not subject to independent examination.

### **Sustainability Appraisal**

Sustainability Appraisal is a tool for appraising policies to ensure that they reflect sustainable development objectives (i.e. social, economic and environmental factors). It is required under the *Planning and Compulsory Purchase Act (2004)* to be carried out on all Development Plan Documents and Supplementary Planning Documents where necessary.

## 3. INTRODUCTION

---

**3.1** The South Downs National Park Authority (SDNPA) first adopted its *Statement of Community Involvement (SCI)* in 2012 to highlight the role that communities and other key partners play in influencing the production of the Local Plan, policies and planning applications in the area. It identified what the Authority would do to ensure that the local community was proactively involved and has the opportunity to ‘have their say’ in planning decisions. Public participation remains at the heart of the process and allows interested parties to influence the decisions made.

### 3a) WHAT IS A STATEMENT OF COMMUNITY INVOLVEMENT?

**3.2** The *Statement of Community Involvement (SCI)* sets out how the SDNPA will effectively involve residents, groups, organisations, businesses, other representatives and individuals within the community in planning decisions and in the preparation of planning policies, including those in the emerging South Downs Local Plan.

### 3b) THE PLANNING SYSTEM

**3.3** There have been a number of changes to the planning system in recent years. This includes the introduction of the *Localism Act (2011)*; amendments to the *Planning and Compulsory Purchase Act (2004)*; publication of the *National Planning Policy Framework* in 2012; the *Town and Country Planning Development Management Procedure Order (2015)*; and the *Neighbourhood Planning Act (2017)*.

#### The National Planning Policy Framework

**3.4** The Government published the *National Planning Policy Framework (NPPF)* on 27 March 2012. It came into force immediately and replaces the Planning Policy Statements which previously guided the planning process. It aims to simplify the system of writing plans and the planning application process and clarify the Government’s aims for sustainable development. Particular reference is made to National Parks in the document (paragraphs 115 and 116). It also directs readers to the *English National Parks and the Broads: UK Government Vision and Circular (2010)* for further guidance.

**3.5** The NPPF introduced a more flexible approach to local planning policy. Each Local Authority is required to produce a Local Plan, which can be reviewed in whole or in part. Any additional development plan documents should only be used where clearly justified.

**3.6** Paragraph 155 of the NPPF promotes early and meaningful engagement with the local community so that Local Plans are reflective of a collective vision and set agreed priorities for the sustainable development of the area, including those contained in any neighbourhood plans that have been made.

**3.7** The NPPF also sets one of the overarching roles of the planning system as having a set of core land-use principles that underpin plan-making and decision-taking. One of



those principles is to empower local people to shape their surroundings, with succinct local and neighbourhood plans setting a positive vision for the future of the area.

### **The Localism Act 2011**

**3.8** The *Localism Act 2011* has introduced a number of changes to the planning system. This includes the introduction of Neighbourhood Development Plans (NDP) and Neighbourhood Development Orders (NDO) and the removal of Regional Spatial Strategies, such as the *South East Plan*. In March 2013, the *South East Plan (2009)* was partially revoked.

### **The Neighbourhood Planning Act 2017**

**3.9** The *Neighbourhood Planning Act (2017)* became law on 27 April 2017 and aims to strengthen neighbourhood planning.

**3.10** Measures in the Act make the following changes:

- Section 6 made it necessary for Local Planning Authorities (LPAs) to set out in their SCI the policies for giving advice or assistance on proposals for the making, or modification, of NDPs
- LPAs must take account of well-advanced NDPs and give these plans full legal effect at an earlier stage, and an adopted NDP forms part of the Development Plan
- LPAs must notify the Parish Council (or neighbourhood Forum) of planning applications if there is a NDP in place in that area
- Section 13 amends the *Planning and Compulsory Purchase Act (2004)* to require LPAs to set out in their SCIs their policies for involving interested parties in the preliminary stages of plan-making
- Local authorities in England must identify the strategic priorities for development in their areas in an up-to-date plan
- The Act also restricts the use of pre-commencement conditions on planning permissions
- The Act gives power to the Secretary of State to require the LPA to prepare joint local plans and to intervene where local plan preparation is failing

## **3c) CHANGES TO THE PLANNING SYSTEM**

**3.11** This SCI is in accordance with current policy and regulation (as of 10 August 2017) governing the development management process and development of planning policy documents.

## 3d) THE SOUTH DOWNS NATIONAL PARK AUTHORITY AND PLANNING

- 3.12** The SDNPA assumed its full planning responsibilities as local planning authority (including minerals and waste planning) for the National Park on 1 April 2011.
- 3.13** The SDNPA's role is to ensure that the two purposes of National Park designation are achieved. These purposes, set out in the *Environment Act (1995)*, are to:
- Conserve and enhance the natural beauty, wildlife and cultural heritage of the area; and
  - Promote opportunities for the understanding and enjoyment of the park's special qualities by the public.
- 3.14** In pursuing these purposes, the SDNPA also has the duty to seek to foster the economic and social well-being of local communities within the Park.
- 3.15** The South Downs National Park (SDNP) covers parts of: Adur, Arun, Chichester, East Hampshire, Eastbourne, Horsham, Lewes, Mid-Sussex, Wealden, Winchester and Worthing districts, Brighton and Hove unitary authority area, and includes land within the counties of Hampshire, East Sussex and West Sussex (Map, see Appendix 1).
- 3.16** As the local planning authority for the National Park the SDNPA is responsible for:
1. Spatial planning;
  2. Minerals and waste planning;
  3. Development management;
  4. Planning enforcement and;
  5. Other related regulatory functions within the National Park.
- 3.17** On 1 April 2011, the SDNPA inherited all existing planning policies which apply within the National Park area (this includes minerals and waste policy). These total approximately 1500 policies (see Appendix 2). We are in the process of producing our own Local Plan for the entire National Park which will replace these policies once it has been adopted. The estimated adoption date is July 2018. Appendix 2 of the emerging Local Plan lists all current Local Plan policies and what they will be superseded by.
- 3.18** The SDNPA receives on average 4000-5000 planning applications each year. To maximise use of resources and maintain local engagement and involvement, the SDNPA works in partnership with the local authorities covering the National Park to deliver the planning service. Legal agreements have been in place since 2011 and are in the process of being extended for a further three years from 01 October 2017 with 5 of the authorities ('host authorities'): Chichester, East Hants, Horsham, Lewes and Winchester. The agreements delegate the decision making power to the host authority, who are then able to determine planning applications on behalf of the SDNPA. The development management service and enforcement are delivered

directly by the SDNPA in Arun, Adur and Worthing, Eastbourne, Brighton and Hove, Wealden and Mid-Sussex.

- 3.19** In these local authority areas where the planning service has been ‘recovered’ by the SDNPA all development management work, including processing of all applications and related activities, will be undertaken directly by the SDNPA.
- 3.20** As the SDNPA is the minerals and waste planning authority it is responsible for areas within the SDNP previously covered by Hampshire, West Sussex and East Sussex County Councils and Brighton and Hove Unitary Authority.
- 3.21** Through working in partnership we now have adopted the following joint minerals and waste local plans:
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (2013)
  - East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (2017)
  - Hampshire Minerals and Waste Plan (2013)
  - West Sussex Waste Plan (2014)

### 3e) PARISH WORKSHOPS

- 3.22** The SDNPA have a *Memorandum of Understanding (MoU)*<sup>1</sup> with The Associations of Local Councils within the South Downs. This MoU sets out how the SDNPA will engage with the 176 Town and Parish Councils across the National Park.
- 3.23** The MoU states that the Associations of Local Councils and National Park Authority will hold 2 meetings per year inviting all Town and Parish Councils to attend. Due to the high number of Town and Parish Councils in the National Park the Authority arranges meetings in Hampshire, West Sussex and East Sussex.
- 3.24** The meetings are an opportunity for Town and Parish Councils to hear about the work of the SDNPA in their local area, they also give Town and Parish Councils an opportunity to raise concerns they may have and ask questions of SDNPA officers and Members.
- 3.25** In the past the meetings have covered topics including *The Partnership Management Plan, Issues and Options for the South Downs Local Plan*, and provided updates on key projects in the SDNPA.

