

## FOREWORD

In all that it does, the Borough Council is striving for greater involvement from Darlington's citizens in all the decisions that affect their lives. It also welcomes the involvement of all others who have an interest in the town, whether as potential investors, service providers, regulatory agencies or visitors.

That's why we welcome this Statement of Community Involvement (SCI), prepared by our Planning Services Team. It explains how and when you can take part in planning in Darlington, whether it be plan-making or having your say on planning applications. For those proposing 'significant' developments, we have set out our new guidelines as to what the Council expects you to do to engage local people and other interests in developing your plans, prior to submitting a planning application.

We are delighted that Darlington Partnership is working closely with the team, as effective partnerships with the local community and service delivery agencies are at the core of securing well designed and appropriate local development and land use.

We look forward to your contribution in planning the future of Darlington.

**Councillor Lyonette, Cabinet Member for Regeneration and Planning**  
**Councillor Robson, Chair, Planning Committee**

Darlington Borough Council

## STATEMENT OF COMMUNITY INVOLVEMENT

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# Chapter 1: Introduction

## What is this Document and Why Has it Been Prepared ?

This document explains what we (the Council) will do to involve you in shaping our new Local Development Documents<sup>1</sup>. It indicates when and how you can get involved in planning matters, and what to expect from the us when you do so. It also sets out what we will expect potential developers to do to involve you before they submit significant planning applications.

This Statement of Community Involvement (SCI) is required by new legislation, introduced in September 2004. Once finalised, its provisions are binding on us; if we do not carry out the actions indicated in the document in preparing new planning documents, the Government could intervene and require us to withdraw them.

*To find out why we are preparing new planning documents, what plans are being prepared and when, please consult our "Why We Plan" and "The Local Development Scheme 2005-2008"<sup>2</sup> documents. To find out how to have your say on Planning Applications, consult our 'A Charter for Development Control' and 'Have Your Say', a leaflet specifically about speaking at Committee. All these documents are on our*

<sup>1</sup> Formal development plan & supplementary planning documents that will replace our existing adopted Local Plan and Supplementary Planning Guidance.

<sup>2</sup> Available from April 2005.

website, [www.darlington.gov.uk](http://www.darlington.gov.uk) or can be viewed at the Town Hall and local libraries. Alternatively you can request copies from us, tel: 01325 388799; we may make a small charge for this.

## Using this Document

Plan Making: For details of when and how you can get involved in preparing new Local Development Documents, go to Chapter 2.

Planning Applications: To find out about our guidelines on pre-application community engagement for 'significant' proposals or our existing consultation and publicity practices, go to Chapter 3.

## Making Representations On this Document

You can make formal representations about anything contained in this document, but you must do so in writing so that your comments reach us **no later than 8<sup>th</sup> June 2005**.

You must respond using either the reply form enclosed with this document, or the on-line reply facility in the Planning Policy area of our website, [www.darlington.gov.uk](http://www.darlington.gov.uk). Neither we, nor the Independent Inspector examining our SCI, are obliged to consider responses received after this date, and late objectors have no right to be heard by the Inspector.

Note that all responses will be made publicly available via our website and at all the places where this document has been deposited for public inspection, so that people can see what others are saying about the SCI.

## What Happens Next ?

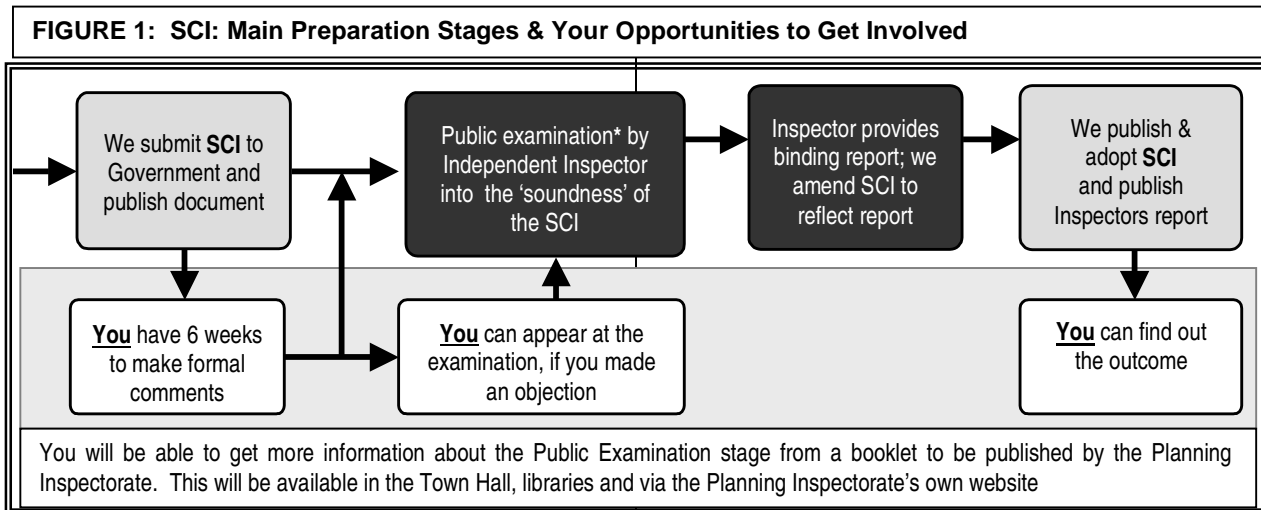
All 'duly made' representations (i.e. using the reply form or on-line facility and received by 8<sup>th</sup> June) will be passed, together with our response, to the Independent Inspector examining the SCI. You will be able to view these on our web-site and at the deposit points.

Figure 1 outlines the remaining key steps towards adoption of the SCI.

## Getting Involved: A Cautionary Note

You are most likely to come face to face with the planning system if a development proposal is going to directly affect you. However, because of the range of people and interests that changes to the local environment can affect, it is rarely possible to find development solutions that satisfy everybody. Furthermore, issues such as available resources and legal requirements must also be considered. Getting involved does not guarantee that your views will prevail, but we undertake to consider all the material planning issues you raise. If a report to Councillors is prepared, it will include a summary of your written comments and the officer's response to them.

Sometimes, you may find that your views are not reflected in the final decision because the policies on which the decision is based were agreed some time ago. This is why it is also important to have your say in the preparation of our planning documents.



## GUIDING PRINCIPLES

We want to improve the way we involve you in both plan-making and in making decisions on planning applications, and encourage more of you to get involved. We hope to do this by making it as easy as possible, and by making sure that you are only involved whilst plans or proposals can still be changed in response to your comments.

We think that taking account of your views, aspirations and local knowledge as early as possible is the best way to ensure that the development in the Borough has the widest possible local support. And by making the process as transparent as possible, it will be easy for you to see how decisions have been made and how your comments have been considered.

