

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

**March 2024**

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## 1. Introduction

The Council is required to publish a Statement of Community Involvement (SCI), explaining how and when we will involve people who have an interest in the development of the borough, including shaping planning policy, making planning decisions and how to enforce those decision once made.

Our SCI also summarises the basics of how the planning system works, and what local residents and other interested parties can expect if they choose to get involved at any stage of the planning process in Reigate & Banstead.

### 1.1. Why get involved in planning?

The planning of our towns, villages and countryside is one of the Council's key responsibilities, and it affects us all. From the homes we live in, the places we work, the schools and colleges that our children attend, the open spaces where we relax and stay fit, and the roads and cycleways that we travel on, are all affected by planning.

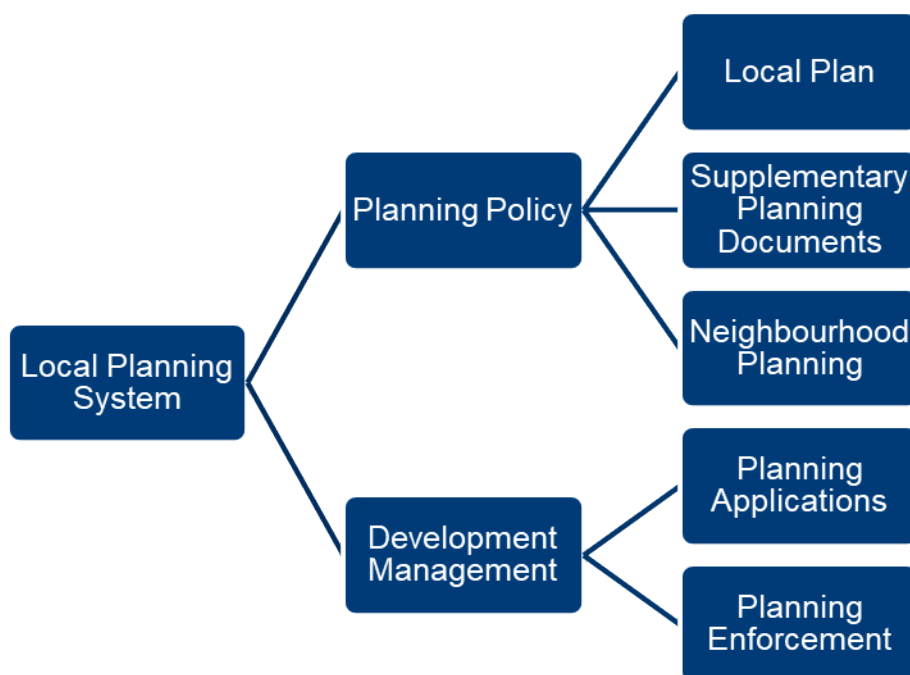
The planning process helps to guide and manage the way in which our borough develops and changes over time, as well as protecting important nature and built heritage from development. Planning ensures that the needs of our residents and businesses are met in the right places at the right times, whilst protecting those parts of the borough that make it an attractive place to live, work and visit.

It is therefore important that local people, businesses and community organisations are able to engage and participate in the planning process, whether that is through our plan-making activities and / or through decision taking on individual planning applications.

### 1.2. How does the planning system work?

There are two key parts to the local planning system. These are known as 'Planning Policy', which creates the areas' Local Plan and also Supplementary Planning Documents as well as overseeing any Neighbourhood Planning in the area, and 'Development Management', the processing and determining of planning applications and other development applications, as well as enforcing planning decisions (see Figure 1 for details).

**Figure 1: Structure of the national planning system**



## **Planning Policy**

Planning Policy involves the preparation of a range of planning documents including policy and guidance, which are then used to assess planning applications. Planning policies are shaped by government legislation and guidance along with local evidence. Planning policies, once adopted, are set out in the Reigate & Banstead Local Plan. This Local Plan(s) is a living document and is reviewed and updated when needed to reflect any key changes in legislation or in evidence that may occur.

The Planning Policy team also produce a range of guidance called ‘Supplementary Planning Documents (SPDs)’ that provide guidance on the detailed application of the planning policies within the Local Plan. Topics such as affordable housing, design or conservation of the built environment often require additional information from the Council to set out the context and ensure clarity.

Additionally, the Planning Policy team also oversee Neighbourhood Planning within the borough. This allows local communities to develop localised plans that sit alongside the Local Plan and provide more specific area-based policies that can help shape growth within a specific area.

## **Development Management**

Development Management is responsible for processing and determining planning applications in accordance with the adopted policies for the area, and other relevant “material” planning considerations. To help in planning the most suitable development of the site in question, the Council’s Development Management team can provide pre-application

advice. The Development Management team is also responsible for ensuring that breaches of any planning regulations are investigated and where needed, issues resolved. This is undertaken by the Planning Enforcement team.

## **Making decisions on planning matters – the role of Council Committees**

The operation of the decision making process is governed by the Council's Constitution, which is available at: [Agenda for Constitution on Thursday, 12th October, 2023 | Reigate and Banstead Borough Council \(moderngov.co.uk\)](#).

Council Committees are made up from elected Councillors. Planning Committee plays a key role in decision-making for both planning policies and planning applications.

In accordance with the Council's Constitution, planning policy documents are required to be considered by the Full Council Committee. Decisions to adopt Supplementary Planning Documents are taken by the Council's Executive. In addition, the Council's Overview and Scrutiny Committee, through the LDF Scrutiny Panel, may provide oversight of emerging Local Plan documents.

Non-contentious and minor planning applications can be determined by senior planning officers, who are delegated specific powers from Councillors, through the Council's Constitution. This allows Councillors more time to concentrate on the larger and more complex schemes and ensures that the majority of small applications are dealt with in a timely manner.

All Council Committee meetings are open to the public and the agendas and minutes for each are published on our website. Our Executive, Planning and Overview & Scrutiny Committee meetings and Full Council are webcast – these are advertised in advance on our website and can be viewed at [www.reigate-banstead.gov.uk/webcasting](http://www.reigate-banstead.gov.uk/webcasting).

When applications are presented to Planning Committee, there may be an opportunity for members of the public and applicants to speak in support, or against, the application. All requests to speak at Planning Committee must be made in advance via the Council's online system, except in exceptional circumstances. Planning Committee meetings are public, so any interested parties can attend and watch proceedings, even if they do not wish to speak.

More information and advice about speaking at Planning Committee meetings is available on our website at: [Speaking at planning meetings | Speaking at planning meetings | Reigate and Banstead \(reigate-banstead.gov.uk\)](#).

## **Other sources of planning information**

There are number of organisations who provide independent information and advice on all stages of the planning system. They offer advice on how to be involved effectively and on

how best to put forward your views and comments. These organisations are listed in Appendix 2.

## 2. What is a 'Statement of Community Involvement'?

A Statement of Community Involvement (SCI) sets out how, when and with who we will engage throughout different stages of the planning process. The Council is required to publish the SCI and to review it at least every five years (a requirement of section 18 of the Planning and Compulsory Purchase Act 2004, as amended). The SCI does not necessarily need to be updated if a review shows it to be up to date. The SCI must be available to view on the Council's website, at its main offices and in any other appropriate places in the borough during normal office hours.

### 2.1. What does the Government say on community involvement in planning and SCIs?

The National Planning Policy Framework 2023 (NPPF) sets out the Government's planning policies that local planning authorities like Reigate & Banstead must consider when preparing development plans and determining planning and other applications for development.

The NPPF states that the planning system should be easy to understand, and is accessible to all, with a commitment to involving everyone who is interested in their local planning issues. Local plans should *'be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees'* (NPPF, paragraph 16c).

National Planning Practice Guidance (PPG) provides advice on who should be involved in preparing Local plans. It sets out that Councils should *'identify and engage at an early stage with all those who may be interested in the development of content of the Local Plan, including those groups who may be affected by its proposals but who do not play an active part in most consultations'*.

### 2.2. Monitoring, review and updating the SCI

We will monitor the effectiveness of our approach to consultation and engagement. Where possible, this SCI is flexible so that we can adapt our approach to changes in policy and legislation or to ensure we are able to take advantage of additional, new or innovative approaches to publicity and engagement which might improve our ability to reach the right people at the right time.

In accordance with national statutory requirements of the Town & Country Planning (Local Planning)(England) Amendment Regulations 2017, we will review this SCI at least every five years, and update it when needed to ensure effective community involvement at all stages of the planning process. Whilst there have been no changes to legal requirements, not to guidance about SCIs, this latest update reflects digital / technological and social media changes and evolving good practice.

This document updates the Council's previous SCI that was adopted in 2019.