---

<sup>1</sup> <https://www.southdowns.gov.uk/national-park-authority/committees-meetings/parish-workshops/>

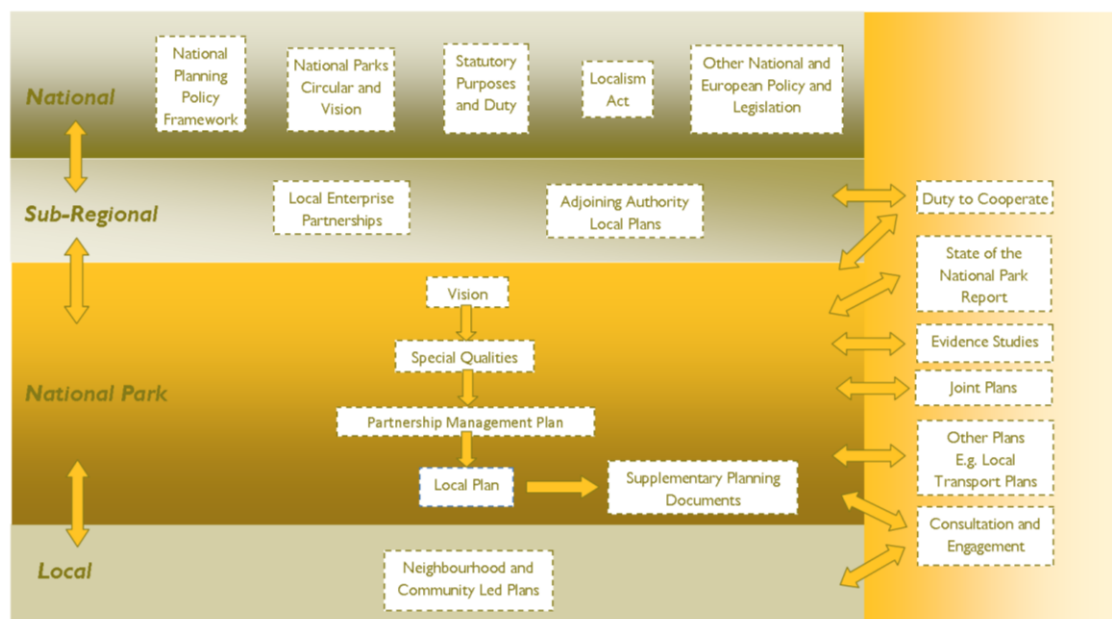
## 3f) DEVELOPING THE STATEMENT OF COMMUNITY INVOLVEMENT

- 3.26** During July and August 2011, the SDNPA notified individuals, groups and organisations of its intention to prepare a SCI and invited people to provide their comments and views on how and when they would like to get involved in the planning policy and the planning application process. The comments received informed the original SCI.
- 3.27** A second consultation was carried out for eight weeks between 17 October 2011 and 9 December 2011. This asked for comments on the content, format and ease of use of the document. These comments informed the SCI, adopted on 13 March 2012.
- 3.28** In January 2014 and August 2017, the SDNPA updated the adopted SCI. These changes are focussed primarily on factual updates as a result of changing national planning policy and legislation.
- 3.29** The SDNPA will continue to regularly review the SCI to ensure it reflects any changes in legislation.

## 4. DEVELOPING PLANNING POLICY

### 4a) THE PLANNING POLICY FRAMEWORK

4.1 In order to replace the large number of planning policies which operate across different parts of the National Park, the SDNPA is preparing the *South Downs Local Plan*. The diagram below shows the influence of different policies and plans.



### 4b) LOCAL DEVELOPMENT DOCUMENTS

4.2 The Local Development Documents will set out planning policies to deliver the spatial strategy for the SDNPA. The different types of Local Development Documents are:

- Local Plan
- Joint Minerals and Waste Local Plans
- Neighbourhood Development Plans (NDPs)
- Supplementary Planning Documents (SPDs)

4.3 There are a number of other supporting documents which provide information or inform the plan:

- Statement of Community Involvement (SCI)
- Local Development Scheme (LDS)
- Authority Monitoring Report (AMR)
- Sustainability Appraisal (SA)

**4.4** The *SDNPA Local Development Scheme*<sup>2</sup> contains a profile of the documents being prepared by the SDNPA (role, timescale, status, production arrangements) together with a timetable.

**4.5** The documents are as follows:

- **Local Plan** - the plan for the future development of the local area. The Local Plan will set out the vision, objectives and provide the framework for the preparation of Supplementary Planning Documents (SPDs) and Neighbourhood Development Plans (NDPs). It will also include a number of criteria-based development management policies needed to achieve the strategy, together with site allocations, policy boundaries and proposals for some specific sites
- **Joint Minerals and Waste Local Plans** - The joint *Hampshire Minerals and Waste Plan (2013)*; the joint *East Sussex, Brighton & Hove and South Downs Waste and Minerals Plan (2013)*; the *East Sussex, Brighton & Hove and South Downs Waste and Minerals Sites Plan (2017)*; and the *West Sussex Waste Plan (2014)* have been adopted. These joint minerals and waste local plans will guide the future provision for minerals and waste in each of the plan areas as well as including criteria-based development management policies

### Neighbourhood Development Plans

**4.6** These are local level planning policy documents, created by local communities. Adoption will be subject to majority support at a local referendum.

**4.7** Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. It allows local communities to:

- Set planning policies through a NDP that is used in determining planning applications
- Grant planning permission through NDOs and Community Right to Build Orders for specific development which complies with the order

### Supplementary Planning Documents

**4.8** Supplementary Planning Documents expand upon existing policy or provide further detail to policies in the Local Plan, for example a Design Guide. They should only be used where clearly justified to help applicants make successful applications or aid infrastructure delivery and should not be used to add unnecessarily to the financial burdens on development.

### Sustainability Appraisal

**4.9** A *Sustainability Appraisal (SA)* of the Local Plan (and in some circumstances of the NDP) is required by law; this must also incorporate the requirements of the *European Strategic Environmental Assessment Directive (SEA)*. The main purpose of the SA process is to predict the positive and negative impacts of policies, whether social,

---

<sup>2</sup> <https://www.southdowns.gov.uk/planning/planning-policy/>

environmental or economic, at an early stage, allowing any negative effects to be mitigated. The appraisal is subject to consultation, and takes place alongside the preparation of the Local Plan. The SA can be viewed on our website<sup>3</sup>.

**4.10** Other documents that will be produced alongside the Local Plan are:

- The *Policies Map*, with inset maps where necessary, is required to reflect the content of the Local Plan. A draft proposals map will be submitted with the Local Plan
- An *Authority Monitoring Report (AMR)*. This report is available on the SDNPA's website<sup>4</sup>. The AMR reports on progress with Local Plan preparation, report activity relating to the duty to cooperate and shows how the implementation of policies in the Local Plan is progressing

## 4c) LOCAL PLAN PRODUCTION

**4.11** There are seven preparation stages which aim to 'front-load' community involvement. By focussing on the earlier stages it is hoped that potential conflict later in the process will be reduced.

- 1. Evidence gathering** - Obtaining relevant information and producing studies that will form part of the Park-wide evidence base. Such studies include a *Strategic Housing Market Assessment*; an *Employment Land Review* and a *Strategic Flood Risk Assessment*
- 2.** The full list of evidence and supporting documents can be found on our website<sup>5</sup>
- 3.** Consulting the statutory bodies on the **Sustainability Assessment Scoping Report**. This is the first step to preparing the SA which evaluates the social, economic and environmental effects of the document and forms a key part of the evidence base and will help with the evaluation of reasonable alternatives. Representations are sought from consultation bodies and the public on the report
- 4. Initial Consultation (Regulation 18)** - When preparing a Local Plan the SDNPA must notify stakeholders and interested parties that they are producing the document whilst also inviting them to make representations on what it should contain
- 5. Publication of the Pre-Submission Document (Regulation 19 consultation)** - The Pre-Submission document is a full draft document which identifies the preferred policy approach

---

<sup>3</sup> <https://www.southdowns.gov.uk/planning/planning-policy/national-park-local-plan/evidence-and-supporting-documents/>

<sup>4</sup> <https://www.southdowns.gov.uk/planning/planning-policy/national-park-local-plan/authority-monitoring-report-amr/>

<sup>5</sup> <https://www.southdowns.gov.uk/planning/planning-policy/national-park-local-plan/evidence-and-supporting-documents/>

6. **Submission of the Development Plan Document to the Secretary of State**, along with any representations received at the pre-submission stage is anticipated for February 2018
7. **Public examination** - An independent Inspector will be appointed by the Secretary of State to consider the representations and the 'soundness' of the document. The Inspector will then prepare a report which will recommend any changes to the SDNPA
8. **Adoption** - The SDNPA will adopt the Local Plan. The estimated adoption date is July 2018
9. **Monitoring** - The adopted Local Plan will be monitored to ensure the plan is achieving its aims, and may be reviewed where necessary