To achieve this, we will apply the following guiding principles when we involve you in planning matters. We will:

### 1. Communicate Clearly

- Say why we want to involve you, and if your comments are being sought on a formal or informal basis;
- Set out documents and reply forms as simply, clearly and concisely as possible, in a form that is easy to understand by all. Where jargon cannot be avoided, this will be clearly explained.
- Publish a summary document alongside any Local Development Document that is more than 1500 words long. These will also be available (on request) in large print, on tape or in the language of any recognised minority group in Darlington.

## 2. Make it Easy for You to Be Involved

- Make it clear what you need to do (and when) to make your views known, regardless of any physical or language barrier you may perceive. We will provide assistance if you are unable to write.
- Hold any public events or surgeries as close as possible to where the people most likely to be affected live, at times when they are most likely to be able to visit, and at venues that are accessible.
- Try to match how we involve you with the time and financial resources you have available, and your experience or knowledge of the planning system.
- Try to match our public involvement programme to the scale and nature of the planning issues being aired.
- If your group has little or no experience of planning, we will work with you, alongside Planning Aid North<sup>3</sup>, to improve your ability to respond, for as long as is necessary to enable you to do so independently.
- Make particular effort to involve groups that traditionally have not voiced their views on planning matters.
- Make reasonable adjustments as necessary to our public involvement programme and events to ensure that people with a disability do not receive a lower standard of service.
- Make sure you can reply to all consultations on-line via our website.

<sup>3</sup> offers free, independent & professional advice on town & country planning issues to people or groups who cannot afford a planning consultant. Call 0191 222 5776 or 0870 850 9803 or email [ntco@planningaid.rtpi.org.uk](mailto:ntco@planningaid.rtpi.org.uk) for details.

### **3. Make Sure Your Involvement is Effective**

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- Involve you at the earliest stage, and at all subsequent stages of plan making or processing a planning application when there is still a genuine opportunity for your views to make a difference.
- Make it clear what things are open to change and what are not.
- Give you plenty of time and notice of the opportunities to get involved, wherever possible.
- If you have expertise that we think could help us in developing policies or making decisions on planning applications, we will contact you to discuss this.

### **4. Share Information & Provide Feedback**

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- Make both paper and electronic versions of draft planning and any associated documents readily available to the public and other interests.
- Publish all background documents no later than the date that the first development plan document or planning decision that relies on it is made or published. Publication will be via our website and in paper form, available for inspection at the Town Hall and libraries, and available either free or for a small fee.
- Consider all planning-related comments received and provide feedback to you on how your views and information provided have been considered. This will generally only apply to comments made within the publicised time period.
- Ensure that the comments of the public and other stakeholders are reported to

Councillors no later than the date when they are next to make decisions on the proposed plans or planning documents.

- Make your comments<sup>4</sup> and our response to them publicly available, so that they can be viewed by others with an interest in the same issue or matter.
- Only use any records we have formed from the information you provide for planning purposes.
- Not keep records of the information you have provided any longer than is necessary for the original purpose.

### **5. Keep the Process Simple**

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- Use our existing community involvement arrangements and those of our local partners, such as the Darlington Partnership (see Appendix 1 for details). This is to improve the range and balance of people having their say on planning matters, and to help avoid consultation fatigue.
- Wherever possible, group together consultations on several planning documents/issues to help avoid consultation fatigue.

### **6. Learn from Our Mistakes**

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- Review the effectiveness of each of our efforts to involve you, and adjust or improve the methods used to address any shortcomings identified. Note that improving methods will not necessarily result in a

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<sup>4</sup> This is a statutory requirement on the Council. It excludes any unsuitable material e.g. that is sexist, racist, slanderous.

change to the SCI, if it can be accommodated within the guidelines it sets out.

### **Applying the Principles**

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Sections 1 and 2 below outline how these principles will be applied and the standards of service you can expect from us.

Section 3 explains the resources that will be in place to underpin our efforts to involve you.

# Chapter 2 : Local Development Documents

## How We Plan to Involve You

We want to involve you throughout the plan-making process, and will try to do this in several ways. The methods we use will vary according to the stage of preparation of each plan, what your interest is, and the extent of your previous experience and knowledge of the planning.

Darlington Partnership will be at the heart of our consultations with the local community. We will use its established groups to involve a wide cross section of people in our work, with the

main link being through its Environment and Economy Sub Group. Appendix 1 shows the community engagement links with Darlington Partnership in more detail.

Your main opportunities to help shape the Local Development Documents that the Council will be preparing are shown in Figure 2 below. It shows that there will generally be more and longer opportunities to get involved in the preparation of development plan documents (DPDs) than supplementary planning documents (SPDs).

We will only actively seek to involve you in the preparation of SPDs if we think you have a clear interest in the area or the issues that the document tackles, or if we are required to consult you. Where we need to prepare a SPD particularly quickly, e.g. to help secure funding for developments or to respond to developer interest, the opportunities to get involved may be more limited. In these cases, we will give clear reasons why the need for speed outweighs more extensive community involvement.

**Figure 2: Main opportunities to get involved in the plan making process**

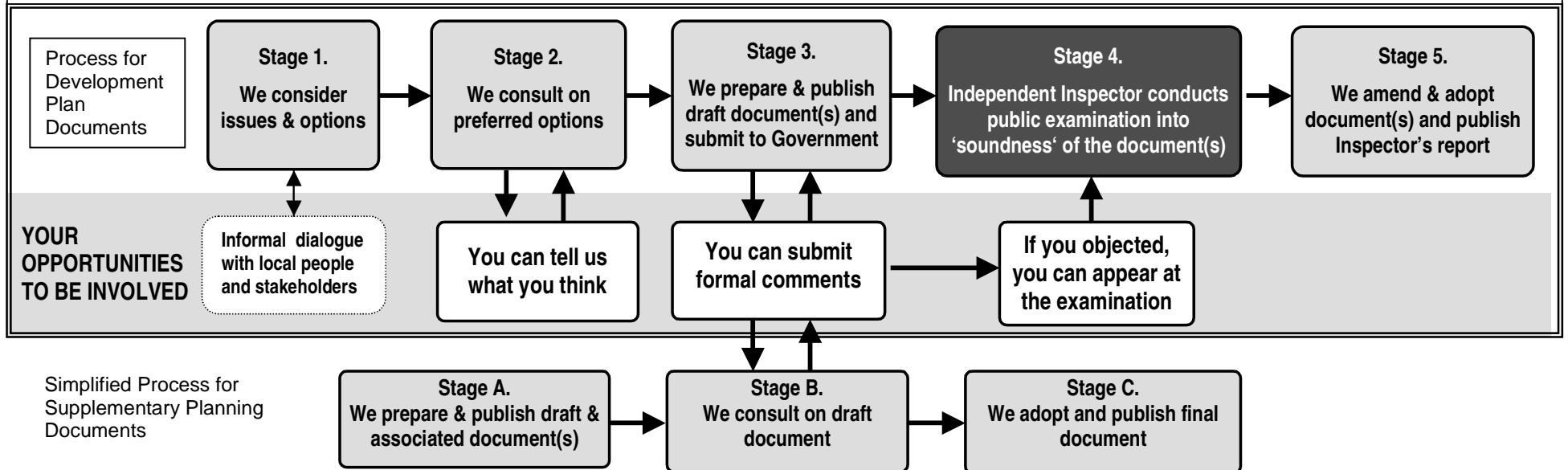


Table 1 below indicates what we will do to involve people in plan-making. These include specific actions to encourage those who traditionally have had little involvement in

planning, such as young people, and those who have previously found barriers to their involvement, such as people with disabilities and the black and minority ethnic population.