### **2.3. Our guiding principles for community involvement in planning**

When engaging with the local communities, the Council follows a set of principles which underpin our approach to community involvement in planning. These are:

- Involving stakeholders early in the process
  - ◆ Encouraging and facilitating engagement in the plan-making process so that views can shape and influence policy rather than react to it
  - ◆ Promoting and maximising pre-application involvement in planning applications and pre-application consultation by developers, so that there is meaningful opportunity for community views and aspirations to be factored into the final proposals
- Being open and transparent
  - ◆ Being clear and honest about the purpose and scope of consultations so that stakeholders have a clear understanding of what they can influence from the start
  - ◆ Ensuring that relevant information and consultation materials are made available to stakeholders
  - ◆ Publishing consultation materials that are clear and concise, avoiding unnecessary jargon
- Reaching stakeholders in the right way
  - ◆ Ensuring the consultations reach communities and people that may be affected
  - ◆ Choosing appropriate ways to raise awareness and involve a wide variety of people, including those who are often not heard from, including using on-line videos, and in person drop in events as suited to the issue
  - ◆ Assistance with drafting responses through transcribing for people with limited writing skills and / or whose written English language is insufficient to get their views across on paper
  - ◆ Making best use of digital and social media techniques to maximise the accessibility, ease, speed and reach of consultations
- Providing meaningful feedback
  - ◆ Fully considering the results of consultations and the comments received
  - ◆ Providing appropriate feedback so that it is clear how consultation responses have influenced outcomes, and if not, why
  - ◆ Evaluating and monitoring the effectiveness of consultation exercises and adapting as required



## **2.4. How does the SCI fit with the Council's engagement outside of planning?**

The Council carries out a range of community engagement as part of its work. This goes beyond issues related to planning alone.

Wherever possible, we will also work with other Council departments to ensure that a consistent and coordinated approach is taken to consultation. Where appropriate, joint consultations between departments will be considered to share resources and provide a joined-up approach to engagement.

## 3. Making Local Plans and Planning Guidance

### 3.1. What is 'planning policy'?

Planning policies are key to the 'plan-led' planning system of England. Planning decisions must be made in line with adopted Local Plan policies (known as the 'Development Plan') unless material considerations indicate otherwise. Development Plan for the borough comprises the local plan(s) and the Minerals and Waste plans prepared by Surrey County Council, which include provision for both within this borough.

The Levelling-up and Regeneration Act 2023 has recently introduced 'national development management policies' that will be required to be taken into consideration when decision making. However, at the time of writing this SCI, no date has yet been given for this provision to commence.

The Levelling-up and Regeneration Act 2023 also introduces significant changes to how local plans are prepared, the various stages and timeframes, and the stages at which external involvement from government appointed Inspectors is required. As of mid-March 2024, no details on how this new plan-making system will take effect have been given. When the details have been confirmed, the Council will review this SCI and will update it if required.

The Council is responsible for preparing the planning policy documents which are used to guide the development and determine individual planning applications to deliver sustainable development in their area.

There are two main types of local development documents:

- Local Plans (also referred to as 'Development Plan Documents' or DPDs)
- Supplementary Planning Documents (SPDs)

#### **Local Plans or Development Plan Documents (DPDs)**

Local Plans (or DPDs) are documents that set out the vision and framework for future development of the area, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure as well as safeguarding the environment and resources and ensuring good design.

Local Plans set out what development is intended to happen in the area, generally looking 15 years ahead, where and when this will occur and how it will be delivered. This is normally done through a combination of:

- Strategic policies which set out the overall strategy, pattern and amount of development (such as the number of new homes) and infrastructure required as well

as key policies for conserving and enhancing important landscapes, biodiversity and heritage.

- Non-strategic policies that set out more detailed criteria on specific issues, such as design principles or local shops.
- Site allocations which specify the details of sites where development will be supported.

Local planning policies are required to be generally consistent with national planning policy which is set out predominantly in the National Planning Policy Framework (NPPF).

Preparing a Local Plan comprises a number of stages, as required by the planning regulations, the Town and Country Planning (Local Planning)(England) Regulations 2012 – Part 6. Further details can be found in section 3.3.

### **Supplementary Planning Documents (SPDs)**

Supplementary Planning Documents (SPDs) are intended to amplify and to provide guidance on specific Local Plan policies or specific topics.

Preparing an SPD involves several stages, including consultation, however, unlike a Local Plan, an SPD is not subject to examination by a Government Inspector. A summary of the process for preparing a SPD and the opportunities for stakeholder engagement is set out in section 3.3 and Table 2.

### **Neighbourhood Development Plans and Orders**

In addition, local communities can work together to prepare Neighbourhood Plans and Neighbourhood Development Orders to guide development in their local area. More details on these, and the process, engagement and consultation involved in their preparation, is set out in chapter 4.

## **3.2. Who will we involve and consult in plan-making?**

Planning legislation in the Town and Country Planning (Local Planning)(England) Regulations 2012 sets out specific organisations (known as ‘statutory consultees’) which must be consulted on the preparation of Local Plan documents. This includes neighbouring Councils, Surrey County Council, utility companies and Government bodies such as National Highways and Historic England. These consultees will always be notified as part of our plan-making activities.

In addition, through our consultations, we will seek to engage as widely as possible with any other stakeholders who may have a role or interest in shaping future development and growth in the borough. These include:

- Local residents

- Residents' associations and community groups
- Local businesses
- Specific interest groups
- Landowners and developers
- Prescribed bodies for the duty to cooperate in relation to strategic planning issues

If you would like to be kept informed about new planning policy consultations as they occur, you can ask to be added to our consultation database (see Appendix 1 for details).

### **3.3. When will we involve and consult people in plan making?**

Planning legislation sets out the legal 'statutory' stages in the preparation process for each type of planning document. These include when we must formally publish the document for public consultation and for how long. Different documents have different requirements (see Tables 1 & 2 for details).

The timetables for our emerging planning policy documents will be set out in our Local Development Scheme (LDS). The Council publishes and maintains an up-to-date LDS, as legally required to. The LDS provides a useful starting point for stakeholders and the community to understand the likely timing of formal consultation exercises.

The requirements set out in planning legislation will always be met and, in many cases, we will seek to go beyond these minimum requirements in order to promote greater community involvement in plan making. This might include:

- Carrying out additional round(s) of formal consultation to seek focussed views on a new or significant policy or proposal
- Extending the length of a consultation beyond the statutory timeframe
- Carrying out additional, ad hoc activities (over and above the statutory notification and publication requirements)

We will seek to avoid scheduling formal statutory consultations during period when people are likely to have reduced availability to engage (e.g. public holidays). However, this cannot always be avoided. In rare instances, we may consult for an extended period, to ensure stakeholders have adequate opportunity to comment.

The Council maintains a record of current and recent formal consultations. This can be viewed at the [Council's website](#).

**Table 1: Summary of stages in preparation of Local Plan or other Development Plan Documents (DPDs)**

Stage	Details	Relevant Regulation
<b>Preparation of the evidence base</b>	Targeted early engagement with relevant stakeholders in the preparation and gathering evidence	N/A
<b>Public participation in the scope of the Local Plan (minimum 6 weeks)</b>	As a minimum: Notification to specific and general consultees, and others who have asked to be notified. Publish documents online and make them available at the Council's offices	Regulation 18
<b>Consideration of representations received</b>	May include further evidence gathering and informal engagement as per preparation stage	N/A
<b>Publication of the Local Plan / DPD for public consultation (minimum 6 weeks)</b>	As a minimum: Notification to specific and general consultees, and other who have asked to be notified. Publish documents online and make them available at the Council's offices	Regulation 19
<b>Consideration of representations received</b>	Comments received will be passed onto the Independent Inspector appointed to examine the draft Local Plan.	Regulation 20
<b>Submission of the Local Plan / DPD to the Secretary of State</b>	Following the Regulation 19 public consultation, the draft Local Plan and associated documents will be submitted to the Secretary of State. This stage triggers the independent examination of the document.	Regulation 22

Stage	Details	Relevant Regulation
<p><b>Examination of the Local Plan / DPD by an Independent Planning Inspector (appointed by the Secretary of State)</b></p>	<p>Inspector will consider representations received.</p> <p>The Inspector will normally invite those who have expressed an interest to participate in hearing sessions to discuss / debate their issues and concerns.</p> <p>Anyone can attend to observe the hearing but only those invited by the Inspector can participate in discussions.</p> <p>Further public consultation may be carried out as part of the examination if any changes to the Local Plan / DPD arise from the examination (subject to Inspector's advice).</p> <p>At the end of the examination process, the Inspector will issue a report to the Council with recommendations.</p>	<p>Regulation 24</p>
<p><b>Adoption of the Local Plan / DPD by the Council</b></p>	<p>Notification to specific and general consultees, and others who have asked to be notified of the intention to adopt.</p> <p>Publish documents online and make them available at the Council's offices.</p>	<p>Regulation 26</p>
<p><b>Monitoring and review</b></p>	<p>Targeted engagement with relevant stakeholders may be undertaken as part of monitoring the effectiveness of the document.</p>	<p>N/A</p>