## 4d) NEIGHBOURHOOD DEVELOPMENT PLAN PRODUCTION

4.12 The production of a NDP is led by the local community. There are a number of stages involved in preparing a NDP; the detailed procedures are to be found in Schedule 9 of the *Localism Act (2011)* and the *Neighbourhood Planning (General) Regulations (2012, as amended)*. These stages are:

1. **Define the Neighbourhood area** - The Town or Parish Council or Neighbourhood Forum that wants to prepare a NDP will apply to the SDNPA to designate the Neighbourhood Plan area. Where an area is covered by a town or parish council, the neighbourhood development plan can only be prepared by that town or parish council
2. **Approval from Local Planning Authority (LPA)** - The SDNPA (the LPA) will need to check that the area of the proposed NDP and the group wishing to undertake it are compliant. For example the proposal may not be possible if it overlaps the boundary of another NDP, or if the Neighbourhood Forum is too small (minimum 21 members). The NDP will need to be publicised if the application is for a neighbourhood area which differs from the parish boundary
3. All designations are publicised on our website and the approved neighbourhood area will be included on our map of all the designated neighbourhood areas (see Appendix 5)
4. There are a number of Parishes of which only a part are within the National Park. A decision therefore needs to be taken on which LPA is the lead Authority for the NDP. The SDNPA is the lead authority where the main settlement of the Parish is located within the National Park. Where the main settlement is located outside the National Park the relevant local authority will be the lead authority for the NDP
5. **Preparing the Plan** - The Parish or Town Council, or 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

6. The evidence base gathered by the SDNPA in the production of the Local Plan can be used to help support the evidence gathering stage in the production of a NDP. This evidence base is shared on our website<sup>6</sup>
7. The Plan should aim to set out the vision for the future which must be in line with local and national policies
8. **Preparation of the Neighbourhood Development Plan Sustainability Appraisal** - If a Sustainability Appraisal is required it will need to accompany the NDP
9. A Sustainability Appraisal (SA) must also incorporate the requirements of the *European Strategic Environmental Assessment Directive (SEA)*; the Parish or Town Council must request a *SEA Screening Opinion* from the SDNPA. The main purpose of the Sustainability Appraisal process is to predict the positive and negative impacts of policies, whether social, environmental or economic, at an early stage, allowing any negative effects to be mitigated. The appraisal is also subject to consultation alongside the NDP
10. **Relationship to other policies and laws** - The Neighbourhood Development Plan must be in general conformity with strategic policies and National Planning Policies. It must be in accordance with other laws
11. Consideration must also be had for the adopted Local Plan policies and should address emerging Local Plan policies
12. **Examination** - Once a neighbourhood plan has been prepared, an independent examiner will check that it meets the basic conditions. If the plan does not meet the basic conditions, the examiner will recommend changes. The planning authority will then need to consider the examiner's views and decide whether to make those changes. If the examiner recommends significant changes, then the Parish, Town Council or Neighbourhood Forum may need to consult the local community again before proceeding
13. The examiner may be required to provide information to the LPA, Parish Council or Neighbourhood Forum during the examination stage. The examiner may also invite representatives from the LPA, Parish Council or Neighbourhood Forum to meetings during the examination process, and may also publish a draft report containing the recommendations
14. **Decision Statement** - The LPA will publish its Decision Statement within five weeks of the examination date. This statement will set out which modifications the LPA will make to the NDP
15. **Referendum** - The relevant authority (District, Borough, City or Unitary Authority, not the SDNPA) must organise a referendum within 56 working days

---

<sup>6</sup> <https://www.southdowns.gov.uk/planning/planning-policy/national-park-local-plan/evidence-and-supporting-documents/>

of the Decision Statement on any plan that meets the basic conditions. If more than 50 per cent of people voting in the referendum support the plan, then the SDNPA must bring it into force within 8 weeks of the referendum. Once a NDP is 'made' by the SDNPA after the referendum it forms part of the Development Plan and therefore carries real weight in the decision making process for planning applications for that area covered by the NDP

16. The *Neighbourhood Planning Act (2017)* now requires the local planning authority to notify the parish council of relevant planning applications if there is a neighbourhood development plan in place

## 4e) COMPLIANCE

- 4.13 All consultations on the Local Plan must comply with the methods set out in this adopted SCI.

## 4f) LINKS WITH THE NATIONAL PARK PARTNERSHIP MANAGEMENT PLAN

- 4.14 National Park Management plans should provide a statement of the relevant National Park Authority's policy for "managing and carrying out its functions in relation to the National Park and should reflect National Park purposes, the duties of the Authorities, and the need to engage other local authorities, statutory agencies and a wide range of partners, stakeholders and the community in the preparation and implementation of the MP" (*English National Parks and the Broads, UK Government Vision and Circular (2010), Department for Environment, Food and Rural Affairs, (2010)*).
- 4.15 The *SDNP Local Plan*, is seen as a "spatial expression" of the management plan, and will draw on the key themes set out in the *South Downs National Park Partnership Management Plan (adopted, 2013)*.

## 5. APPROACH TO CONSULTATION (PLANNING POLICY)

---

### 5a) WHO WILL WE CONSULT?

- 5.1** Section 13 of *The Neighbourhood Planning Act 2017* amends the *Planning and Compulsory Purchase Act (2004)* to require local planning authorities to set out in their Statements of Community Involvement their policies for involving interested parties in the preliminary stages of plan-making.
- 5.2** The South Downs National Park Authority (SDNPA) is committed to opening the planning process to all sections of the community and hearing from as many groups and individuals as possible throughout the development of planning policy. There are existing legal requirements for consultation set out in the *Town and Country Planning (Local Planning) (England) Regulations (2012)*. The regulations categorise consultees into two groups (see also Appendix 3). These are:
- **Specific Consultation Bodies** - The regulations list specific organisations and types of organisations that should be defined as specific bodies. A local planning authority must consult with those organisations in this list that they consider may have an interest in the subject of the proposed planning document.
  - **General Consultation Bodies** - The regulations list categories of organisations that should be defined as general consultation bodies. A local planning authority must consult with those organisations in their list of general consultation bodies, as they consider appropriate.
- 5.3** In consulting with the local community the SDNPA will take all reasonable efforts to make documents accessible to everyone. In doing so the SDNPA will use a range of methods to engage with specific groups, which are often considered 'hard to reach'. These include:
- Young people (specifically aged 16-24)
  - People with disabilities (including people with learning disabilities)
  - People from socially deprived areas (including areas of rural deprivation)
  - Black and Minority Ethnic groups (including Gypsies and Travellers)
  - People with no or limited internet access
- 5.4** We use a variety of mechanisms for engaging with these hard to reach groups. Examples of some of the methods we use include:
- Making documents available in different formats and languages (on request)
  - Engaging through any existing networks (e.g. Mosaic) and establishing links with existing groups
  - Providing hard copy documents (on request) and enabling response by letter

- Ensuring consultations are publicised effectively and it is clear how people can get involved in the process
- Providing electronic copies of documents on 'memory sticks'

## 5b) ONGOING ENGAGEMENT ON THE LOCAL PLAN

**5.5** We are committed to providing as much information as possible and keeping our local communities up to date with progress of planning policy development, as well as providing information on the wider / national changes to the planning system.

**5.6** Four channels that we will utilise are:

- **Website** - we will maintain the SDNPA website, publishing regular updates and information, documents, and contact details. This should be a first port of call to members of the community and stakeholders
- **Online Forum** - the SDNPA Forum is an ongoing, electronic discussion tool, which all members of the community are free to sign up to. Officers of the SDNPA aim to use this forum as an informal way of raising questions for debate, gathering views on particular topics and discussing issues raised by other members of the forum
- **Planning Newsletter** - the SDNPA will produce a newsletter, covering a range of topics relating to the Local Plan and planning. This will be sent via email to all contacts on the consultee database and published on the SDNPA website (<https://www.southdowns.gov.uk/localplan>). Paper copies will be made available to those without access to email or the internet
- **Media Releases and Social Media** - the SDNPA will publicise consultations through media releases and through social media channels

## 5c) CONSULTATION PRINCIPLES

**5.7** From the responses to our questionnaire about the development of the *Statement of Community Involvement (SCI)*, several important issues were raised which we have addressed and which will inform all future consultations. An important comment was that a range of consultation methods should be available and that a range of techniques, appropriate to the type of document being produced, are used.