For details of who has been involved in preparing the evidence documents that will inform new policies, please see Appendix 2.

**TABLE 1: How We Will Involve You in Plan Making**

What We Will Do	Plan-making Stage (Fig. 2)	How We Will Do It
1. Notify you when new draft or revised planning documents are published, indicating where you can view the documents and when and how you can submit representations.	DPD: Stages 2 & 3. SPD: Stage B.	<ul style="list-style-type: none"> <li>• Via local media (including public notice in the Northern Echo and/or D&amp;S Times, Advertiser, Herald &amp; Post), Town Crier, direct letter and/or email to statutory consultees and people/groups on planning policy mailing list, notices in libraries and main Council offices, within a week of the start of any consultation period.</li> <li>• Where a planning document proposes land use change or development on a specific area of land, we will distribute leaflets or letters to the neighbouring residents/businesses most likely to be affected, and post notices in prominent locations in the area. Where possible, we will notify owners of property that is likely to be affected.</li> <li>• Publish a notice on the website at the start of the consultation period, indicating where you can view new or revised planning documents.</li> <li>• Notify directly by email or post all those who sent in comments directly. This may be via information on a response form.</li> </ul>
2. Promptly publish and make available copies of all new or revised planning documents.	DPD: Stages 2, 3 & 5. SPD: Stages B & C.	<ul style="list-style-type: none"> <li>• Publish all new &amp; revised planning documents on the Council's website in a downloadable form, no later than the day the document is adopted or its revision agreed by the Council.</li> <li>• Make paper copies available either free or for a reasonable charge.</li> <li>• Make paper copies of local development documents available to view at Crown Street library, Cockerton library, the mobile library and at the Town Hall and our neighbourhood offices, during normal office hours.</li> </ul>
3. Debate and ask for your views on planning issues and options.	DPD: Up to Stage 3 + between Stage 3 & 4 if necessary. SPD Stage B. EA/SEA: Stages ii and iii.	<ul style="list-style-type: none"> <li>• Hold open participation events/exhibitions where you can meet the planners face-to-face.</li> <li>• Hold events, such as focus groups, for invited community representatives, organisations and individuals.</li> <li>• Where invited and possible, attend other organisation's meetings.</li> <li>• Arrange specific events for groups who need particular encouragement to get involved, as required.</li> <li>• Establish an open Planning Forum to meet approximately 3 times a year, or at key stages of the preparation of documents.</li> </ul>
4. Offer Advice to, Assist and Develop the Knowledge and Skills of People and Groups with Little Previous Experience of the Planning System.	DPD: All Stages SPD: All Stages EA/SEA: All Stages	<ul style="list-style-type: none"> <li>• Arrange 'orientation' events for representatives of hard to reach groups, as required.</li> <li>• Work with Darlington Partnership's Representatives Group to develop their role as 'champions', encouraging participation in planning matters in their local communities and providing a community view on planning matters.</li> <li>• Promote the services of Planning Aid North amongst disadvantaged communities, the black and minority ethnic population, people with disabilities, young people and the elderly.</li> </ul>
5. Give You Notice of the Formal Opportunities to Make Representations on or Challenge a Planning Document*, and Invite Your Comments.	DPD: Stages 2 to 5. SPD: Stage B and C. EA/SEA: Stages iii & iv.	<ul style="list-style-type: none"> <li>• Place an advertisement in the Northern Echo and/or Darlington &amp; Stockton Times/Darlington Advertiser/Herald &amp; Post public notices sections, giving details of the proposed Planning Document together with details of where and when it (and the associated documents) can be inspected and how responses should be made.</li> <li>• Distribute formal responses forms with all documents dispatched, to Crown Street, Cockerton and the mobile libraries and to main Council offices.</li> </ul>

\* also applies to other people's suggested site allocations, where these are made in response to

a Planning Document published by the Council.		<ul style="list-style-type: none"> <li>• Publish a notice on the website indicating where you can view the document(s), together with when, how and to whom you should send any formal representations</li> <li>• Where a planning document proposes land use change or development on a specific area of land, we will distribute leaflets or letters to the neighbouring residents/businesses most likely to be affected, and post notices in prominent locations in the area. Where possible, we will notify owners and users of property that is likely to be affected.</li> <li>• Make forms for formal comments available on the website, with the facility to complete and reply on-line.</li> <li>• Send any statutory consultees a copy of the document and any associated documents, together with a formal response form and a notice saying where the document can be inspected.</li> <li>• Send a notice indicating that a new document has been published, where &amp; when it can be inspected and how to make comments to all others on the planning policy mailing list.</li> </ul>
<b>6. Try to Build Consensus and Mediate between Parties with Opposing Views.</b>	DPD: All up to Stage 4. SPD: between Stages B & C. EA/SEA: All up to stage iv.	<ul style="list-style-type: none"> <li>• Hold meetings, as required, with selected individuals and groups to explore particular issues in more depth, and secure agreement on detailed policy wording.</li> <li>• Facilitate the exchange of agreed and disputed information.</li> <li>• Explore issues with members of the Planning Forum.</li> </ul>
<b>7. Use the Environment Scrutiny Committee as a forum where the public may, on occasions, be invited to express their views on specific planning matters directly to elected members.</b>	DPD: between stages 2 & 3 SPD: between stages B & C	<ul style="list-style-type: none"> <li>• Issue invitations to attend Committee to members of the public or organisations whose views Members of the Committee particularly wish to hear, together with guidelines about the nature and scope of the speaking opportunity.</li> </ul>
<b>8. Publish Reports (e.g. consultation feedback, environmental assessment, Inspector's Report &amp; Annual Monitoring Report).</b>	DPD: stage 2, between stages 2 & 3, stages 3 & 5. SPD: between each stage. EA/SEA: Stages iii, iv & v.	<ul style="list-style-type: none"> <li>• Notify directly by email or post all those who sent in comments directly. This may be via information on a response form.</li> <li>• Send copies of report(s) to relevant statutory consultees.</li> <li>• Publish report on website.</li> <li>• Distribute paper copies to main Council offices &amp; libraries.</li> <li>• Make printed copies available for a nominal charge.</li> <li>• Advertise publication via press release and Town Crier.</li> </ul>
<b>9. Give Notice of the Arrangements and Timing of Events Associated with any Public Examination of Planning Documents.</b>	DPD: between Stages 3 & 4. EA/SEA: between stages iv. & v.	<p>At least 6 weeks before any Public Examination:</p> <ul style="list-style-type: none"> <li>• Publish at least one public notice in at least one local newspaper circulating the area.</li> <li>• Issues a press release about the examination to local media, and include item in next available Town Crier.</li> <li>• Post notices about the Examination in Town Hall Reception and local libraries.</li> <li>• Notify directly those who have outstanding objections lodged.</li> </ul>
<b>10. Give Notice of the Council's Intention to Adopt a Planning Document and Publish a Community Involvement &amp; Responses Statement setting out who has been consulted, how this was done, the main issues that arose, and how the adopted document addresses them.</b>	DPD: Stage 5 SPD: Stage C	<ul style="list-style-type: none"> <li>• Publish and make copies of the planning document and consultation statement available at the Town Hall, Crown Street and Cockerton Libraries during normal opening hours, together with information about challenging the adopted document.</li> <li>• Make all the above available on the Council's website, together with a notice setting out when and where copies of the documents can be inspected.</li> <li>• Send copies of the planning document and any associated documents to the organisations we are required to consult, together with a notice indicating where the documents can be inspected.</li> <li>• Place an advertisement in the Northern Echo and/or Darlington &amp; Stockton Times' public notices sections, giving details of the proposed Planning Document together with details of where and when it (and the associated documents) can be inspected.</li> <li>• Send a notice of adoption to all those who have previously asked to be so notified.</li> </ul>