**Table 2: Summary of stages in preparation of a Supplementary Planning Document (SPD)**

Stage	Details	Relevant Regulation
<b>Preparation of the evidence base</b>	Targeted early engagement with relevant stakeholders in the preparation and gathering of evidence.	N/A
<b>Publication of the SPD for public consultation (minimum 4 weeks)</b>	As a minimum: Notification to specific and general consultees, and others who have asked to be notified. Publish documents online and make them available at the Council's offices.	Regulation 12
<b>Consideration of representations received and drafting of final SPD</b>	May include further evidence gathering and informal engagement as per preparation stage.	N/A
<b>Adoption of the final SPD by the Council</b>	Notification to specific and general consultees, and others who have asked to be notified of the intention to adopt. Publish documents online and make them available at the Council's offices.	Regulation 14

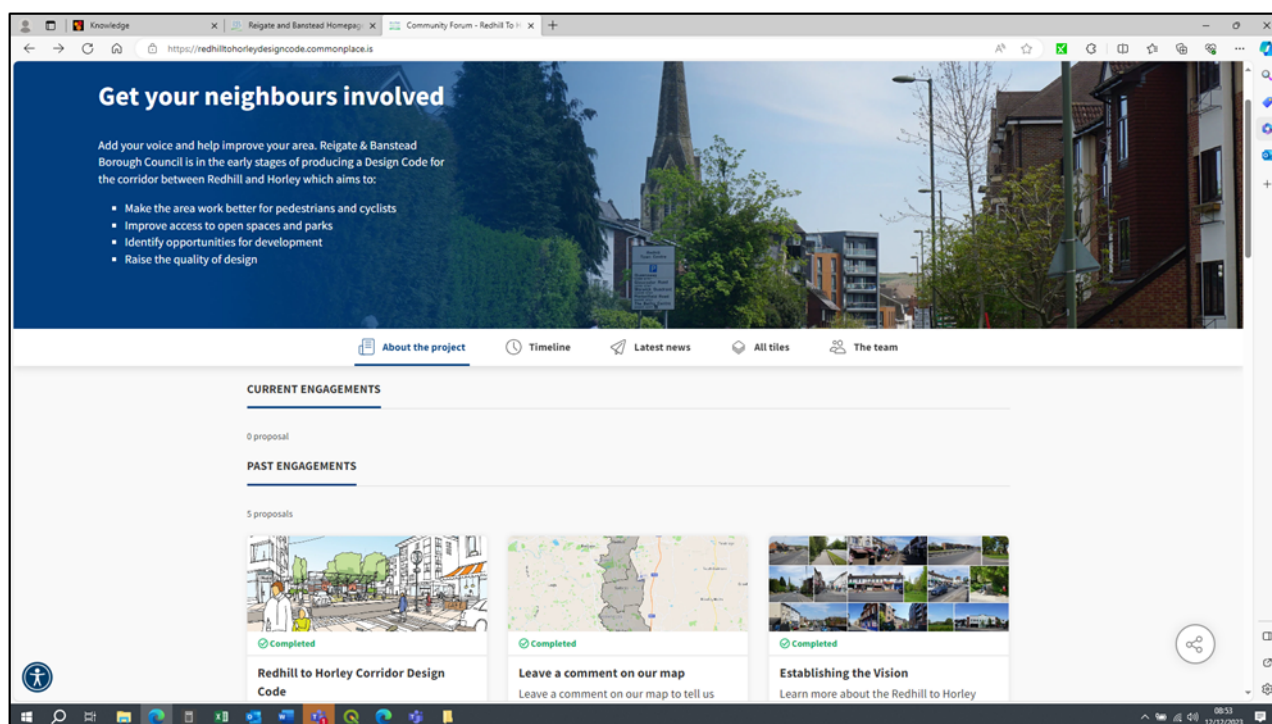
### 3.4. How will we involve and consult in plan-making?

In addition to formal statutory consultation periods detailed above, we will usually seek to engage and gather views of stakeholders to inform our evidence and data gathering and preparation of a local plan Vision, from which a strategy will emerge.

This early engagement will normally be tailored to understanding particular issues and gathering evidence to support a robust plan. We will publicise opportunities to be involved and provide views on issues and early draft documents as well as directly approach specific groups who may have an interest in a particular issue or geographic area.

The methods we will use include presentations and forums, workshops, drop in events and online surveys using maps and graphics (see example in Figure 2 below) to help describe the issues and draft proposals where suitable. We will seek to ensure the consultations follow the community involvement principles set out in section 2.3.

**Figure 2: Example screenshot of one of our online surveys for a new SPD**



In addition to specific engagement activities by the Planning Policy team, we may also make use of existing wider Council consultation and engagement activities, such as Residents' Surveys, to gather broader views to inform the early plan-making stages. These will normally be used to understand wider community sentiment on more general issues, rather than to obtain comments and feedback on detailed evidence or technical issues.

We understand that people will have different views at a consultation stage, but our focus is on encouraging early engagement to gain valuable local insight and so that, where possible, we can respond early to community views.

### **Asking for formal comments and opinions**

The key planning legislation for making local plans is The Town and Country Planning (Local Planning) (England) Regulations 2012. These regulations set out the minimum requirements for public participation during statutory consultations on planning policy documents, which, at the time of publishing this SCI, was four weeks for SPDs and six weeks for Local Plans.

As a minimum, we will always:

- Directly notify, by email or letter:
  - ◆ Statutory or general consultees specified in relevant planning legislation; and
  - ◆ Anyone else who has expressed to us a specific interest in being involved as the document develops, including individuals and businesses who have asked to be on our Planning Policy Consultation Database.



- Make documents available for inspection at the Council's main offices and on the Council's website.

In line with the principles in set out in section 2.3, we will aim to go above and beyond this to make consultations, surveys and supporting evidence transparent and accessible to all. The various methods which we might use to raise awareness and maximise opportunities for people to engage are set out below. These will be chosen on case-by-case basis.

We encourage all parties to make comments electronically where possible and we will normally publish online surveys or email response forms to enable this. We also accept comments and representations by email or post. Any party making comments must provide a name and address for comments to be valid. During formal statutory consultation exercises, it is important that comments are received before the close of the consultation, otherwise they are unlikely to be accepted.

## **Methods of publicity and keeping communities informed**

### **Reigate & Banstead Borough Council website**

Progress on our planning documents and information about current consultations will be publicised on the Council's website. We will also publish documents, including background evidence and response forms, which will be made available to download during the consultation process. Specific webpages on the Council's website, or even potentially a dedicated microsite, will be available to host the Council's local plan examinations, as recommended by government guidance.

### **Direct notifications**

We will send emails and letters directly to specialist organisations who are termed 'statutory bodies', community and residents' groups and other groups and stakeholders, and people (including local residents) who are registered on the Council's Planning Policy Consultation database, to notify them about a particular stage of plan making or consultation. In some circumstances, targeted or borough-wide 'mailshots' may be used to raise awareness of consultations. If you want to receive these emails or letters, please make sure to register (see Appendix 1 for details).

### **Social media**

Posts and publicity regarding formal consultation events may be promoted on the Council's Facebook page, X feed (formerly Twitter), LinkedIn and Instagram profiles (See Appendix 1 for details). Video summarising the planning documents we are inviting comments on may be summarised on the Council's YouTube channel.

## Borough news

Where possible (and subject to lead-in times) we may provide updates on Local Plan work in the Borough News magazine that is distributed to homes across the borough twice a year and available electronically on our website.

## E-newsletters

Various Council services publish electronic newsletter periodically or when needed to share news and information. This includes the Council's 'Planning Policy Newsletter' (see example in Figure 3 below), published from time to time, when needed, and the 'E-business Newsletter', which is emailed to local businesses periodically. These electronic newsletters will be used, where appropriate, to help promote planning consultations and engagement exercises.

Figure 3: Example of our Planning Policy Newsletter



## **Local media**

Media releases to local newspapers, radio stations, online media and to hyperlocal sites and newsletters may be issued to promote consultations and latest news.

## **Leaflets, posters and flyers**

These may be distributed (including to postal addresses) and displayed to promote consultations and summarise information on consultations. Information may also be circulated to Parish / Town Councils and residents' associations for display on community notice boards or in community newsletters, and at the six libraries in the borough. Including QR codes on posters and leaflets that people can quickly and easily scan will make it easier for many to find out more and to give their views if they have limited time for attending events.

## **Promotion by other departments – ‘word of mouth’**

We may share information and briefings regarding emerging planning policy documents amongst other Council departments so that they can promote and publicise them through their existing networks. This might include through Business Engagement, Community Development or Regeneration.