- Consultations on all SDNPA Development Plan Documents will be for a **minimum of 8 weeks**
- We will alert members of the public and stakeholders to upcoming consultations, to provide **early notification**, through updates on the SDNPA website and the Local Plan Newsletter
- We will maintain a **consultee database** for all those who wish to be kept informed and alerted to consultations (if you would like to be added to or removed from this list, or would like to update your contact details please contact the Planning Policy Team, via the contact details on page 2)

- We will endeavour to **avoid running consultations in the month of August or over the Christmas and New Year period**, when many people are on holiday and many local councils do not meet. If it is necessary for a consultation to run over August or the Christmas and New Year period, then the length of the consultation period will be extended.
- We will use a **range of methods of consultation** as is most appropriate for the type of document, the stage in its production and the geographical area covered by the document

## 5d) MINIMUM CONSULTATION REQUIREMENTS

### Local Plan

5.8 The tables below show the minimum consultation required by the Regulations during the production of the Local Plan.

**FIGURE 5.1: CONSULTATION REQUIREMENTS (LOCAL PLAN)**

<b>Minimum consultation required by Regulations (Local Plan)</b>	
<b>Reg. 18</b>	<b>Reg. 19</b>
Consult with each of the Specific Consultation Bodies that the SDNPA considers may have an interest in the Local Plan	Consult with each of the Specific Consultation Bodies that the SDNPA considers may have an interest in the Local Plan
Consult with other General Consultation Bodies that the SDNPA considers appropriate	Send copies of the proposed Submission document(s) to the Specific Consultation Bodies selected by the SDNPA as having an interest in the Local Plan (either on CD or as paper copies if requested – subject to fee)
Invite representations from persons who are resident or carrying out business in the National Park as the SDNPA decides is appropriate	Consult with other General Consultation Bodies that the SDNPA consider appropriate. Make it known where documents are available.
Methods used to consult these bodies or invite representations: either email or where email is not available by letter in post (subject to fee)	Methods used: either email or where email is not available by letter in post
	The SDNPA must carry out the consultation on the Local Plan for a period of not less than six weeks

	Copies of the proposed Submission document(s) to be made available in The South Downs Centre
	Publish proposed Submission Local Plan document(s) on website

### Supplementary Planning Documents (SPDs)

**5.9** The table below shows the minimum consultation required during the production of a SPD and the additional range of methods to be used by the SDNPA as it sees appropriate for the type and coverage of document and the resource implications for the SDNPA.

#### FIGURE 5.2: CONSULTATION REQUIREMENTS (SPD)

<b>Minimum consultation required by Regulations (SPD)</b>
Before adopting an SPD, the authority must prepare a consultation statement setting out who has been consulted, a summary of the main issues raised and how these issues have been addressed in the SPD
Before adopting an SPD the proposed document must be made available for comment along with the consultation statement There is a minimum statutory period of four weeks allowed for any representations to be made (Reg. 12)

## 5e) OPTIONAL CONSULTATION METHODS

**5.10** The following are a list of additional consultation methods for Local Plan and SPD production processes, which may also be used by the SDNPA:

- Early notification through Local Plan Newsletter
- Production of summary leaflet to accompany Local Plan / SPD documents
- Consultation of general consultees as appropriate (e.g. may depend on location for SPDs)
- Notification to all contacts in consultee database
- Public meetings and / or manned and unmanned exhibitions
- Public notices / posters
- Media release
- Stakeholder workshop

## 5f) STANDARDS FOR ACKNOWLEDGING AND REPORTING BACK ON REPRESENTATIONS

- 5.11** The SDNPA will acknowledge any comments on Local Plan consultations received electronically. Anyone who comments early on in the production process of a document will be included on the SDNPA's electronic database and will automatically be informed of any consultation exercise that takes place at later stages in the process of producing a planning policy document. At the end of each period of consultation we will analyse the responses received and prepare a summary report. This report will be considered by the Planning Committee and made available for inspection at the South Downs Centre and on the SDNPA's website.

## 6. APPROACH TO CONSULTATION (DEVELOPMENT MANAGEMENT)

---

### 6a) INTRODUCTION

- 6.1** Development Management is responsible for processing and determining planning applications, along with other applications including works to trees, advertisements and listed buildings. The Development Management team provides pre-application planning advice and investigates and takes appropriate action in respect of breaches of planning control.
- 6.2** Involvement of the community and stakeholders at an early stage of the decision-making process is more likely to deliver development which meets their needs and aspirations, whilst ensuring the statutory purposes of the South Downs National Park Authority (SDNPA) are adhered to. The *Statement of Community Involvement (SCI)* is an important tool for involving the wider community in the planning process, particularly in the decision making process for significant planning applications.
- 6.3** Determination of planning applications is dealt with either by councils (host authorities) within the SDNPA, or directly by the SDNPA where the planning services have been 'recovered'.
- 6.4** Legal agreements have been in place since 2011 and are in the process of being extended for a further three years from 01 October 2017 with 5 of the authorities ('host authorities'): Chichester, East Hants, Horsham, Lewes and Winchester. The agreements delegate the decision making power to the host authority, who are then able to determine planning applications on behalf of the SDNPA. The development management service, minerals and waste service, and enforcement, is delivered directly by the SDNPA in Arun, Adur and Worthing, Eastbourne, Brighton and Hove, Wealden and Mid-Sussex.
- 6.5** In these local authority areas where the planning service has been 'recovered' by the SDNPA all development management work, including processing of all applications and related activities, will be undertaken directly by the SDNPA.
- 6.6** As the SDNPA is the minerals and waste planning authority it is responsible for areas within the SDNP previously covered by Hampshire, West Sussex and East Sussex County Councils and Brighton and Hove Unitary Authority. Due to the progress of minerals and waste plans across these areas and the strategic scale of both minerals and waste operations it was agreed between the SDNPA and each of the authorities that we would work jointly to produce minerals and waste Local Plans.



**6.7** Through working in partnership we now have adopted the following joint minerals and waste local plans:

- East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (2013)
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (2017)
- Hampshire Minerals and Waste Plan (2013)
- West Sussex Waste Plan (2014)

## 6b) SIGNIFICANT APPLICATIONS

**6.8** Within the authority areas where the role of dealing with the applications is delegated, the SDNPA will also identify 'significant' applications which could potentially generate particular, special or major issues for the National Park and which will then be 'called in' to be dealt with by the SDNPA.

**6.9** Information and guidance on what could be considered as significant development is available on the website<sup>7</sup>.

**6.10** The 'call in' process is a 'Direction' served on the relevant local authority by the SDNPA stating the reason for the 'call in'. In some cases an application may be major development (in terms of its size), but it is not considered likely to have a significant impact on the South Downs National Park (SDNP). In those cases a 'Reverse Direction' is served which allows the local council to continue dealing with the application. Directions can be served at any time after the application has been accepted as valid, up to the point before a decision is made. In some cases the SDNPA may accept a host authority recommendation to its planning committee, but would issue a 'Potential Recovery Direction' (informally "red card") which gives the SDNPA an opportunity to call the application in if local councillors resolve to make a decision against officer recommendation. All such Directions are published on the SDNPA website.

## 6c) PRE-APPLICATION CONSULTATION

**6.11** The SDNPA directly provides the pre-application service for the parts of Arun District Council, Adur and Worthing Council, Eastbourne Brough Council, Brighton and Hove City Council, Mid Sussex District Council and Wealden District Council within the National Park. Outside these areas, but within the National Park, the existing partner local authorities will continue to provide the pre-application service on our behalf.

**6.12** Under the system of delegation, pre-application advice / consultation is currently provided by each of the local authorities around the SDNP, in conjunction with and sometimes involving SDNPA Planning Link Officers. Advice provided by SDNPA

---

<sup>7</sup> be: <https://www.southdowns.gov.uk/planning/making-an-application/>

requires a fee, but there is currently no fee charged for either householder advice or advice regarding whether residential planning permission is required.

- 6.13** For applications which are likely to be ‘called in’ and considered by the SDNPA, any pre-application advice registration and fee charges are still administered by the relevant host authority but a planning officer from the SDNPA may provide the advice.
- 6.14** The SDNPA operate a transparent service, whereby pre-application details and responses, although not actively publicised, will be placed on the online planning register. This is unless the applicant gives reasons why the enquiry is commercially sensitive.
- 6.15** Applicants will be encouraged to consult the community when developing their proposal in a way that is proportionate to the scale and impact of the proposal. The SDNPA’s *Local Validation List* is a list of documents and information that, together with the national government list, will be required before an application is accepted as valid. This list can be found on our website<sup>8</sup>.