Note: the specific methods used to involve you may vary according to the nature of the specific planning issues on which a response is being sought. Please refer to our Local Development Scheme and the Annual Monitoring Report for details on the timetable for each document's preparation.



## Our Service Standards

We are committed to making our dealings with everyone who gets involved in the plan-making process fair, transparent, accessible and timely. Table 2 sets out the standards you can expect in your dealings with us.

**TABLE 2: PREPARATION OF NEW PLANNING DOCUMENTS: THE COUNCIL'S SERVICE STANDARDS**

<b>GENERAL</b>	
	In all our dealings with you, we will treat you fairly and considerately.
<b>If You.....</b>	<b>We Will.....</b>
<ul style="list-style-type: none"> <li>• write to us</li> </ul>	<ul style="list-style-type: none"> <li>• acknowledge it within 3 working days of the date that we receive it.</li> <li>• Reply in full within 10 working days of the date that we receive it.</li> </ul>
<ul style="list-style-type: none"> <li>• telephone us</li> </ul>	<ul style="list-style-type: none"> <li>• try to answer your query immediately over the phone, provided you call within normal office hours. If your query relates to a specific site, we may ask you to send us a map by post or fax. This is to make sure that the advice we give is actually for the site that interests you.</li> </ul>
<ul style="list-style-type: none"> <li>• email us</li> </ul>	<ul style="list-style-type: none"> <li>• provided you use the email address <a href="mailto:planning.policy@darlington.gov.uk">planning.policy@darlington.gov.uk</a>, you will receive an automatic acknowledgement that your email has been received, and a Planning Officer will follow this up with a full reply by email within 10 working days of the date the email was received. This service cannot be guaranteed if you use the email address of a specific Planning Officer.</li> </ul>
<ul style="list-style-type: none"> <li>• fax us</li> </ul>	<ul style="list-style-type: none"> <li>• see standards for writing to us. These only apply if you use the fax no. 01325 388616. It often helps if you contact us first by phone or email to tell us to expect a fax.</li> </ul>
<ul style="list-style-type: none"> <li>• meet us face to face</li> </ul>	<ul style="list-style-type: none"> <li>• try to answer your query immediately. If this is not possible, we will explain why not, and will let you know when you can expect a follow up response to your query. We will ask you how you wish further contact to be made. Planning Policy Officers are generally available to discuss any aspect of the new Local Development Framework or other development plan documents during normal office hours, but it is advisable to make an appointment beforehand.</li> </ul>
<b>SPECIFIC ACTIONS</b>	
<b>If you.....</b>	<b>We will.....</b>
<ul style="list-style-type: none"> <li>• submit formal representations</li> </ul>	<ul style="list-style-type: none"> <li>• acknowledge it within 3 working days.</li> <li>• Provide feedback either directly or through a summary report of all representations prepared for Councillors.</li> </ul>
<ul style="list-style-type: none"> <li>• ask for planning and/or environmental information</li> </ul>	<ul style="list-style-type: none"> <li>• If required, explain your rights and the information the Council is required to make available under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.</li> </ul>
<ul style="list-style-type: none"> <li>• Request a document</li> </ul>	<ul style="list-style-type: none"> <li>• Tell you where you can already view the document</li> <li>• Tell you whether there is a charge, and if so what it is</li> <li>• Post it out to you the same day (if it is free of charge) or on receipt of your payment (if there is a cost).</li> </ul>
<ul style="list-style-type: none"> <li>• Have submitted comments on any Planning Document</li> </ul>	<ul style="list-style-type: none"> <li>• Publish a Community Involvement &amp; Responses Statement alongside the finalised Planning Document, setting out the issues raised by respondents and the Council's response to each issue raised.</li> </ul>
<ul style="list-style-type: none"> <li>• Make a formal Complaint</li> </ul>	<ul style="list-style-type: none"> <li>• The Planning Manager will deal with this in the first instance and advise you of the further steps you can take if you do not get a satisfactory answer from him/her.</li> </ul>

### Which Documents Can I Get Involved In and When?

Table 3 shows who we will involve at all key stages in preparing each of the new planning documents. Table 1 shows how we will go about it.

**TABLE 3**

Interests to Be Involved	Statement of Community Involvement	Local Development Scheme	Core Strategy (DPD)	Development Policies (DPDs and SPDs)	Annual Monitoring Report	Environmental/ Sustainability Assessment Scoping report	Environmental/ Sustainability Report(s)	Notes
Specific Consultation Bodies: Association of North East Councils, Countryside Agency, Environment Agency, English Heritage, English Nature, Strategic Rail Authority, Highways Agency, One North East, Yorkshire Forward, adjoining local authorities, Police, Fire & Rescue, Parish Councils/Meetings	•	•	•	•	•	•	•	These are the bodies that the regulations require us to consult where we think that the proposed subject matter of the document affects them.
Government Office for the North East, The Media	•	• *	•	•	•	•	•	* Govt. Office for North East
The General Public, MPs, MEP	•		•	•	•		•	
Darlington Partnership, Regional Health Authorities, Built Environment, Architecture & Heritage Bodies, Housing (developers, private & social landlords), Environmental Organisations & Sustainability Bodies, Regional & Strategic Organisations (e.g. One North East, Tees Valley Regeneration)	•		•	•	•	•	•	
Government Agencies & Departments	•	• *	•	•	•	•	•	*Planning Inspectorate only
Utility, Energy & Telecoms Providers	•		•	•		• *		*Green Energy, e.g. wind power interests.
Transport Companies & Bodies (e.g. Strategic Rail Authority, local transport operators)	•		•	•	•	•	•	
Local Neighbourhood Groups	•		•	•			•	
Community Diversity (e.g. faith groups, disability groups, young people, gypsies)	•		•	•		•	•	
Open Space, Sport & Recreation (e.g. Sport England, local sports clubs)	•		•	•	•		•	
Rural & Countryside	•		•	•	•	•	•	
Land & Property Interests (developers, planning consultants)	•		•	•		• *	•	*planning consultants only.
Business, Industrial & Commercial Interests	•		•	•				
Education, Learning & Skills	•		•	• *				* if education/learning provision included.
Retail & Town Centre	•		•	•			•	
Health	•		•	• *				* where clear health links, e.g. open land
Land & Property Owners + Occupiers	• *		• *	• **				*major landowners only.# those directly affected
Minerals & Waste Interests	•		•	• *		•	•	* only where relevant.
Tourism Interests & Visitors to the Borough	•		•	• *				* tourism locations only, e.g. town centre, parks
Other Local Community/Voluntary Groups	•		•	•				

