

**INSPECTOR'S REPORT**  
**Shropshire County Council**  
**STATEMENT OF COMMUNITY INVOLVEMENT**

Inspector: Keith Holland BA(Hons) Dip TP MRTPI ARICS

Date: April 2006

# **The Shropshire County Council Statement of Community Involvement (November 2005)**

## **INSPECTOR'S REPORT**

### **Introduction**

- 1.1 An independent examination of the Shropshire County Council Statement of Community Involvement (SCI) has been carried out in accordance with Section 20 of the Planning and Compulsory Purchase Act. Following paragraph 3.10 of Planning Policy Statement 12: Local Development Frameworks, the examination has been based on the 9 tests set out (see Appendix A). The starting point for the assessment is that the SCI is sound. Accordingly changes are made in this binding report only where there is clear need in the light of tests in PPS12.
- 1.2 A total of 22 representations were received all of which have been considered. The Council proposed a number of amendments to the SCI in response to representations received, and these have been taken into account in the preparation of this report.

### **Test 1**

- 2.1 The Council has undertaken the consultation required under Regulations 25, 26 and 28 of the Town and Country Planning (Local Development) (England) Regulations 2004. The only omission was that some Parish Councils were not consulted due to a procedural error at both Regulation 25 and 26 stages. This was rectified by the County Council going back and consulting the councils that were originally missed. All the Parish Councils were included at subsequent stages. I am satisfied that none of the Parish Councils have been prejudiced by this error.
- 2.2 Having regard to Regulation 24 (4) DPD Matters (e) there are notification obligations that the Council must fulfil. Subject to the following recommendation this test is met.

### **Recommendation**

**(R1)** The Council are to notify all those who made a representation on the submission SCI of the publication of the Inspectors Report and the subsequent adoption of the SCI.

### **Test 2**

- 3.1 Paragraph 5.1 recognises the links between the Shropshire Sustainable Resource Management Development Framework (SSRMDF) and other strategies the Council are involved in. The SCI explains from paragraph 5.2- 5.8 the links to the integrated Community Strategy for the county and continues to do the same for a number of groups and plans the Council are involved in. The

scope for co-ordinating community involvement in order to make more effective use of available resources is addressed at paragraphs 5.9-5.10

3.2 I am satisfied that the Council recognise the links between the strategies, the LDDs and the associated consultation exercises.

3.3 This test is met.

### **Test 3**

4.1 The Council has set out in a table over pages 20-22 of the SCI those groups which will be consulted. This list includes the statutory bodies from PPS12 Annex E. It is stated between paragraphs 9.1-9.3 of the SCI that the Council will hold a database of consultees details. Furthermore, the Council state in paragraph 9.2 that they will consult with additional local stakeholders where appropriate.

4.2 This test is met

### **Test 4**

5.1 Paragraph 7.2 explains that the Council will involve and inform people from the early stages of LDD preparation. This paragraph in conjunction with the table over pages 20-22 also explains that informal consultation will take place with the key stakeholders such as parish councils and local developers, at the issues and options stage of DPD production in accordance with Regulation 25. I am satisfied that the consultation proposed will be undertaken in a timely and accessible manner.

5.2 This test is met.

### **Test 5**

6.1 The table over pages 10-15 sets out the methods that the Council propose to use to involve the community and stakeholders. These cover a range of recognised consultation techniques that will present information via a range of different media. The Council acknowledge some of the benefits and disadvantages of the different methods and indicate at what stages of LDD preparation the various methods might be employed in the table over pages 20-22. This table also clarifies the stages at which consultation will take place and who will be consulted at those stages.

6.2 The SCI acknowledges that the Council may have to provide extra support to facilitate consultation with certain groups or individuals, and proposes (at paragraphs 6.3-6.4) how they might do this. Whilst the table over pages 10-15 satisfactorily explains how the Council will make their information accessible to all members of society the SCI should also set out how they will meet the

requirements of relevant anti discriminatory legislation and I recommend that this is incorporated.

- 6.3 I am satisfied that subject to the following recommendation the methods of consultation proposed in the SCI are suitable for the intended audiences and for the different stages in LDD preparation and this test is met.

### **Recommendation**

**(R2)** Insert the following additional sentence at the end of paragraph 6.3:

“Such actions will be carried out with due regard to relevant anti-discriminatory legislation, including the Race Relations Act 2000 and the Disability Discrimination Act 1995”.

### **Test 6**

- 7.1 Paragraphs 11.3 -11.5 of the SCI explain how the Council will seek to ensure that sufficient resources are put in place to achieve the scale of consultation envisaged and where the responsibility to do this lies.