## 6d) PUBLICITY FOR PLANNING APPLICATIONS

- 6.16** Our initial consultation with stakeholders and members of the public showed the importance of site notices, the publicising of planning applications in the local press and informing adjoining neighbours.
- 6.17** All applications will be publicised via a site notice and the issuing of letters to adjoining neighbours<sup>9</sup>. In addition we will place an advertisement in the local press where specifically directed by Article 15 of the *Town and Country Planning Development Management Procedure Order (2015)*. See Appendix 4 for further information on what type of publicity is required (site notice, advert in local newspaper, neighbour notification) depending on the nature of the development being proposed.
- 6.18** There will be a minimum of 21 days to respond to the site notice, the newspaper advertisement and / or the letter and the date of the 21 day period expiry will be clearly stated on each form of publicity. However, if the dates of the site notice being put up, the newspaper being published, and the letter being sent out to neighbours are different than the overall expiry date will be the latest of the 21 day expiry periods. As soon as the overall publicity date has expired the application can be determined. It is therefore advisable to ensure that a letter of representation is sent before the expiry date on the form of publicity to which they are a response. It will also not be possible to respond via the public access web site after this date.
- 6.19** In our consultation with the public in preparing the 2012 SCI It was clear that email communication was preferred for both receiving information and providing comments to the SDNPA. For initial contact, such as to neighbouring owners, when email addresses will be unknown, information will have to be provided in hard copy but, where an email address is then provided, subsequent contact will be made via email.

---

<sup>8</sup> <https://www.southdowns.gov.uk/planning/making-an-application/local-validation-list/>

<sup>9</sup> Neighbours will be considered to be adjoining where the boundaries of the application site are at any point contiguous, or would be contiguous if there was not a footpath or highway in between

- 6.20** A public access system allows users to do the following:
- Search and view a weekly or monthly list of applications, appeals and enforcements;
  - Search and view applications, appeals and enforcements, using address, keyword or using a map based search;
  - Track the progress of applications (once registered) and;
  - Register to be notified of applications.
- 6.21** Comments on applications will not be acknowledged but will be published on the SDNPA website<sup>10</sup>. All consultation responses and representations received by the publicity expiry date which are material to planning and relevant to the proposal, will be summarised in the case officer report and taken into account in determining the application, whether the application is determined by officers or by the Planning Committee.
- 6.22** The easiest way to comment on a planning application is to search for it on our website<sup>11</sup>. You can search for an application by address or by its planning reference number and submit your comments online. Alternatively you can send comments to us by post addressed to SDNPA, South Downs Centre, North Street, Midhurst, West Sussex, GU29 9DH or to [planning@southdowns.gov.uk](mailto:planning@southdowns.gov.uk).
- 6.23** Only 'material planning considerations' will be taken into account when reviewing the comments submitted. There are many material considerations but the most common include:
- Loss of light / overshadowing
  - Overlooking / loss of privacy
  - Visual amenity (but not loss of view)
  - Adequacy of parking / loading / turning
  - Highway safety / traffic generation / Road access
  - Smells, Noise and disturbance resulting from use
  - Hazardous materials
  - Loss of trees
  - Effect on listed building and conservation area
  - Layout and density of building
  - Design, appearance and materials

---

<sup>10</sup> Pre-application enquiries, notifications and EIA screening / scoping are available to view on the Public Access system, however comments cannot be taken in to account as the merits of the proposal are not a consideration at this stage

<sup>11</sup> <https://www.southdowns.gov.uk/planning/planning-applications/>

- Landscaping
- Local, strategic, regional and national planning policies,
- Proposals in the Development Plan
- Government circulars, orders and statutory instruments
- Disabled persons' accessibility
- Compensation and awards of costs against the Council at public enquiries
- Previous planning / appeal decisions
- Nature conservation
- Archaeology

**6.24** The following are NOT considered to be valid planning concerns:

- Effect on property value
- The loss of view
- The impact of construction work or competition between firms
- Restrictive covenants
- Boundary, access matters or ownerships disputes
- Personal moral issues or opinion of the applicant

## 6e) PLANNING APPLICATIONS DECIDED BY THE PLANNING COMMITTEE

**6.25** If the application is for a development which is considered, by the Director of Planning, to have potential significant impact or could set an important precedent it will be referred to the Authority's Planning Committee for consideration. In addition, some major applications will be referred to the Planning Committee for consideration or applications submitted by Authority members, the Authority itself, or by an employee.

**6.26** All those who make a representation on planning applications will be informed (by email, or by letter if they have not provided their email address) of the date when the application is going to committee. Reports and agendas for Planning Committee meetings can be found on the website five clear working days before the meeting date.

**6.27** Anyone can speak at a SDNPA Planning Committee providing they have made written representations on the planning matter in question beforehand and have notified the Member Services Officer at the SDNPA at least 3 working days before the meeting.

**6.28** A maximum of six people are invited to speak on each planning application or related matter, for example, three in support and three against. If more than three individuals or representatives wish to raise similar points, then they will be asked to agree amongst themselves who should speak on their behalf. If necessary, the Chair of the Planning Committee will make any final decision on which members of the public may

speak on an issue. The Chair may also use his/her discretion to increase the number of people who may speak.

- 6.29** Further information on public speaking at Planning Committee meetings can be found on our website<sup>12</sup>.

## 6f) PLANNING APPLICATION DECISIONS

- 6.30** All decision notices are available to view on the SDNPA website<sup>13</sup>.

## 6g) APPEALS

- 6.31** If a planning application is refused, or a decision is not made within specified time limits, the applicant may choose to appeal. In this circumstance an independent planning inspector or the Secretary of State will make a final decision on the application, and there may be a further opportunity for public involvement in the process.

---

<sup>12</sup> <https://www.southdowns.gov.uk/national-park-authority/committees-meetings/public-participation/>

<sup>13</sup> <https://www.southdowns.gov.uk/planning/planning-applications/>

## 7. APPROACH TO ADVICE AND ASSISTANCE FOR NEIGHBOURHOOD PLANNING

---

### 7a) INTRODUCTION

- 7.1 Neighbourhood Development Plans (NDPs), Neighbourhood Development Orders (NDOs), including the Community Right to Build, provide the tools for successful neighbourhood planning; allowing communities to decide the future of the places where they live and work.
- 7.2 The introduction of the *Neighbourhood Planning Act (2017)*, in particular section 6, made it necessary for Local Planning Authorities to set out in their Statement of Community Involvement (SCI) the policies for giving advice or assistance on proposals for the making, or modification, of NDPs.
- 7.3 This section of the SCI sets out our procedure for providing this advice and assistance to Parish Councils and to local community groups interested in following the Neighbourhood Planning process.

### 7b) NEIGHBOURHOOD DEVELOPMENT PLANS

- 7.4 Communities are able to establish general planning policies for the development and use of land in a neighbourhood through a NDP. They could influence where new homes and offices should be built and what they should look like and what infrastructure should be provided. Producing NDPs is optional and while the South Downs National Park (SDNPA) will provide technical advice and support, the NDPs will need to be produced and led by a Parish Council or a Neighbourhood Forum.
- 7.5 A NDP should support the strategic development needs set out in the Local Plan and plan positively to support local development (as outlined in paragraph 16 of the *National Planning Policy Framework*).

### 7c) NEIGHBOURHOOD DEVELOPMENT ORDERS

- 7.6 A NDO is an order which grants planning permission for specific types of development in a particular Neighbourhood Area specified in the order.
- 7.7 The community can therefore extend permitted development rights in their area for development they want to see go ahead. For example a NDO could allow things like improvements to shop fronts or extensions to houses or other buildings.
- 7.8 All other consent regimes will still apply e.g. Building Regulations or Listed Building consent.

## 7d) COMMUNITY RIGHT TO BUILD

**7.9** This is a type of Neighbourhood Development Order for a particular scheme that benefits the community. A community organisation, formed by members of the local community, are able to bring forward development proposals which will be able to go ahead without requiring a separate traditional planning application, providing they meet minimum criteria and can demonstrate local support through a referendum.

## 7e) HOW ARE WE GOING TO WORK TOGETHER?

**7.10** The SDNPA's *Memorandum of Understanding (MoU)* (see Appendix 6) outlines the key roles and responsibilities of the main parties involved in the development of a NDP for the Parish (or Neighbourhood Forum in non-Parished areas). In doing so it confirms the willingness of all parties to work positively together and sets out the protocols and parameters by which the NDP will be prepared in order to produce a planning document for the local community that is suitable for adoption as a NDP.