Note: Refer to the website or contact us for an up-to-date list of the organisations currently in each group.

Your Involvement in Assessing the Impact of the Proposed Plan Provisions

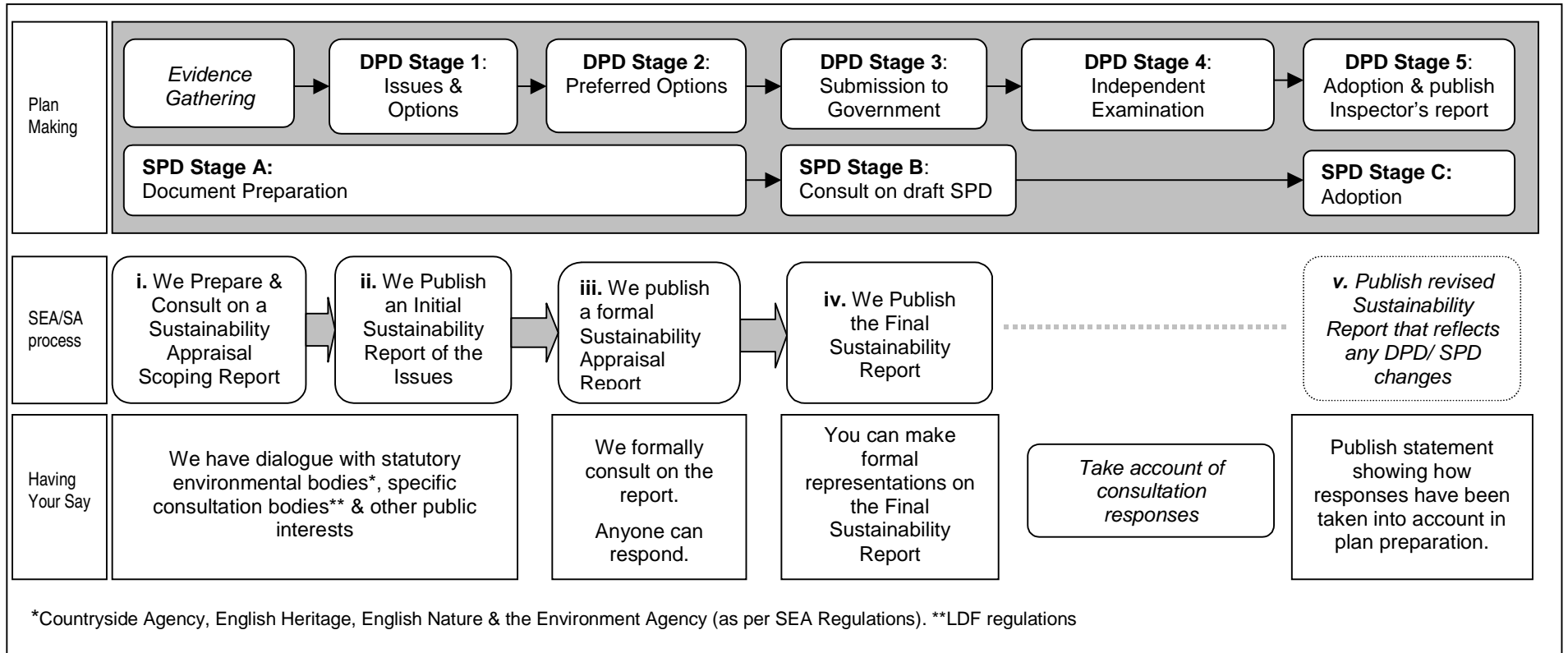
At each key stage in the preparation of any new Development Plan Document or Supplementary Planning Document, we must assess its environmental impact and how sustainable its provisions would be. These assessments will be combined, as may be the assessments for Documents being

prepared simultaneously. The nature of the sustainability appraisal work for each SPD will depend on what already exists for the issue on the appraisal of the related DPD.

We will consult environmental bodies and selected local organisations on the scope of

the Environmental/Sustainability Report, and will continue to involve them as necessary during the assessment process. Everyone will have the opportunity to comment on the Reports, which will be published at each key stage of the plan preparation (Figure 3 below).

**Figure 3: COMMUNITY INVOLVEMENT IN THE ENVIRONMENTAL IMPACT & SUSTAINABILITY ASSESSMENTS OF DPDS AND SPDS**



## Chapter 3: Planning Applications

### General

This section outlines our guidelines to potential developers on the public & stakeholder engagement that they will be expected to carry out **before** a 'significant' planning application is submitted. Developers will be expected to organise, fund and manage this themselves, though we will provide assistance, e.g. in identifying local community groups, neighbours and suitable venues for events.

Note that this pre-application community engagement is **in addition** to what we already do once a planning application has been received. Our existing consultation and publicity practices at application stage are summarised at Appendix 4, and can be viewed on our website or in person at the Town Hall.

### Why Have Pre-Application Community Engagement?

We think that the early involvement of the public and other interested parties on significant planning applications will benefit everyone, giving more people the chance to have their say, and for their views to influence the final details of plans. Developers stand to benefit from the early identification of local issues and environmental information, enabling them to devise a scheme that better fits into its local context. Provided the material planning

objections raised at this stage are addressed in finalising the scheme, the developer can expect swifter processing of any subsequent planning application.

### What is Regarded as a Significant Planning Application ?

The following are guidelines as to the kinds of development, whether proposed by the public or private sector, that will be regarded as 'significant':

- a. major developments. These are defined as housing developments comprising 10 or more dwellings or consideration of the principle of residential development on a site of at least 0.5ha, and any other development with a floor area of 1000sqm or a site area of 1 ha or more.<sup>5</sup> Major developments will include changes of use where these include the above thresholds.
- b. development requiring the submission of an Environmental Assessment<sup>6</sup>, for example major industrial, infrastructure and waste projects, plus schemes such as golf courses, mining and intensive agriculture over specified size thresholds.
- c. significant development that does not accord with the policies in our

<sup>5</sup> Definitions as per ODPM PS2 return

<sup>6</sup> under Schedule 1 & 2 of the EIA Regulations.