## **Presentations, workshops and drop-in events**

We may give presentations to appropriate groups, organisations and stakeholders to target particular people in the community who may be interested in how proposals affect a particular issue or local area or hold drop in events in well-used locations such as leisure centres or large supermarkets to reach a wider audience. On-line meetings with correspondence by email can assist those who may not have the time nor health to attend in-person workshop discussion events.

## **Councillor seminars and briefings**

These may help to provide information about the Local Plan process to Ward Councillors and elected members to support them in leading on raising awareness and engaging with their local residents and their community.

## **Digital methods of involving people and collecting feedback**

### **Surveys, questionnaires and feedback forms**

These may be used to canvass views on emerging planning documents. Response forms will normally be made available to capture comments at formal statutory consultation stages.

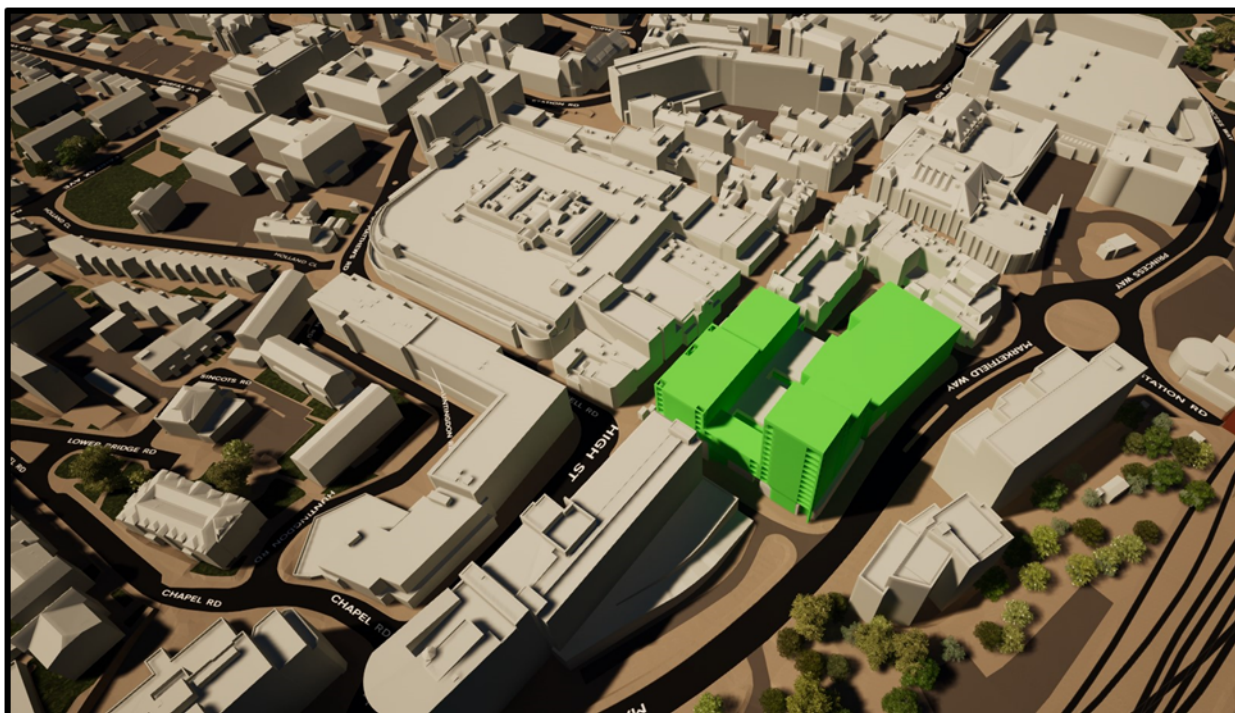
### **On-line surveys using specialist software such as ‘Commonplace’**

We may use this software or similar, where suited to the consultation, to present the information, including maps and photographs, and to collect feedback on issues and proposals. These will be accessible from the Council's website.

### Use of 'virtual' 3D models

The Council has worked with specialist consultants to design and create a 'virtual' 3 Dimensional (3D) model of the A25 Redhill to Horley area. We will use this 3D computer model to present visualisations of potential site allocation developments and major planning applications to be considered by planning committee. See image of Redhill Town centre highlighting the recently built development of 'The Rise' in Figure 4 below. In future, as technology and resourcing permits, this may be rolled out to cover other parts of the borough.

**Figure 4: 3D model of Redhill town centre**



### Workshops and focus groups

Opportunities for discussions or specific topics and documents in groups, potentially supported by presentations and other visual material. These may take the form of 'Planning for Real' exercises. Workshops may particularly be used at earlier stages of preparation or to focus on exploring specific topics.

### Exhibitions

We will use public exhibitions and displays to publicise emerging planning policy and guidance documents to local communities and provide further information and to informally collect views. Exhibitions may be staffed by planning officers at times, to enable communities to ask questions and to provide informal feedback to Council planning officers. Materials may be made available online to enable those who cannot attend exhibitions in person to leave comments. Suitable locations may include areas with pedestrian traffic, such as shopping, leisure or community centres.

**Figure 5: Example of our public engagement event invitation**



### **Council meetings**

Where appropriate and / or where required by the Council’s Constitution or Statutory Acts, we will take our emerging plans to relevant Council meetings for feedback and approval.

### **Improving access to our consultation material aiming reach to all communities, including those ‘rarely heard from’**

Whilst planning affects us all, it can also be a complex and technical subject and the evidence supporting planning policies can often be lengthy. This can be a barrier to people getting involved.

We will make every effort to ensure that our consultation materials are clear and easy to understand and that key issues and significant or potentially controversial proposals can be easily identified. We will aim to make our planning documents as visual as possible to present the spatial planning proposals in an easy to interpret visual style, including where possible, use of maps, infographics, charts and photographs. This will include producing

leaflets, briefing notes and non-technical summaries alongside the formal consultation documents, to help highlight the most important information.

Within our communities, there are individuals and groups who may have greater difficulty accessing consultations or who may be less likely to make their views known. These groups, sometimes known as 'rarely heard' may nonetheless be able to offer important and valuable insight to inform our planning policies. These groups may change over time, but can include:

- People of working age who, due to work and family commitments, have very limited free time in which to involve themselves in wider issues (the time-limited)
- Carers who may have insufficient time to engage in planning issues that could affect them and / or their dependents
- People of limited mobility, through either age or disability
- People with sight or hearing impairment
- People who are not fluent in English
- People who are not able to read and / or write well enough to participate in traditional types of written planning consultations
- People without a fixed address
- People of school age who, because of their age, may be less likely to be part of formal residents or interest organisations

When planning consultation on local plans or supplementary planning documents, we will carefully consider ways to maximise opportunities to engage with 'rarely heard' groups and overcome barriers to participation. Measures which may be used could include:

- Using alternative methods to written or text-based consultation, such as face-to-face meetings or workshops, or drop-in sessions/exhibitions and ensuring that these are held at appropriate times or day/days of the week and in appropriate, accessible locations.
- Maximising the availability, flexibility and reach of online consultation opportunities for those unable to access Council services or offices during normal working hours. This might include providing shorter online or interactive surveys for those who are 'time poor', online video summaries of key issues, and publicising consultations effectively using a wide range of social media.
- Making documents available, on request, in different languages and accessible formats (e.g. large print or audio versions), ensuring that online materials are screen reader friendly and that video content has appropriate subtitles.
- Utilising Parish / Town Councils, other local groups and associations (where they exist) to assist in increasing awareness at local level, particularly as they have existing communication networks within their areas.
- Working with other departments, such as our Community Development team, in order to maximise outreach during consultations.

## **Our ‘Duty to Cooperate’**

The ‘duty to cooperate’ is a legal duty Section 110 of Localism Act 2011 and 33A of the Planning and Compulsory Purchase Act 2004, which requires the Council to engage constructively, actively and on an on-going basis with neighbouring authorities and other (prescribed) public bodies to tackle ‘larger than local’ issues. This includes challenges such as meeting needs, delivering infrastructure or protecting important landscapes. The duty is intended to make Local Plans more effective.

At the early stages of document preparation, the Council will work with the duty to cooperate bodies to understand which aspects of the plan they wish to be engaged with and how. This may also provide an opportunity for joint working and establishing a shared evidence base.

With specific reference to the duty to cooperate, methods of engagement to be applied throughout the plan making process will include the following:

- Notification emails / letters;
- Information requests / exchange of data;
- Meetings, discussions and workshops, including through existing joint working arrangements such as Surrey Planning Officers Association and Gatwick Diamond;
- Written agreements / statements of common ground

### **3.5. What will we do with your comments on our planning policy documents?**

All formal comments received as part of a planning policy consultation process will be collated, analysed and taken into account in the decisions made by and on behalf of the Council.