**7.11** The Parish Council (or Neighbourhood Forum) will be responsible for the overall content of the NDP prepared and for its submission to SDNPA. Regards must be had for the National Park Purposes<sup>14</sup> when preparing and agreeing a NDP proposal for submission to SDNPA.

## 7f) WHAT SUPPORT WILL WE PROVIDE?

- Professional and timely advice on NDP preparation and other relevant planning matters, particularly the Local Plan;
- SDNPA will check the compatibility of the draft NDP with the National Park Purposes and Duty, adopted Local Plan and emerging local plan policies;
- Provide a view on the requirement or otherwise for a Strategic Environmental Assessment (SEA) of the NDP (known as a 'screening opinion');
- Support and advise as necessary, on the scoping and development of a proportionate SEA including the appropriateness of this forming part of a wider Sustainability Appraisal and Habitats Regulations Assessment of the Plan, if required;
- Endeavour to attend meetings and events where possible and useful to developing the NDP;
- Nominate a lead officer at the SDNPA who will be responsible for co-ordinating the input of other technical specialists from within the SDNPA as may be

---

<sup>14</sup> The SDNPA has statutory purposes and socio-economic responsibilities as specified in the Environment Act (1995): Purpose 1: To conserve and enhance the natural beauty, wildlife and cultural heritage of the area. Purpose 2: To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public

required to support the process. The lead officer will also liaise with the relevant District and County Council on technical matters such as highways and schools where necessary;

- Liaise with the Parish Council to ensure that the NDP is in conformity with the strategic policies of the adopted / emerging Local Plan;
- Consult development management officers to assess the effectiveness and robustness of any potential policies;
- Digitise any proposals or allocations maps included the NDP to be incorporated into the SDNP development plan; and
- Consider other reasonable requests for support based on the circumstances.

## 7g) OUR LEGAL DUTIES

**7.12** We have a legal duty to carry out the following:

- To designate a neighbourhood area for the purposes of neighbourhood planning within nationally set timescales.
- To provide advice and assistance to the Parish Council on the preparation of a NDP;
- To validate, check and publicise a NDP prior to submission for independent examination;
- Appoint an independent examiner in consultation with the Parish Council(s) and meet the costs of performing independent examination and;
- Bring the NDP into force subject to the results of the referendum.

## 7h) FUNDING

**7.13** SDNPA will apply to the Government for funding which has been made available for local authorities to provide support to the development of NDPs to help fulfil the support outlined above.

**7.14** The allocation of discretionary resources, including the giving of grants will be decided by the Director of Planning and may be subject to revision according to circumstances.

## 7i) REVIEWING NDPS

**7.15** If a review of a NDP is required the same process as above will be followed with the exception of stream-lining the process only where minor changes are required.



## 8. FURTHER INFORMATION

---

### 8a) PLANNING AID

- 8.1 Planning Aid is a voluntary service linked to the Royal Town Planning Institute (RTPI) which offers free independent and professional advice on planning issues. Planning Aid is aimed at community groups and individuals who have limited resources to participate effectively in planning matters.
- 8.2 The current remit of Planning Aid involves advising community groups in negotiations with the local planning authority, and, if necessary, representing the groups at public examination or inquiry.
- 8.3 Every part of the UK is covered by Planning Aid. Further information on Planning Aid is available on the RTPI website<sup>15</sup>.

### 8b) MONITORING AND REVIEW OF THE STATEMENT OF COMMUNITY INVOLVEMENT

- 8.4 Community involvement and engagement should evolve and develop as circumstances change. This document will be subject to regular review. As the success of community involvement techniques are monitored and reviewed, the results will be fed into the preparation of future stages of the Local Plan and other planning policy documents and the consideration of significant planning applications.
- 8.5 We have endeavoured to make the SCI flexible enough to deal with changing circumstances; it should only be necessary to revise the document if significant changes have occurred in government legislation or to the SDNP Partnership Management Plan.

### 8c) LEGISLATION

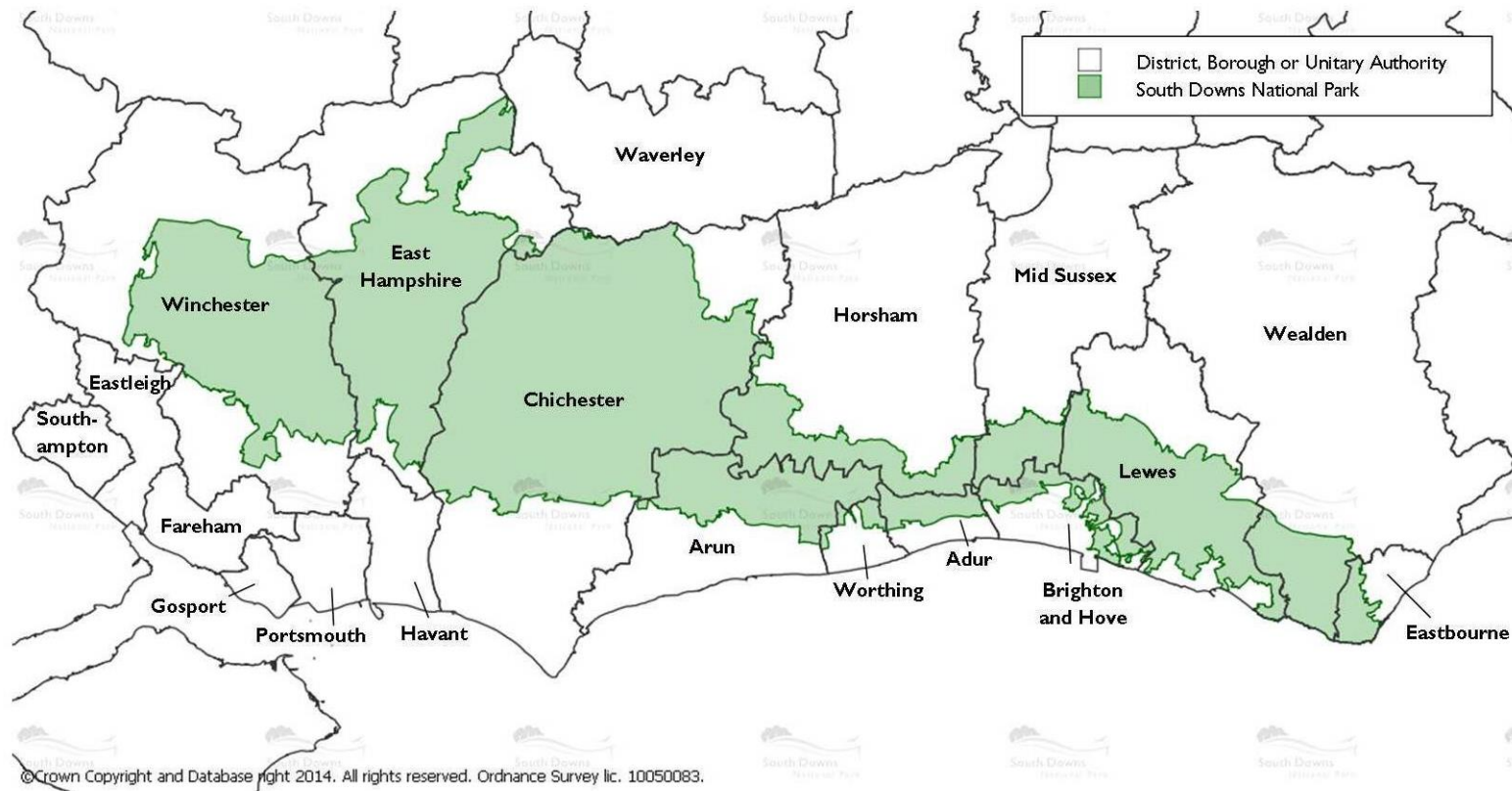
- 8.6 In the preparation of the Local Plan and in the determination of planning applications, the SDNPA will have regard for current legislation particularly: the *Human Rights Act (1998)*, *Race Relations Act (Amendment 2000)*, *Disability Discrimination Act (1995)*, the *Freedom of Information Act (2000)* and the *Data Protection Act (1998)*.