- d. development proposing the closure or alteration of a public right of way.

There may also be proposed developments below these thresholds that are regarded as 'significant' and warranting pre-application community engagement, because of the sensitivity of the type of development, its proposed location or its sensitivity potential given the cumulative effect of the proposal when taken with other approved or proposed developments. Local sensitivity can arise, for example, where a proposed development may affect the site or setting of a listed building, the character or appearance of a conservation area, protected trees or ancient woodland, or the amenity of near neighbours, or may give rise to local traffic congestion.

It is potential applicants' responsibility to establish if their planning application will be regarded as 'significant'. They can request a written opinion from a Planning Officer to establish this at the pre-application stage, and we undertake to respond to such requests made in writing within 5 working days.

### What Is Expected From Developers ?

<sup>7</sup> as may be set out in ODPM Planning Policy Guidance Notes and Statements, Ministerial Statements and speeches.

Where 'significant' development is proposed, applicants will be expected to undertake pre-application community engagement that is tailored to reflect the nature and scale of the proposed development, and that is proportionate to the scale and type of the proposal. Potential developers are also strongly encouraged to discuss their consultations plan with a Planning Officer, as part of their pre-application discussions. At this stage, a list of addresses of suggested consultees will be provided.

Pre-application consultations are the responsibility of the potential developer to whom any comments about the proposals at this stage should be sent.

Note that any publicity or presentation material and questionnaires should concentrate on conveying facts about the proposed scheme and avoid bias; Planning Officers would be happy to help assess any proposed material.

As a guide, applicants may be expected to carry out a range of activities drawn from the list below:

#### Publicity

- a. Notify local residents, businesses, regular users of land (e.g. sports teams) and other interests (e.g. service providers, government agencies) by letter of the proposed development, and state when and where they can find out more. Letters should include a clear map indicating the location of the development and

details of whom to reply to and by when.

- b. Place an advert in a local newspaper (usually the Northern Echo) detailing the proposed development, stating when and where people can find out more, and to whom and by when people can make comments.
- c. The closing date for comments should be set no earlier than 10 days after the close of a consultation event or the dispatch of any letters, whichever is the later. Comments made in writing or at a minuted meeting should be accepted. Circulate additional information as a press release.

#### Public Engagement Event/Exhibition

- d. Organise at least one event/exhibition where anyone can find out more. Any staffed event should be no earlier than four days after publicity material has been published and/or letters dispatched.
- e. Any event/exhibition must include display material detailing the applicant's proposals for the site, the scope for public comment, how comments will be dealt with and an explanation of what will happen next. A comments box near any displayed plans should be provided.
- f. Any event must take place at a time or times that enables as wide a cross section of the public as possible to attend; this often means including weekends and evenings.
- g. Any event must be held on the application site/building, or at venue as

close as possible to the application site. Venues should be fully accessible but if not, reasonable adjustments must be made to permit access for people with disabilities. These can include libraries, but would generally exclude the Town Hall, so that we can remain, and be seen to remain, impartial from the proposals.

#### Contacting Community Representatives & Other Interests

- j. Contact should be made with all local community groups and any other groups or organisations, e.g. service providers and government agencies, who may also have a specific interest in a proposal. Table 3 provides a starting point for identifying them, but applicants should discuss this with a Planning Officer. He/she will provide all necessary contact details on a case-by-case basis, and highlight any hard-to-reach groups where particular effort should be made to contact.
- k. All Borough Councillors whose ward includes the application site and any Parish Council whose parish includes or adjoins the site must also be informed. Note that a code of conduct prevents Borough Councillors from expressing any views on proposals at this stage, as they must remain impartial until any application is formally presented to them at a Planning Committee.

Our Guiding Principles, set out in Chapter 1, are also a useful reference as to the standards we would expect any pre-

application community engagement exercise to meet.

### Outline Applications

Developers should provide as much detail as possible about their intentions to allow the public to make meaningful comments. This will be easier where the proposals include, say, illustrative layouts.

In the case of proposals to establish the principle of a development, which may result in an outline application, developers should be aware that they will need to explain this approach in any presentation and attempt to achieve responses that address the broad principle of development, rather than details, at this stage

A further pre-application publicity event may be necessary to address a detailed submission, following an outline approval, and developers should check with Planning Officers, before making such submissions.

Pre-application community engagement may not be necessary on an outline scheme if a recent exercise has been carried out in the preparation of a Planning/Development Brief or Supplementary Planning Document prepared by us or our partners.

### Variations to Significant Schemes

Similarly, a further pre-application publicity event may be necessary to address a formal variation or modification to a proposal that already has planning permission, where this relates to a significant application. Again, developers should check with Planning

Officers before making such further submissions.

### Submitting a Significant Planning Application

The subsequent planning application should be accompanied by a statement setting out the community engagement undertaken, including:

- The scale of the notification, including a list of properties and businesses contacted.
- List of interest/pressure groups or other organisation contacted.
- Location and duration of any event held.
- Summary of all the comments received and issues raised.
- A clear indication of which comments have resulted in amendments to the scheme and what those changes are, and which comments have not, and why not.
- Highlight any criticism by groups or individuals about the public engagement process.

The applicant should also retain all consultation responses.

### Failure to Comply with these Guidelines

We cannot refuse to accept a planning application just because the applicant hasn't done enough (or any) pre-application community engagement. However, where this does occur, it could delay consideration of the application, as unresolved material planning objections may need to be referred back to an applicant. We may also highlight

this failure to comply to all those we notify about the proposal at application stage, by indicating to consultees that we have asked the developers to carry out pre-application consultations, but that they have chosen not to do so.

If a developer fails to carry out any community engagement or carries out engagement that falls short of the guidelines set out above, then Councillors will be made aware of this in the officer's report on the submitted proposals. If unresolved material public objections remain at this stage, the Committee will have to consider whether refusal of planning permission is justified, in order to help it meet the Government's demanding targets for speed in decision-making.

Where an applicant is genuinely ignorant of the Council's pre-application consultation requirements, we will advise them of the requirements as soon as we can and give them an opportunity to suspend the submission of the application to allow the necessary community engagement to take place. If an applicant refuses to comply with the adopted guidelines, then they will be made aware of the consequences set out above in this section.

## Chapter 4: Making It Happen & Reviewing What We Do

### **What Resources Are There to Support This ?**

The programme of events to involve you in plan-making will be managed by the Planning Policy Team, on the instructions of the Planning Services Manager. The Team comprises five professional town planners, technical and administration support.

The actions set out in this document will be carried out by the Team alongside its other activities. Occasionally, specialist expertise may be sought to complement existing staff. In particular, specific events may be run by others on our behalf. Wherever this is the case, at least one officer from the Council's Planning Policy Team will be present, and one or more Councillors may attend.