The Council will not normally respond to comments and representations received on an individual basis. In exceptional circumstances, we may contact a person or organisation who made the comments in order to ensure we fully understand their views and / or specific issues they raise.

Comments will be reviewed and considered by Council officers. Where appropriate, the Council may propose changes to the draft document or may take some other action (such as reviewing / updating evidence) to address points raised during the consultation. However, there may also be instances where the Council considers that it is not appropriate to amend the plan to accommodate the views of a respondent, for example if a proposed change is contrary to national planning policy.

The outcomes of any formal consultation will be published on the Council’s website. A Statement of Consultation will be prepared for each statutory consultation stage, setting out

the comments received (usually as a summary) and the Council's response to those comments. It will also set out if and how the issues were addressed.

In the case of Local Plans or other DPDs, the respondent may be given the opportunity to convey their views to an independent Planning Inspector at an Examination into the soundness of the plan either in writing or by appearing at a hearing.

For all formal comments received during a consultation period, the Council will:

- Record the comments and points raised;
- Provide acknowledgement of receipt (if electronic) or if otherwise requested by the respondent;
- Collate and make available any comments;
- Notify anyone who has responded to a consultation of the next statutory stage;
- When submitting a document to the Secretary of State, notify those people who have requested to be notified of submission, by email or letter;
- Send the Planning Inspector those comments received during the regulation 19 consultation for a Development Plan Document.

We cannot accept confidential, anonymous or late comments in response to formal statutory consultations. In accordance with the Data Protection Act 2018, we will not publish personal data (your name and anything that could be used to identify you personally) or confidential information provided to us as part of comments. All respondents are also encouraged to ensure that representations only contain material that they are happy to be made publicly available.

We also reserve the right not to publish any comments, or parts of comments, that are not considered suitable for public view, including comments that are offensive, personal or defamatory.

### **3.6. Making adopted documents available**

Adopted Local Plan documents, SPDs and other documents such as the Local Development Scheme and Statement of Community Involvement, will be published on the Council's website.

Copies will also be made available for inspection at the Council's main offices and libraries. Paper copies will also be available to purchase (in order to recover printing costs and postage costs where needed).



## 4. Neighbourhood Planning

### 4.1. What is Neighbourhood Planning?

Neighbourhood planning was introduced by the [Localism Act 2011](#), and consists of a series of powers to enable communities to plan their local area by deciding how it should be developed, where and when, and what its development should look like. Neighbourhood planning can be undertaken by a local parish or town council, or by specially designated Neighbourhood Forum (a neighbourhood planning body), to develop a shared vision for the future of the places where they live and work. Neighbourhood planning includes a number of tools including Neighbourhood Development Plan, a Neighbourhood Development Order or Community Right to Build Order.

#### **Neighbourhood Development Plans (NDPs)**

Neighbourhood Development Plans, or simply Neighbourhood Plans (NPs), enable designated communities to establish and deliver a vision for the area, to set planning policies and propose new uses and allocations for development of land in their area. NPs can be very simple or can go into considerable detail. Neighbourhood Plans must pass through independent examination and a local referendum of people on the electoral register. If a majority agreed that the Council should use the neighbourhood plan to decide planning application in the neighbourhood area, the plan will become part of the statutory (legal) development plan for the area, and are taken into account in determining planning applications in that area.

National policy makes clear that Neighbourhood Plans are intended to be a positive tool to support growth. Specifically, it states that Neighbourhood Plans cannot promote less development that is set out in the Council's Local Plan, nor can they be used to undermine the strategic policies of the Council or block development which is already part of the area's adopted Local Plan. They can, however, promote more growth or influence where it goes and what it will look like.

#### **Neighbourhood Development Orders or Community Right to Build Order**

If a community wished to simplify the process for allowing development, it can also produce a Neighbourhood Development Order or a Community Right to Build Order. These can be instead of, or in conjunction with, a Neighbourhood Plan and can be used to grant planning permission (full or outline) for certain types of development in specified areas. Such orders, however, cannot remove the need for other permissions, such as Listed Building or Conservation Area consent.

## 4.2. What is the process for preparing a Neighbourhood Plan?

Neighbourhood Planning is either taken forward by Town / Parish Councils, or in areas without Parish Council by ‘Neighbourhood Forums’ (formed by community groups, including local residents).

The process of preparing a Plan or Order is designed to be led by the community. As such, whilst preparing their draft Neighbourhood Plan, the neighbourhood planning body is responsible for carrying out public consultation and engaging with the local community and wider stakeholders. If you live or work within an area developing a Neighbourhood Plan, there will therefore be opportunities to get involved and influence the content of the emerging Plan. The key stages in the preparation of a Neighbourhood Plan, including the various consultation opportunities to have your say, are summarised below in Table 3.

Once a draft of the Neighbourhood Plan has been completed, it must be submitted to the Council. At that point, the Council will carry out a period of formal consultation and then submit the plan for independent examination. The Council will also organise the referendum following the examination and the subsequent adoption. These processes will be carried out in accordance with the relevant Regulations.

The Council will update details of the progress of each Neighbourhood Plan or Order on its website. It will also publish examiners’ reports and any associated decision notices.

**Table 3: Summary of stages and responsibilities in the preparation and adoption of a Neighbourhood Plan**

Stage	Details	Relevant Regulation
<b>Early engagement</b>	Informal community consultation undertaken by the local community to understand appetite, aims and ambitions from neighbourhood planning. Community seeks advice from the Borough Council as to whether NP is the right way forward to address the community’s aspirations. Informal community consultation on the boundaries of any prospective neighbourhood planning area undertaken by the local community.	N/A

Stage	Details	Relevant Regulation
<b>Neighbourhood Forum / Neighbourhood Area application</b>	Community makes an application to be designated as a Neighbourhood Forum (if unparished) or to designate a Neighbourhood Area. First steps in progressing with a Neighbourhood Plan.	Regulations 5 & 8
<b>Designation of Neighbourhood Forum or Neighbourhood Area</b>	Minimum 6 weeks consultation undertaken by the Borough Council. As a minimum: Publish details of application online along with information about how interested parties may make representations; however, additional targeted notifications and publicity in the relevant area may also be undertaken. Borough Council published details of decision to designate (or not) online.	Regulations 6, 7, 9 & 10
<b>Preparation stage</b>	Local community gathers evidence to inform and prepare the Neighbourhood Plan. Engagement with, and surveys of, the local community, relevant stakeholders should form a key part of this evidence gathering. Draft Neighbourhood Plan prepared by local community.	N/A
<b>Pre-submission consultation on Draft Plan</b>	Minimum 6 weeks consultation undertaken by the neighbourhood planning body. As a minimum: Notify and send a copy to the Borough Council. Notify specific consultation bodies in Neighbourhood Planning Regs. Publicise the plan in a manner which is likely to bring it to the attention of people who live, work or carry on business in the area.	Regulation 14

Stage	Details	Relevant Regulation
<b>Finalise and submit Draft Plan</b>	<p>Prepare consultation statement summarising responses received.</p> <p>May include further evidence gathering and informal engagement as per preparation stage.</p> <p>Prepare formal documentation including basic conditions statement and any necessary environmental assessments.</p>	Regulation 15
<b>Public consultation on Submission Plan</b>	<p>Minimum 6 weeks consultation undertaken by the Borough Council.</p> <p>As a minimum:</p> <p>Notify specific consultation bodies in Neighbourhood Planning Regs and those who have responded previously.</p> <p>Publicise the plan in a manner which is likely to bring it to the attention of people who live, work or carry on business in the area.</p>	Regulation 16
<b>Submission of Neighbourhood Plan for independent examination</b>	<p>The Draft Plan is submitted for independent examination.</p>	Regulation 17
<b>Examination of Neighbourhood Plan by an independent examiner (appointed by the Council)</b>	<p>Examiner will consider representations received.</p> <p>Examiner will assess whether further public consultation may be carried out as part of the examination if any changes to the Neighbourhood Plan / DPD arise from the examination (subject to Inspector's advice).</p> <p>At the end of the examination process, the Inspector will issue a report to the Council with recommendations.</p>	Regulation 18

Stage	Details	Relevant Regulation
<b>Local Referendum</b>	Organised and funded by the Borough Council. Vote held in the neighbourhood area only, of people on the electoral register.  If more than 50% of those voting are in favour, the plan can be “made” / adopted.	Neighbourhood Planning (Referendums) Regulations 2012
<b>Borough Council “makes” (adopts) Neighbourhood Plan</b>	Publicise adoption online and notify any persons who asked to be notified.	Regulation 19

### 4.3. What support is available to help groups to prepare a Neighbourhood Plan?

#### Support from the Borough Council

Whilst the local community is responsible for preparing the plan, the Council will provide appropriate on-going advice and support throughout the process.