7.2 This test is met.

### **Test 7**

- 8.1 Paragraphs 8.1-8.4 explain how the results of community involvement will be taken into account by the Council and used to inform decisions. The Council propose to prepare reports prior to submission of LDDs explaining how views have been considered and documents changed in light of the community involvement. The SCI states at paragraph 8.4 where these will be made publicly available.

8.2 This test is met.

### **Test 8**

- 9.1 Paragraph 12.1 explains that the SCI will be formally reviewed in circumstances where significant changes are necessary. In addition Paragraph 12.2 sets out the ways in which the methods of involvement and consultation exercises will be monitored. The role of the Annual Monitoring Report in reporting these findings is highlighted.

9.2 I am satisfied that the Council has mechanisms for reviewing the SCI and have identified potential triggers for the review of the SCI.

9.3 This test is met.

## **Test 9**

- 10.1 The SCI at Section 10 describes the Council's policy for consultation on planning applications and from 10.7 how it meets the minimum requirements. The SCI includes information on how the consultation results will inform decisions at paragraph 10.19. However, the issue of planning applications and SSSIs is not referred to and is also raised through a representation. In the case of SSSIs the Wildlife and Countryside Act (as amended by the Countryside and Rights of Way Act 2000) provides for English Nature to have 28 days to respond to applications for development potentially affecting a SSSI and I recommend to allow for this, but also for other similar circumstances.
- 10.2 A range of additional methods of consultation that may be considered in certain circumstances are identified from 10.13. However, the SCI should additionally clarify that differing procedures may be appropriate to different types and scale of application and I recommend that this is incorporated through inclusion of reference to what may constitute 'major' development.
- 10.3 Subject to the following recommendations this test is met.

### **Recommendation**

**(R3)** Insert after the first sentence of paragraph 10.6 the following sentence:

"Bodies such as English Nature will be allowed a longer period of time to comment on applications where this is prescribed by legislation."

Delete "However," at the start of the following sentence.

**(R4)** Insert the following additional sentence to the end of paragraph 10.1:

"The nature of the involvement is dependent also on the nature and scale of the application."

**(R5)** Insert a new paragraph 10.13 and renumber subsequent paragraphs accordingly:

"In the case of 'major' and certain other applications a variety of other additional means of consultation may be appropriate and can include those described in the following section. A definition of 'major' development is set out in the Town and Country Planning (General Development) Order 1995 and Circular 15/92 'Publicity for Planning Applications' and includes minerals and waste development."

### **Conclusions**

- 11.1 The Council have set out in their Representations Statement (Regulation 31 Statement) December 2005 a number of proposed

changes to the SCI in response to representations received on the submission document. These suggested amendments do not affect the substance of the SCI but they do improve the clarity and transparency of the submission SCI. I therefore propose that they be included and list them below.

**(1)** Insert additional consultees, 'Shropshire Hills Area of Outstanding Natural Beauty', 'Sport England' and 'Woodland Trust\*' in box A on the table at page 20.

**(2)** Change the wording of the second sentence of paragraph 4.4 to the following:

"The Council has very recently undertaken a best value review of participation and as part of this a toolkit containing guidelines for participation was agreed by the Cabinet in December 2005."

**(3)** Add the following new penultimate sentence to paragraph 4.4:

"Findings and principles from this review will be taken into account when engaging such hard to reach groups on the preparation of future local development documents and the consideration of planning applications."

**(4)** Change the second sentence of paragraph 6.3 to read as follows:

"These include groups such as young people, old people, disabled people, black and minority ethnic people, gypsies and travellers, and those living in certain places, such as more remote rural areas."

**(5)** Add the following additional new third sentence to paragraph 6.3:

"Identification of hard to reach groups should be based on sound evidence, so as to reflect the circumstances of the Shropshire area."

**(6)** Add the following new sentence at the end of paragraph 6.3 prior to (R2):

"It may also be possible to identify other existing conduits, such as gypsy liaison officers."

**(7)** Change the last sentence of paragraph 10.7 to read as follows:

"In future the Council will increasingly wish to forward details of planning applications to consultees by email or on disk, but only with their agreement."

**(8)** Add the following new sentence to the end of paragraph 10.6:

"The Council will try to accommodate the needs of organisations which wish to respond to planning applications but have difficulties in achieving this within 21 days, provided the issues are raised as early as possible and determination of the application would not be unduly delayed."

11.2 Subject to the recommendations set out in this report the Shropshire County Council SCI (November 2005) is sound.

A handwritten signature in black ink, appearing to read 'K Holland', written in a cursive style.

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Inspector