We have received money from the Government specifically to help improve the Planning Service. Some of this will be used to improve the amount and quality of feedback we receive from you on new plans and development proposals. This will be in addition to using the existing communication, customer feedback and participation arrangements supported by us and our partners, e.g. Town Crier, the annual Community Survey and the Darlington Partnership.

The resources available for community engagement will be tailored to the preparation of each new document, sufficient

to cover the costs of the minimum publicity and consultation requirements set down in regulations, and to give us a picture of views of the local community and other interests where these are not already known to us. Particular attention will be given to supporting activities designed to encourage groups that have historically had a low level of involvement in local planning issues to get involved.

### **What Role do Elected Councillors Have ?**

Councillors have 2 principal roles within the Council: as decision makers and as community representatives. They may carry out the former role as members of the Cabinet and/or at Full Council and/or as Planning Committee members. The latter role is performed as Ward Councillors and members of Scrutiny Committees and consultation forums.

When we involve you in plan making or making decisions on planning applications, your contact will generally be with Planning Officers, though if local events are arranged, one or more Councillors may be present. Councillors find out what you think through officers' written reports, presented at regular public meetings such as Planning Committee, Cabinet or Council Meeting. In making decisions, they take account of these views.

If you want, you can make your views known to your Ward Councillor directly, by phone, by

email, by letter, or by attending a ward surgery. Councillors generally pass on these comments to Planning Officers, but unless your comments are also made in writing to the Planning Officer within the specified timescale, you have no automatic right to be heard at any subsequent Committee, Council meeting, Public Inquiry or Examination.

If you have submitted written comments on a plan, you may be invited to speak directly to the Environment Scrutiny Committee or if you have commented on a planning application, to the Planning Committee (see 'Have Your Say at Committee' included in Appendix 3).

You should be aware that prior to a decision being made on a planning application, the activities of Councillors who are involved in the determination of planning matters, eg serve on Planning Applications Committee, are strictly limited by the Council's Members' Code of Conduct.

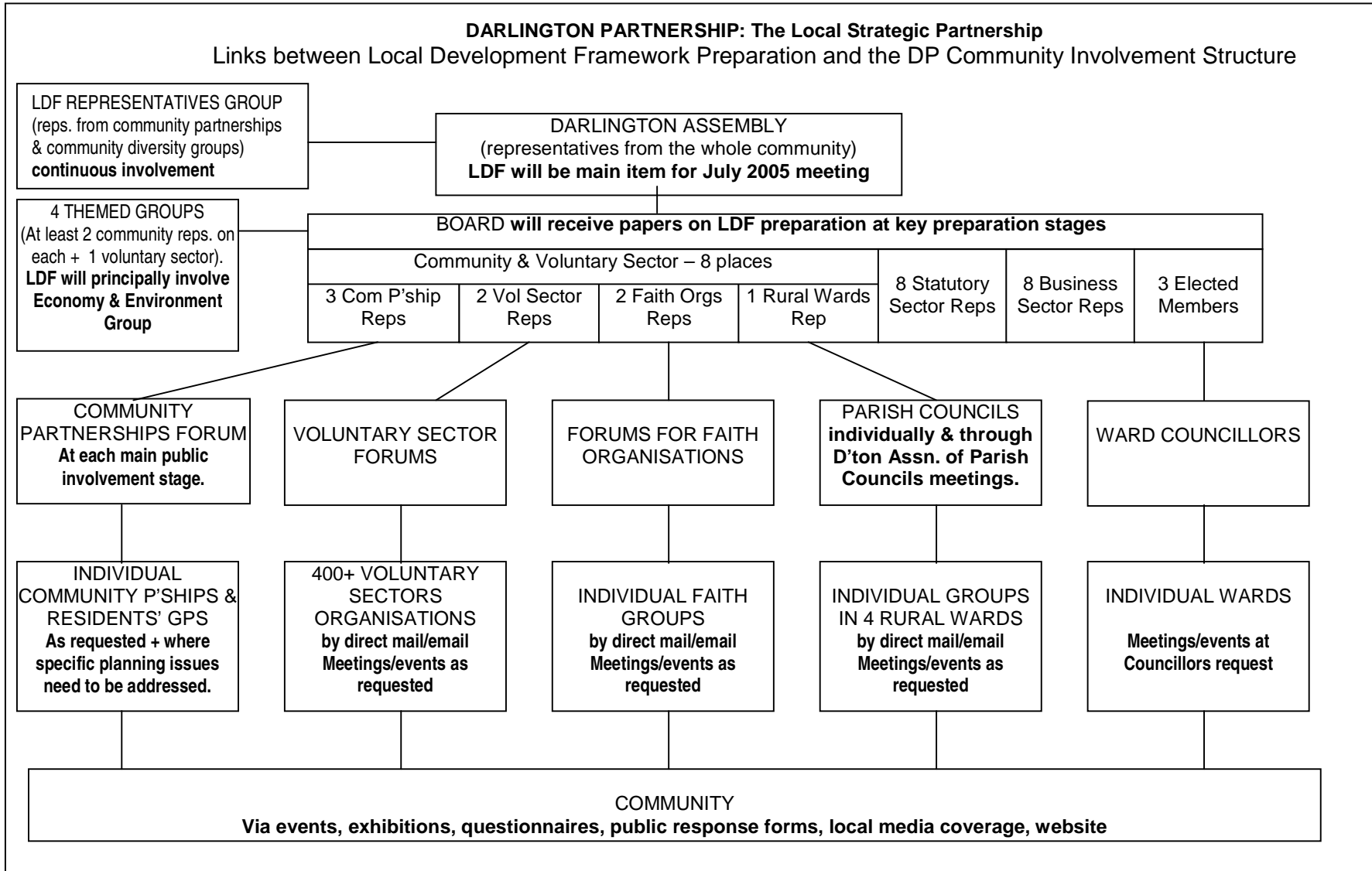
### **Reviewing What We Do**

We will assess the effectiveness of our efforts to involve you and publish a statement about our findings in the Local Development Framework Annual Monitoring Report. Where our findings, or where new government best practice guidelines indicate that the SCI needs changing, we will follow the same process under which this SCI has been prepared. However, early changes to the document are not anticipated, as the SCI

allows for some flexibility in our approach to | community engagement.