The Neighbourhood Planning Act 2017 introduced a new requirement for Statements of Community Involvement (SCIs) to set out how the Local Planning Authority will support groups undertaking neighbourhood plans.

As a starting point, the Council will nominate a member of the Planning Policy team to act as the main point of contact between the Neighbourhood Planning Group and the Council.

Support and guidance will be made available in several forms, with the emphasis on helping the community to develop their own knowledge and skills to prepare the plan, rather than direct involvement by the Council. This approach will help to maximise the independence and local ownership of the Plan. Support available may, depending upon the requirements of the community, include:

- Initial advice or seminars regarding the process for preparing a Plan or Order, including the respective roles of the Council and neighbourhood planning body.
- Initial support in scoping the matters which can / cannot be addressed through the Plan aspirations / objectives of the community.
- Sharing existing evidence documents, data and intelligence held by the Council which may be relevant to the area; and ‘signposting’ to other useful sources of data such as the Office for National Statistics, etc.

- Providing guidance (as required) on project management issues such as timetabling (including sharing any template tools), writing effective specifications / briefs for consultancy support and undertaking consultation / engagement events.
- Providing advice on relevant legislative or regulatory requirements, including Strategic Environmental Appraisal, and on any relevant case-law.
- Practical assistance such as GIS mapping (where appropriate and resources permit)
- Sharing examples of best practice from plans elsewhere.
- ‘Signposting’ to other sources of support (including financial) and training and supporting the community in making funding applications as appropriate.
- Providing informal advice on ensuring conformity with existing national / local policy and ensuring policies / site allocations are fit for purpose and deliverable.
- Responding, on a formal basis, to specific consultations on the emerging and draft Plan or Order
- Facilitating access to other teams / departments within the Council, or in partner organisations, if specialist input is required.
- Advice on the referendum process, including campaigning.

Town and Parish Councils or any Neighbourhood Forums will be strongly encouraged to keep their own websites up to date and assist by making sure documents are available locally and providing appropriate local publicity.

### **What other sources of advice, support and guidance exist?**

There is a range of valuable, independent advice and guidance for communities and groups preparing neighbourhood plans, including:

- Planning Practice Guidance: [Neighbourhood planning - GOV.UK \(www.gov.uk\)](http://www.gov.uk)
- Planning Aid: <https://www.planningaid.co.uk/hc/en-us/articles/203195361-How-does-a-Neighbourhood-Plan-fit-in-with-the-Local-Plan>
- Neighbourhood Planning support website ‘Locality’ <https://locality.org.uk/neighbourhood-planning> offers direct support to Neighbourhood Planning groups to help with preparing Neighbourhood Plans, including in the form of financial grants and technical support. This includes a ‘Neighbourhood Plans Road Map’ available at [https://neighbourhoodplanning.org/wp-content/uploads/NP\\_Roadmap\\_online\\_full.pdf](https://neighbourhoodplanning.org/wp-content/uploads/NP_Roadmap_online_full.pdf)
- Planning Help – Neighbourhood Plans (by Council for the Protection of Rural England) [How to shape where you live: a guide to neighbourhood planning - CPRE](http://www.cpre.org.uk)

## 5. Commenting on planning applications

A planning application is a means by which someone applies for permission from the Council to develop land or existing buildings, including changing their use. The Council is responsible for most planning decisions that are made throughout the borough, although in some limited instances (such as minerals and waste proposals), the County Council makes the decision.

The Council determines approximately 2,000 planning (and related) applications a year, ranging from household extensions and fences to major new housing estates and business premises. These planning decisions shape the nature of the areas where people live, work and spend their leisure time.

### 5.1. Types of planning applications

There are two main types of planning application – applications for full planning permission and applications for outline planning permission.

In addition to planning applications, the Council also processes a wide range of other applications relating to development:

- Approval of reserved matters
- Discharges of condition
- Amendments to proposals that already have planning permission
- Lawful development certificates
- Prior notifications and approvals for some permitted development rights
- Non-planning consents (such as advertisement consent, listed building consents and consents required under a Tree Preservation Order)
- Environment Impact Assessment (EIA) / Environmental Outcomes (EO) screening & scoping requests

### 5.2. Involvement at the pre-application stage

National policy guides all parties to take maximum advantage of the pre-application stage to improve the efficiency, effectiveness and outcomes of the planning process. The Council strongly encourages applicants to carry out early engagement with both the Council and the local community before submitting a planning application, especially for development proposals where the application of planning policies might not be straightforward. The pre-application involvement of the local planning authority, and key stakeholder organisations and the public should be proportionate to the size and type of development being proposed.

Involvement in the pre-application process provides an important opportunity to make a real difference to proposals, as well as avoiding unnecessary delays and costs for all parties.

## **Pre-application advice**

Early discussion of a proposal with the Council in the form of a pre-application discussion can:

- Help identify key opportunities and challenges associated with a particular site
- Help the applicant to understand how planning policies and other requirements may affect their proposal
- Verify the information required to be submitted with the application
- Reduce the likelihood of submitting invalid applications
- Identify the need for specialist involvement
- Raise the quality of development

General planning advice is also available from the Duty Planner, a telephone service which currently (as of March 2024 but may be subject to change and review according to future demand and resources) operates between 10am and 11.30am Monday to Friday. However, the extent of advice which the duty planner can provide is limited and we are unable to advice on specific proposals or the potential of a particular site via this service.

For specific schemes / proposals, the Council offers a formal pre-application advice service, providing either written advice or an opportunity to meet with a designated Planning Officer to discuss proposals. Further information above the pre-application process, including the necessary forms and fees information is available at: [Pre-application planning advice | Pre-application planning advice | Reigate and Banstead \(reigate-banstead.gov.uk\)](#).

Sometimes, these discussions will have to be kept confidential due to commercial sensitivity.

## **Pre-application community consultation**

The purpose of community engagement at the pre-application stage is to help identify and address issues so that any subsequent planning application is processed more quickly and the determination process is smoother. In particular, community engagement by applicants can:

- Identify and address any issues that may be considered in any formal application
- Inform Members and the public of a development proposal at an early stage in the process
- Inform planning officer's pre-application discussions with the developer
- Enable the developer to shape an application at the outset to respond to community issues and help to reduce local opposition

We strongly encourage applicants or developers, particularly on major schemes, to consult and engage with the local community before submitting planning applications which are likely to generate public interest. Such consultation should be accessible and clear to the whole community.



Pre-application consultation provides an opportunity for applicants and developers to find out the views of local residents about their development proposals and allows the local community to make suggestions which can then be taken into account by the developer in finalising their planning application.

In most cases, the Council expects applicants to carry out their own pre-application consultation. This should be effective in bringing draft proposals to the attention of the public, the local Town or Parish Council and other affected parties and provide opportunities for them to make comments. The extent of public engagement prior to application should reflect the scale and nature of the proposals. In all cases, the Council strongly encourages applicants to discuss their emerging proposals on a one to one basis with direct neighbours.

For larger applications, including 'major' developments of over 10 new homes or 1ha of land, more extensive engagement would be expected. Effective ways of doing this include public exhibitions, workshops and other forums providing specific opportunities for comments to be made. Discussions with Parish / Town Councils, local residents' associations and with elected Councillors are also encouraged for larger proposals.

The Council will expect applicants to submit details of the pre-application consultation they have undertaken as well as an explanation on how the responses have been considered alongside their planning application. The Council will consider this information prior to making a decision.

### **Planning Performance Agreements (PPAs)**

A Planning Performance Agreement (PPA) is a tool that the Council and applicants can use to agree timescales, actions and resources for handling particular applications. They can be used on most types of development but are particularly useful for larger, more complex planning applications.

PPAs typically cover the pre-application and application stages and provide an opportunity to:

- Establish a programme of bespoke pre-application advice, normally through a series of meetings, to identify and discuss key issues and to inform the design development of a proposal in the build up to submission of an application.
- Identify the resources and skills to be involved at the pre-application and application stage (normally including a dedicated case officer).
- Set out a clear and agreed timescale for reaching a decision once it is submitted.

In order for all parties to gain maximum benefit from a PPA, it is essential that they facilitate close engagement between the Council, developers, key consultees and the local community. The PPA will provide an opportunity for identifying the approach to community engagement and who should be involved.

Developers will be expected to cover the costs of the PPA, which will be in addition to any subsequent planning application fee for the proposed development.

### 5.3. Who will we consult regarding planning applications

Once a planning application is submitted, planning legislation sets out the statutory publicity requirements for different types of planning applications.

The method of publicity depends upon the type and scale of the development proposed in the application. Members of the public and stakeholder organisations have 21 days from the start of the consultation (excluding public holidays) to make comments, after which a decision can be made on the application. The easiest and quickest way to make your comments on an application is online, through the Planning Register. Once you have searched for and viewed the application, use the “Comment on this Application” link to register your comments. You can also provide comments by post.