---

<sup>15</sup> <http://www.rtpi.org.uk/planning-aid/>

# APPENDIX I: INDICATIVE MAP OF THE SOUTH DOWNS NATIONAL PARK SHOWING LOCAL AUTHORITY BOUNDARIES

---



## APPENDIX 2 : PLANNING POLICY WITHIN THE NATIONAL PARK

---

**‘Development Plan’ for the SDNP consists of:**

**Adopted Joint Core Strategies:**

- Worthing Core Strategy (2011)
- Winchester Joint Core Strategy (2013)
- Wealden District (Incorporating Part of the South Downs National Park) Core Strategy Local Plan (2013)
- East Hampshire Joint Core Strategy (2014)
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (2013)
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (2017)
- Hampshire Minerals and Waste Local Plan (2013)
- West Sussex Waste Plan (2014)
- Lewes District Joint Core Strategy (2016)<sup>16</sup>

**Saved Local Plan policies for districts where these policies have not yet been superseded by an adopted Core Strategy:**

- Adur District Local Plan (1996)
- Arun District Local Plan (2003)
- Brighton and Hove Local Plan (2005) (saved policies)
- Chichester District Local Plan First Review (1999)
- Eastbourne Borough Plan (2003)
- Mid Sussex Local Plan (2004)
- East Hampshire Local Plan Second Review (2006)
- Horsham Core Strategy (2007)
- Lewes District Local Plan (2003)
- Wealden Local Plan (1998) (non-statutory Wealden Local Plan, 2005)
- Winchester District Local Plan Review (2006)
- Worthing Local Plan (2003)
- East Sussex Minerals Local Plan (1999)

---

<sup>16</sup> Policies SPI and SP2 were quashed in so far as they relate to the SDNP

- East Sussex Waste Local Plan (2006) – for East Sussex, and Brighton and Hove part of the National Park, - saved policies that were not deleted following the adoption of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (2013)
- West Sussex Minerals Local Plan (2003)
- West Sussex Waste Plan (2014)

# APPENDIX 3: LIST OF STATUTORY CONSULTATION BODIES

---

**3.1** These consultation bodies are those referred to in Regulation 25 of the *Town and Country Planning (Local Development) (England) Regulations (2004, as amended)*. Please note, this list is not exhaustive and relates to successor bodies where reorganisations occur.

## Specific Consultees

- County Councils (Hampshire, West Sussex, East Sussex) and Brighton and Hove Unitary Authority
- Adjoining Local Planning Authorities (LPAs)
- Town and Parish Councils both within and adjoining the South Downs National Park
- The Environment Agency (EA)
- Natural England
- Historic Buildings and Monuments Commission for England (English Heritage) (EH)
- The Marine Management Organisation
- Relevant telecommunications companies:
- Primary Care Trusts,
- Relevant electricity and gas companies
- Relevant sewerage and water undertakers
- Government Departments
- Network Rail Infrastructure Limited
- The Highways Agency
- Secretary of State for Transport
- The Coal Authority
- The Homes and Communities Agency

## General Consultees

- Voluntary bodies some or all of whose activities benefit any part of the authority's area;
- Bodies which represent the interests of different racial, ethnic or national groups in the authority's area;

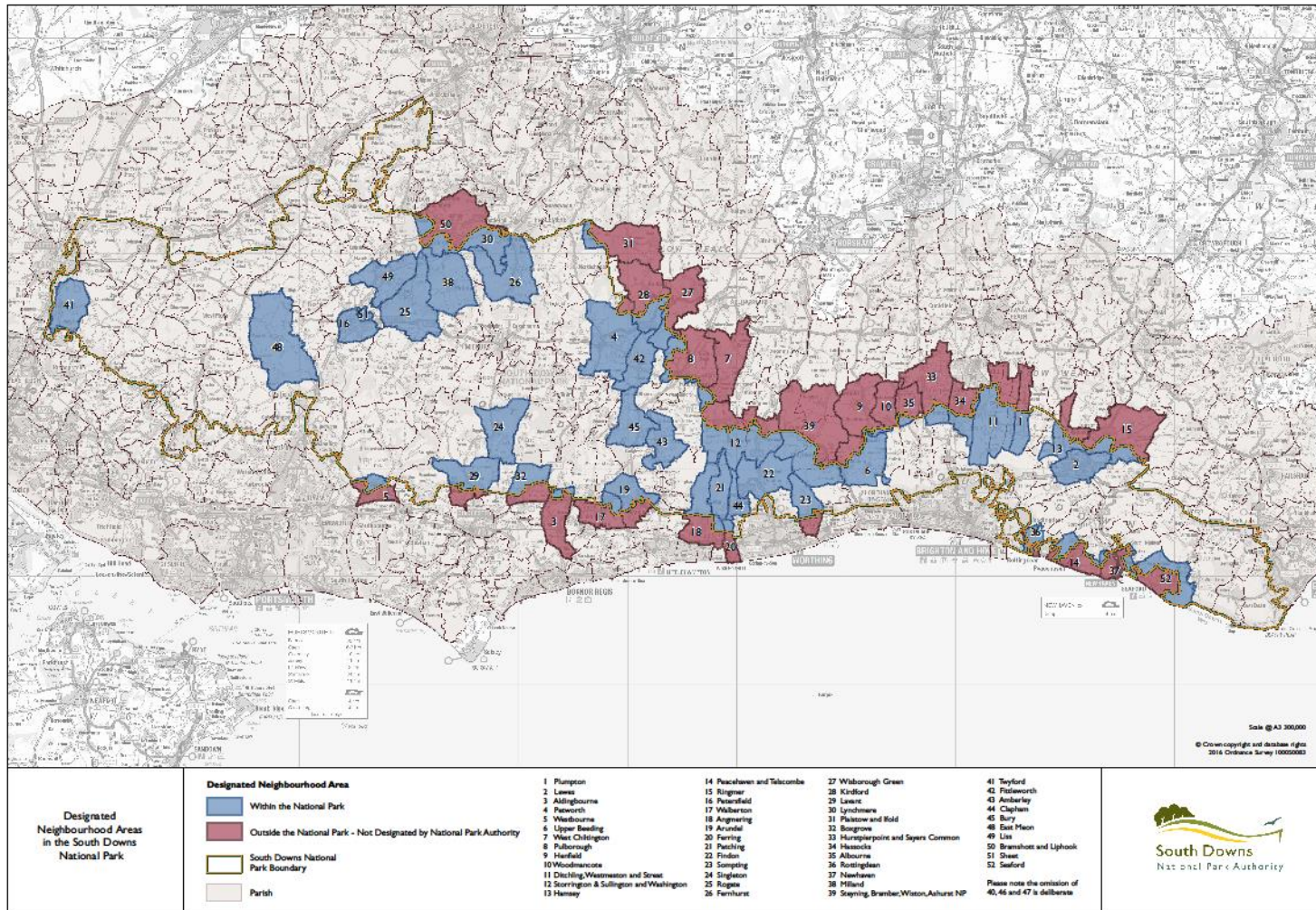
- Bodies which represent the interests of different religious groups in the authority's area;
- Bodies which represent the interests of disabled persons in the authority's area and;
- Bodies which represent the interests of persons carrying on business in the authority's area.

## APPENDIX 4: MINIMUM STATUTORY PUBLICITY REQUIREMENTS

4.1 As a local planning authority we are required by law to publicise all planning applications. This can include advertisements in a local newspaper, site notices and neighbour notifications. Applications are also advertised weekly on the SDNPA's website.

Nature of Development	Publicity Required
<p>Applications that:</p> <ul style="list-style-type: none"> <li>• Are accompanied by an environmental statement;</li> <li>• Are departures from development plan;</li> <li>• Affect a public right of way; or</li> <li>• Are made by the authority.</li> </ul>	Site notice and advert in local newspaper
Major development (which includes Minerals and Waste applications)	Site notice and advert in local newspaper
Minor development	Site notice and advert in local newspaper
Development affecting the setting of a listed building	Advert in local newspaper <b>and either</b> a site notice <b>or</b> neighbour notification
Development affecting the character or appearance of a conservation area	Advertisement in newspaper, site notice and neighbour notification
Permitted development requiring prior notification to local planning authority	Site notice posted by developer

# APPENDIX 5: MAP OF DESIGNATED NEIGHBOURHOOD AREAS





# APPENDIX 6: MEMORANDUM OF UNDERSTANDING IN RELATION TO NEIGHBOURHOOD PLANNING

---

## Memorandum of Understanding

between

**Example Parish Council and South Downs National Park Authority  
in relation to Neighbourhood Planning**

### 1. Background

- 1.1 This Memorandum of Understanding outlines the key roles and responsibilities of the main parties involved in the development of a Neighbourhood Plan for the parish of Example. In doing so it confirms the willingness of all parties to work positively together and sets out the protocols and parameters by which the neighbourhood plan will be prepared.
- 1.2 The parties are: Example Parish Council (EPC), Example Neighbourhood Steering Group<sup>17</sup> (ENSG) and the South Downs National Park Authority (SDNPA).
- 1.3 The neighbourhood plan will be produced for the designated neighbourhood area of Example as defined by the map in Annex I. The neighbourhood area is wholly / partly within the SDNP and the main centre of population is within the National Park. Therefore, SDNPA is the lead authority for neighbourhood planning for Example Parish Council.
- 1.4 The parties will work in cooperation to prepare a planning document for the local community that is suitable for adoption as a Neighbourhood (Development) Plan. Work on the plan and evidence produced for it could also contribute to future development plan documents and / or the Local Plan produced by SDNPA.