The method of publicity and consultation for applications include:

- **Neighbour notifications** – we individually notify, by letter, all those properties (residential or non-residential) directly bordering and abutting the boundary of the application site.
- **Site notices** – if a site notice is a statutory requirement, it would be posted in at least one place on or near to the land that the application relates to. Every effort will be made to post site notices in a location which is visible to the general public and those passing the site. If the site is large, or if its geography is such that it may be accessed or appreciated from several roads, more than one site notice may be posted. This will be at the discretion of the Planning Officer. In exceptional circumstances, where the ownership of land adjoining an application site is uncertain, a site notice may also be posted at the discretion of the Planning Officer. The site notice will set out how to comment on the application and any deadlines.
- **Press notice – certain applications are advertised through a public notice in the local press.**
- **Online planning register** - all applications, and their associated documentation, are also made available to view on the Council’s website via the online planning register. You can use the register to:
  - ◆ Follow the progress of an application
  - ◆ View associated plans and documents
  - ◆ Make comments on an application
  - ◆ View the application report and decision notice
  - ◆ See if appeals have been lodged and any decisions made
  - ◆ See recent planning history and property details, including maps and constraints

Our website enables for residents and stakeholders to register and carry out their own planning searches. This service is a helpful way to keep informed of applications for development in the Borough that may affect you. The Council records can be searched by criteria such as type of application reference number, ward, status (active, determined, appealed) or applications within a defined geographical area, and offers the option for individuals to be notified by email of any new applications meeting these criteria. Guidance notes are available on the Council's website to explain how to use this. Further information is available at: [Weekly list of planning applications | Weekly list of planning applications | Reigate and Banstead \(reigate-banstead.gov.uk\)](http://www.reigate-banstead.gov.uk)

As well as consulting the local community, we will also consult a range of internal and external consultees as part of the application process. Some of these consultees are specified in legislation, however we may also consult others such as the County Highway Authority on transport matters or specialists in environmental health, trees, ecology and heritage conservation, depending upon the nature of the application.

The consultation and notification methods we will use for different types of application are summarised in Table 4.

**Table 4: Summary of planning application consultation methods**

Type of application	Site notice	Neighbour notification letter	Press notice	Online planning register
Major development (10+ homes or 1,000sqm or more)  Includes full, outline and minor material amendment applications (section 73)	✓	✓	✓	✓
Minor development (less than 10 homes or 1,000sqm)*		✓		✓
Householder developments		✓		✓
Certificate of Lawfulness for existing use / development		✓		✓
Certificate of Lawfulness for proposed use / development		✓		✓

Type of application	Site notice	Neighbour notification letter	Press notice	Online planning register
Permitted Development prior notifications and approvals	✓	✓		✓

Additional publicity requirements may be triggered to meet specific legislative requirements if a planning application gives rise to any of the specific issues identified (see Table 5 for details).

**Table 5: Summary of consultation requirements related to specific issues**

Specific issue	Site notice	Neighbour notification letter	Press notice	Online planning register
Development accompanied by an Environmental Statement (under EIA or EOs Regulations)  <i>The statutory consultation period for an application subject to Environmental Impact Assessment / Environmental Outcomes is 30 days rather than the standard 21 days</i>	✓	✓	✓	✓
Development affecting a Listed Building (including Listed Building Consent)	✓	✓	✓	✓
Development affecting the character or appearance of a Conservation Area	✓	✓	✓	✓
Development affecting a public right of way	✓	✓	✓	✓

Specific issue	Site notice	Neighbour notification letter	Press notice	Online planning register
Departure from the development plan	✓	✓	✓	✓

### Amended plans

National policy and Guidance are clear that Councils should work proactively with developers through the decision-making process. As part of this, in some instances, the Council may negotiate with developers through the application process to secure improvements to proposals and applications to address issues or policy conflicts. This may result in amended plans being put forward during the course of the application.

We decide whether amended plans need to be given publicity on the individual circumstances of each case. Any amendments that will significantly affect the appearance or layout of a proposal would generally follow the same procedure as that for the original application, except that only 14 days, rather than 21, is allowed for comments to be made. If a new planning application is required, this will be subject to new public consultation.

## 5.4. What we do with comments received on planning applications

### Checking that comments received are valid and suitable

Comments we receive about a planning or other development application, including names and postal addresses, must be made available for public inspection on the planning file and on the Council's website.

If you do not include your name and postal address, or you expressly ask for your comments to remain anonymous, your comments will not be taken into consideration in assessing the planning proposal. It is therefore important that in commenting on an application you include your name and postal address within your response.

In accordance with Data Protection legislation, we will 'redact' (blank out) any personal information (such as email address, phone number, signature, and any information relating to health conditions or ethnic origin) which is provided to us as part of a comment on planning applications. This information will be kept on the Council's software system but it will not appear on our website.

Anyone making comments on applications for development respondents are requested to ensure that the content of their representations only contains information that they are satisfied can be made publicly available, as comments will be published on the Council's

online planning register. We reserve the right not to publish any comments that are not considered suitable for public view, including comments that are offensive, personal or defamatory. We will keep information from planning comments received for a set period set out in our [‘Records and Retention policy’](#).

When making a decision, the Council can only consider comments relating to material planning considerations not covered by other legislation. A summary of the most common material considerations (not exhaustive) is set out below, along with some issues which cannot be considered.

### **Material planning considerations that can be taken into account when assessing applications**

- Adopted local and national planning policies
- Policies in emerging Local Plans
- Previous appeal decisions and case law
- Loss of sunlight or daylight
- Overshadowing
- Loss of outlook
- Overlooking and loss of privacy
- Highways issues such as traffic generation, congestion and safety
- Noise and disturbance resulting from the proposed use (including hours of operation)
- Smells and fumes
- Compatibility of the layout, building design and appearance with the surrounding area
- Loss of, or effect on, trees
- Impact on ecology, nature conservation or biodiversity
- Effects on listed buildings, Conservation Areas or other historic assets
- Risk of flooding
- Deficiencies in infrastructure such as drainage or lack of school spaces
- Contamination or the storage and handling of hazardous materials
- Local financial considerations such as additional income from grants, Council Tax or the Community Infrastructure Levy

### **Non-material planning considerations that cannot be taken into account when assessing applications**

- Matters controlled by Building Regulations such as structural stability and fire precautions
- Matters covered by licences
- Private issues between landowners such as boundary disputes, damage to property, private rights of access and covenants
- Rights to light
- Problems arising from the construction period, such as noise, dust and hours of working, which are covered by Control and Pollution Acts

- Reduction of property value
- Loss of a private view
- Religious or moral issues – such as betting shops or amusement arcades
- Factual misrepresentation of the proposed development
- Opposition to business competition

## **Determining planning applications**

Following the end of the consultation period, we will consider any comments received and make a decision on the application. Although representations on a planning application will not be acknowledged or replied to on an individual basis, all valid responses will be fully considered in the assessment and determination of the application.

Matters raised in the representations will be discussed and addressed through the Planning Officers report on the application. In accordance with legislation, the decision we make on a planning application will be based on the adopted development plan policies unless other material planning considerations dictate otherwise.

Most planning applications are determined by officers under powers delegated to them. A small number of applications are decided by the Council's Planning Committee. Applications presented to Planning Committee will be accompanied by a written report and officer recommendation. Please see section 1.2 for more information about Council Committees.

## **Planning appeals**

If planning permission is refused for a development, approved with conditions which the applicant does not agree with, or not determined within the nationally set timescale, the applicant for permission can appeal to the national government Planning Inspectorate. The Planning Inspectorate is a government agency and is independent of the Council.

Everyone who was notified of the original application or submitted comments will be informed that an appeal has been made. They also have the opportunity to make further written comments, except in the case of Householder Appeals, where the Inspector makes the decision based solely on all the information on the original application file. Any additional comments must be made directly to the Planning Inspectorate and details of how to do this will be included on the notification letter.

Only the applicant can appeal against refused planning permission or imposed conditions. Neighbours and other third parties have no right of appeal. However, if a third party is not happy with the Council's decision and considers that the planning permission was granted unlawfully, and that the correct procedures were not followed, they can challenge the decision through a [judicial review in court](#).

The judicial review process can only consider the lawfulness of the procedure that the council took in coming to the decision to grant planning permission, it is not to consider the planning

merits of the case. A judicial review must be logged within 6 weeks of a date where a challengeable ground arises; generally but not always the decision notice date for a planning decision. Anyone considering a judicial review is advised to seek independent legal advice.

Planning appeals can be dealt with in three ways: written representations, informal hearing or public inquiry. For appeals that are to be decided by informal hearing or public inquiry, interested parties are also given the opportunity to appear before the Inspector to put forward their views.