---

<sup>17</sup> Example Parish Council have delegated the production of the neighbourhood plan to Example Neighbourhood Plan Steering Group (ENSG). See Appendix 2 for ENSG Terms of Reference.

## **2. Roles and Responsibilities**

- 2.1 EPC, ENSG and SDNPA are committed to maintaining an open and transparent relationship to enable the effective development of the Example Neighbourhood Plan. The key roles of each party in the neighbourhood planning process are as follows:

### ***Example Parish Council***

- 2.2 EPC is the “relevant body”<sup>18</sup>, with legal authority to produce a neighbourhood plan under neighbourhood planning regulations. It is the properly elected democratic body representing the entire local community within the parish and is committed to ensuring that the community's views are fully reflected in all local planning decisions within the parish.
- 2.3 The Parish Council will be responsible for the overall content of the neighbourhood plan prepared and for its submission to SDNPA.
- 2.4 The Parish Council will formally agree the final draft neighbourhood plan at a Parish Council meeting prior to submission to SDNPA to ensure the neighbourhood plan is supported by the Parish Council.
- 2.5 The Parish Council will fulfil its duty to have regard for the National Park Purposes when preparing and agreeing a neighbourhood plan proposal for submission to SDNPA.

### ***Example Neighbourhood Plan Steering Group***

- 2.5 ENSG is a group formed of councillors and residents of Example Parish acting under terms of reference and recognised by Example Parish Council for the purpose of preparing a plan for the future development of the parish.
- 2.6 ENSG, on behalf of the Parish Council and the community of Example Parish, will be responsible for carrying out the work necessary to deliver the neighbourhood plan.
- 2.7 ENSG will:
- i. Seek to involve the whole community and gather the views and opinions of as many groups and organisations in the community as possible in the preparation of the neighbourhood plan. An extensive and inclusive programme of community participation and consultation will be carried out to help develop the plan;
  - ii. Project manage the preparation of the plan, prepare a project plan and budget and regularly report back to the Parish Council on details of progress against timetable and budget on (at least) a monthly basis, and share the project plan with the SDNPA;
  - iii. Act as the main conduit between the Parish Council, the local community, the SDNPA and the relevant district and county councils for neighbourhood planning matters;
  - iv. Submit a description of the scope of the proposed neighbourhood plan to Example Parish Council for its consideration and approval as soon as is practicable;

---

<sup>18</sup> For the purposes of section 61G of the 1990 Town and Country Planning Act being the parish council for the entire neighbourhood planning area, i.e. the whole Parish.

- v. Liaise with relevant authorities and organisations to ensure that the Plan is as effective as possible, is fit for purpose and complies with the National Park Purposes and Duty<sup>19</sup> and the strategic elements of the emerging *SDNP Local Plan*;
- vi. Ensure that the scope and content of the Neighbourhood Plan is appropriate to the issues raised by the local community, is prepared utilising robust and proportionate evidence and takes full account of Government policy set out in the *National Planning Policy Framework (NPPF) and Regulations* governing the production of a neighbourhood plan;
- vii. Seek a view from the SDNPA on the requirement or otherwise for Strategic Environmental Assessment (SEA) - known as a 'screening opinion', and provide sufficient key information in order for SDNPA to formulate a screening opinion. Should the screening opinion indicate that an SEA be required, the responsibility for meeting this requirement will be met by EPC;
- viii. Share an early draft (pre-submission neighbourhood plan proposal) with SDNPA to check the compatibility of the draft neighbourhood plan with the National Park Purposes and Duty, adopted Local Plan and emerging local policies;
- ix. Submit a final version of the neighbourhood plan proposal to Example Parish Council for its approval prior to the Plan being submitted to SDNPA for Independent Examination; and,
- x. Be responsible for the design, publication and maintenance of a neighbourhood plan webpage to ensure wider awareness of the neighbourhood plan production. The webpage should include an opportunity for people to volunteer to be part of the group.

### **South Downs National Park Authority**

- 2.8 SDNPA has a number of legal duties in relation to the production of a neighbourhood plan. These are:
- i. To publicise and designate a neighbourhood area for the purposes of neighbourhood planning within nationally set timescales.
  - ii. To provide advice and assistance to EPC and the ENSG on the preparation of a neighbourhood plan;
  - iii. To validate, check and publicise a neighbourhood plan prior to submission for independent examination;

---

<sup>19</sup> The SDNPA has statutory purposes and socio-economic responsibilities as specified in the Environment Act (1995):

Purpose 1: To conserve and enhance the natural beauty, wildlife and cultural heritage of the area.

Purpose 2: To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

Duty: To seek to foster the social and economic wellbeing of the local communities within the National Park in pursuit of our purposes.

- iv. Appoint an independent examiner in consultation with the Parish Council and meet the costs of performing independent examination;
  - v. Bring the neighbourhood plan into force subject to the results of the referendum.
- 2.9 At the end of the neighbourhood plan process, the plan is made (adopted) by the National Park Authority and to that end it is in the interests of SDNPA to work with EPC and ENSG to deliver a robust, fit for purpose and high quality document for the local community. For these reasons and in the spirit of working together for the benefit of the local community and in accordance with *Schedule 4B of the Town and Country Planning Act (1990)*<sup>20</sup>, SDNPA will provide the further following support to EPC / ENSG for neighbourhood planning activities:
- i. Provide professional and timely advice on neighbourhood plan preparation and other relevant planning matters particularly the Local Plan. The SDNPA will endeavour to acknowledge any request for advice within 5 days and provide a full response within 2 weeks. Where this is not achievable, SDNPA will indicate when a full response can be provided;
  - ii. Provide a view on the requirement or otherwise for a Strategic Environmental Assessment (SEA) of the Neighbourhood Plan (known as a ‘screening opinion’). Support and advise as necessary, on the scoping and development of a proportionate SEA including the appropriateness of this forming part of a wider Sustainability Appraisal and Habitats Regulations Assessment of the Plan, if required;
  - iii. Endeavour to attend meetings and events where possible and useful to developing the neighbourhood plan;
  - iv. Nominate a lead officer at the SDNPA who will be responsible for co-ordinating the input of other technical specialists from within the SDNPA as may be required to support the process. The lead officer will also liaise with the relevant District and County Council on technical matters such as highways and schools where necessary;
  - v. Liaise with the Parish Council and ENSG to ensure that the neighbourhood plan is in conformity with the strategic policies of the adopted / emerging Local Plan;
  - vi. Consult development management officers to assess the effectiveness and robustness of any potential policies;
  - vii. Digitise any proposals or allocations maps included the neighbourhood plan to be incorporated into the SDNP development plan; and
  - viii. Consider other reasonable requests for support based on the circumstances.

---

<sup>20</sup> “Give such advice or assistance to parish councils and designated Neighbourhood Forums as in all the circumstances, they consider appropriate for the purpose of or in connection with facilitating the preparation of Neighbourhood Development Plans.” [Schedule B of the 1990 Act] (‘duty to support’).

NB: There is no legal requirement to give financial assistance.

2.10 SDNPA will apply to the Government for funding which has been made available for local authorities to provide support to the development of Neighbourhood Plans to help fulfil the support outlined above. The allocation of discretionary resources to the Qualifying Body, including the giving of grants will be decided by the Director of Planning and may be subject to revision according to circumstances.

### **3. Reviewing the Memorandum of Understanding**

3.1 This Memorandum of Understanding will be kept open to review during the development of the Neighbourhood Plan. Amendments may be made following agreement between EPC, ENSG and SDNPA.

**Signed:**

**Signed:**

**Date:**

TEMPLATE

**Annex I**

**Designated Example Neighbourhood Planning Area**

TEMPLATE