The Inspectorate will consider the evidence and decide whether the Council's decision was correct. The Inspector's decision is binding and can only be challenged through judicial review in High Court.

Third parties who are aggrieved about a planning decision (either by the Council or Inspector) do not have the right to appeal; their only recourse is to challenge the decision through the High Court.

## **5.5. Planning Enforcement**

In some cases, breaches of planning control can arise. This might include:

- Development occurring without the necessary planning permission in place
- Conditions on a planning permission not being complied with
- Development not being built in accordance with the plans which have been approved
- Works without permission to a Protected Tree or Listed Building

In these situations, the Council has powers of investigation and enforcement. Our role in, and approach to, enforcing planning regulations is set out in our Local Enforcement Plan 2018, available at: [About planning enforcement | Planning enforcement | Reigate and Banstead \(reigate-banstead.gov.uk\)](https://reigate-banstead.gov.uk/about-planning-enforcement)

The Local Enforcement Plan is designed to help all stakeholders and the local community understand how planning enforcement works, how to make a complaint, and sets out the timescales for investigations and subsequent action. In terms of involvement, it also contains details of how we will keep stakeholders and customers informed during the enforcement process.

## **5.6. Brownfield Land Register and Permissions in Principle**

### **Brownfield Land Register**

The Council has a legal duty (as specified in Town and Country Planning (Brownfield Land Register) Regulations 2017), to publish Brownfield Land Register (BLR) and review it at least once a year. The BLR provides details of previously developed (also sometimes called



‘brownfield’) land, that the local authority considers to be appropriate for residential development. Register will be in two parts:

- Part 1 comprises previously developed sites of 0.25ha or larger (or which are capable of supporting at least 5 dwellings) which the Council deems appropriate for residential development, taking account of suitability, availability and achievability. This will include sites with planning permission as well as sites without.
- Part 2 comprises of those sites in Part 1 which the Council has decided would be suitable for a grant of permission in principle for residential development.

There are no statutory consultation requirements associated with the entry of land onto Part 1 of the Register nor do we propose to undertake any specific consultation at this stage.

The publicity and consultation requirements that we must use for Part 2 of the Register are set out in Regulation 6 of the Town and Country Planning (Brownfield Land Register) Regulations 2017.

Our approach to notification and consultation on brownfield land register entries is set out below in Table 6.

### **Permission in Principle**

The Permission in principle (PIP) consent route is an alternative way of obtaining planning permission for housing-led development.

The PIP consent route has two stages:

1. **The permission in principle (PIP)** stage which establishes whether a site is suitable in principle.
2. **The technical details consent (TDC)** stage is when the detailed development proposals are assessed.

Getting technical details consent has the effect of granting planning permission. There are two ways in which we can grant permission in principle:

- Upon receipt of a valid application for any site that might accommodate a minor (less than 10 homes) housing-led development
- By entering a site in Part 2 of our Brownfield Land Register (BLR) which will trigger a grant of permission in principle for that land, providing the statutory requirements set out in legislation are met. (Note: This is the only route by which brownfield sites capable of accommodating major development (over 10 homes) can achieve PIP).

The Town and Country Planning (Permission in Principle) Regulations 2017 (as amended) sets out the publicity and consultation requirements associated with applications for ‘permission in principle’ or ‘technical details consent’, the latter of which mirrors a standard planning application. These requirements will be met in full as set out below in Table 6.

### **Table 6: Summary of Brownfield Land Register and Permission in Principle notification requirements**

Type of application	Site notice	Notify prescribed bodies	Neighbour notification notice	Online (Council website)
Entry of land onto Part 1 of the Brownfield Land Register				
Entry of land onto Part 2 of the Brownfield Land Register	✓	✓		✓
Application for Permission in Principle	✓	✓		✓
Application for Technical Details Consent	✓	✓		✓

## Appendix 1: Find out more about planning in Reigate & Banstead and get involved

### Contact us:

#### By email:

- Planning applications: [Planning.applications@reigate-banstead.gov.uk](mailto:Planning.applications@reigate-banstead.gov.uk)
- Planning policy: [LDF@reigate-banstead.gov.uk](mailto:LDF@reigate-banstead.gov.uk)
- Community Infrastructure Levy (CIL): [CIL@reigate-banstead.gov.uk](mailto:CIL@reigate-banstead.gov.uk)
- Planning enforcement: [Planning.enforcement@reigate-banstead.gov.uk](mailto:Planning.enforcement@reigate-banstead.gov.uk)

#### By telephone:

01713 276000 (including Duty Planner)

#### In person by appointment:

Reigate Town Hall  
Castlefield Road  
Reigate  
Surrey  
RH2 0SH

#### Social media:

<https://www.facebook.com/reigatebanstead>

<https://www.instagram.com/reigatebanstead>

[X](#) (formerly Twitter)

<https://twitter.com/reigatebanstead>

[LinkedIn](#)

[Nextdoor](#)

#### Find out more on our website:

- General planning information: [www.reigate-banstead.gov.uk/planning](http://www.reigate-banstead.gov.uk/planning)
- Planning policy: [Planning policy | Reigate and Banstead \(reigate-banstead.gov.uk\)](http://www.reigate-banstead.gov.uk/planning-policy)
- Online planning application search: <https://planning.reigate-banstead.gov.uk/online-applications/>

#### Sign up:

## **Planning Policy Consultation Database**

The Council keeps a database of people, groups and organisations who have told us that they are interested in being kept up-to-date with, and involved in, the production of any development plan documents, or who the government requires us to involve and consult when we produce new planning policy document or guidance.

Being on the register is the best way to ensure that you are notified of our engagement and consultation activities in preparing planning documents.

Any person or organisation can request to be added to the database to be notified of planning policy related consultations through the following means:

- Using our online form: [https://my.reigate-banstead.gov.uk/service/Planning\\_Policy\\_Mailing\\_List](https://my.reigate-banstead.gov.uk/service/Planning_Policy_Mailing_List)
- By emailing: [LDF@reigate-banstead.gov.uk](mailto:LDF@reigate-banstead.gov.uk)
- By post: using the postal address above

## **Online Planning Register**

Sign up to receive notifications of new applications matching your tailor made criteria.

<https://planning.reigate-banstead.gov.uk/online-applications/registrationWizard.do?action=start>

## Appendix 2: Further information and advice on planning

### Planning Aid England (PAE)

Planning Aid England (PAE) is a service provided by the Royal Town Planning Institute (RTPI) offering independent and impartial professional planning advice and support to help individuals and communities engage with the planning system and get involved in planning their local area. It offers a free mail advice service.

Website: [RTPI | About us](#) or [What is your question about? \(planningaid.co.uk\)](#)

### The Planning Portal

The Planning Portal is a 'one-stop-shop' for planning information. It provides information on the planning system, including a helpful guide on when planning permission is required. The Planning Portal also provides a planning application submission service, including the official forms needed.

Website: [www.planningportal.co.uk](http://www.planningportal.co.uk)

### Locality

Locality is a national membership network which offers support to local community organisations in preparing Neighbourhood Plans and Neighbourhood Development Orders.

Website: [locality.org.uk/services-tools/neighbourhood-planning/](http://locality.org.uk/services-tools/neighbourhood-planning/)

### Department for Levelling Up, Housing and Communities (DLUHC)

DLUHC is the Government department which currently has responsibility for all issues related to the planning system. DLUHC website provides access to national policy, statistics and latest news related to planning. You can view their website using this link:

<https://www.gov.uk/government/organisations/department-for-levelling-up-housing-and-communities>

The Office for Place is part of DLUHC, formed in July 2021, aiming to improve design standards, including involving communities in (and supporting the role of) Design Codes nationally. Reigate & Banstead Borough Council's 'A23 Corridor Design Code' was selected as a pilot project to receive assistance from Office for Place. You can view more information about their work on their website:

[About our services - Office for Place - GOV.UK \(www.gov.uk\)](#)

## **The Planning Inspectorate**

The Planning Inspectorate processes planning appeals and examines planning policy documents and Community Infrastructure Levy (CIL) documents.

Website: [www.gov.uk/government/organisations/planning-inspectorate](http://www.gov.uk/government/organisations/planning-inspectorate)

Email: [enquiries@pins.gsi.gov.uk](mailto:enquiries@pins.gsi.gov.uk)

Postal address: The Planning Inspectorate, Room 3 O/P, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN

Telephone: 0303 444 5000

## **National Planning Policy Framework and Planning Practice Guidance**

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. The NPPF must be considered as relevant when preparing Local Plans and determining planning applications. The Planning Practice Guidance (PPG) provides further detailed information on how to implement the national policies.

NPPF: <https://www.gov.uk/guidance/national-planning-policy-framework>

PPG: <https://www.gov.uk/government/collections/planning-practice-guidance>