# Appendices

## APPENDIX 1: INVOLVING DARLINGTON PARTNERSHIP IN PLAN PREPARATION





**APPENDIX 2:**  
PUBLIC AND STAKEHOLDER INVOLVEMENT IN THE PREPARATION OF EVIDENCE FOR THE LOCAL DEVELOPMENT FRAMEWORK

Document Title	People/Groups Involved	Nature of Involvement	Consultation Period(s)
Where Quality Comes to Life: A Community Strategy for Darlington.	Led by Darlington Partnership. Public involvement Programme.	<ul style="list-style-type: none"> <li>Intensive programme of consultation during development of Community Strategy (focus groups, participatory appraisal activities, exhibitions &amp; surveys)</li> <li>Consultation on draft strategy (mailing &amp; briefings)</li> <li>Ongoing commitment to community involvement through 'Darlington Assembly'</li> </ul>	May-July 2002  Nov-Jan 2002/3 Every Jan & June
Local Plan Review: Key Issues Report	Wide range of stakeholder and community groups.	<ul style="list-style-type: none"> <li>Mail out at start of formal consultation period.</li> <li>Widely publicised invitation to comment.</li> </ul>	July - Sept 2002.
Corporate Consultation	Annual Community Survey  Citizens' Panel  BVPI surveys 'Listening' days	<ul style="list-style-type: none"> <li>1000 face to face interviews with random sample of residents.</li> <li>Database of 1000 residents maintained – volunteers prepared to complete postal questionnaires. Surveyed typically twice a year.</li> <li>Main survey every 3 years, i.e. 2000, 2003, 2006</li> <li>Ad-hoc over course of year (used by community services)</li> </ul>	Every Aug.  May/June & Nov/Dec.  Sept-Nov Ad-hoc.
Darlington Urban Capacity Study	House Builders Federation, Darlington Civic Trust, Sandersons, BrowneSmithBaker, Teesside Chamber of Commerce (AlphaPlus Architects), DBC Housing, Three Rivers Housing Association, Tees Valley Living.	<ul style="list-style-type: none"> <li>As partners in shaping the survey work and agreeing the final report.</li> </ul>	2003/04
Darlington's Housing Strategy 2002.	Residents Panel/Residents' Associations Targeted consultation of older people, young people and black & minority ethnic groups, stakeholders.	<ul style="list-style-type: none"> <li>Seminars &amp; workshops</li> <li>Face to face interviews with young people on estates</li> <li>2000 questionnaires to tenants and leaseholders.</li> <li>Estate based 'Come for a Chat' sessions with tenants, leaseholders and owner-occupiers.</li> </ul>	2001/2002.
Housing Needs Survey 2003	4000 local residents.	Structured Postal survey.	Spring 2003.
Adding Quality: A Development Strategy for Darlington Town Centre, February 2001	Town Centre & Transport Forums, Town Centre Businesses; Affected organisations, developers and landowners. Widespread publicity and consultation.	Forum and Conference discussions; Letters to seek comments; Press and radio coverage locally and in national professional journals.	2001.
Darlington Retail Study 2004	Town Centre Forum, random households in shopping catchment area, town centre visitors, retail & town centre businesses.	<ul style="list-style-type: none"> <li>Structured telephone survey</li> <li>Street interviews/questionnaires</li> </ul>	2003/04
Darlington Greenspaces Study	1000 randomly selected local residents (Nov. 2003). Further consultations planned.	Structured telephone survey.	Autumn 2003.
Darlington Pedestrian Heart	Local residents, town centre users (including	Public Consultation Exhibition, response leaflets, media	Summer 2004

	retailers, market traders & businesses), key stakeholders (including bus & taxi operators, DAD, Darlington Civic Trust etc.) Town Centre Board, Joint Transport & Town Centre Forums, DP Economy & Environment Sub Group.	publicity, mini-consultations / presentations, letters from the public	
Houghton Road Masterplan	Residents adjoining the site, businesses currently on and adjoining the site, allotment holders currently on the site,	Exhibition of draft plans at Eastbourne Sports Complex.	Autumn 2004
Neighbourhood Renewal Strategy	Communities in deprived wards, Community Partnerships, Darlington Partnership.	Consultation and Action Planning Events, responses to doorstep leaflets & other publicity.	2003 & 2004
Darlington Surestart Plan	Parents and childcare/pre-school learning practitioners, providers and organisations + other partnership groups.	Through existing consultee networks, such as Darlington Partnership and the PCT consultee group.	Nov. 2003 – Feb. 2004.
Gateway to Economic Quality: D'ton Economic Regeneration Strategy 2004-2009.	Local organisations and businesses.	Meetings, focus groups etc.	Summer 2004
Darlington: A Town On the Move: Creating Sustainable Travel Demonstration Town.	Local transport operators and Darlington Primary Care Trust at bid stage. Local community during implementation stage.	<ul style="list-style-type: none"> <li>• In developing a bid that they could support.</li> <li>• E.g. direct resident surveys, through the Transport Forum.</li> </ul>	Spring 2004 Autumn 2004 onwards.
Darlington Local Transport Plan 2001-2006	Widespread public consultation; Darlington Transport Forum and Darlington Environmental Forum; Environment Scrutiny Committee.	Via Town Crier +public exhibitions. Questionnaires. A 'Great Transport Debate' in the Dolphin Centre. Workshops with private, public and voluntary sector stakeholders.	2000
All Together Now: Draft Social Inclusion Strategy	Target groups and individuals; Senior mangers from key local agencies; Members of target communities.	Letters to 450 target groups and individuals; face-to-face meetings and workshops.	May – August 2004
Growing Older in Darlington: Integrated Strategy for Older People in Darlington (Sept. 02)	Local residents.	Steering group; Launch; Feb 2000, Older Persons Open Workshops; March 2000. 400 attendees to initial meeting. GOLD is part of integrated strategy.	February 2000
The Darlington Crime and Disorder Strategy 2002-2005	Wide public involvement; Collaboration between the Police and Darlington Borough Council; Overseen by Darlington Crime & Disorder Reduction Partnership.	Questionnaire survey with all sections of the Community via Town Crier.	May – August 2001
Moving Up: Local Cultural Strategy (April 2003)	Consultation in tandem with Community Strategy.	<ul style="list-style-type: none"> <li>• Intensive programme of consultation during development (focus groups, participatory appraisal activities, exhibitions &amp; surveys)</li> <li>• Ongoing commitment to community involvement through 'Darlington Assembly'.</li> </ul>	Nov 01 to July 02
Rights of Way Improvement Plan	General public, interested groups and agencies.	<ul style="list-style-type: none"> <li>• Citizens Panel, consultations with interested groups, Town Crier</li> </ul>	Winter 2005.
Public Art Policy (draft)	Commissions North, Arts Council England North East	<ul style="list-style-type: none"> <li>• By letter.</li> </ul>	Winter 2004.

## APPENDIX 3 EXISTING CONSULTATION AND PUBLICITY PRACTICES

# PUBLICITY & CONSULTATIONS ON PLANNING APPLICATIONS


All new applications are publicised. The Council notifies adjoining occupiers by post. For some types of application, we display site notices and place adverts in the press.

All persons notified about a specific planning application will be advised where and when they can see it and how they can [make comments](#) upon it. Twenty-one days will be allowed in which to do so. If material amendments are made to an application, it may be necessary to re-notify neighbours or interested parties and in this event a further fourteen days for comment will normally be allowed.

[Planning Application Records](#) are available for public inspection during office hours (08:45-16:45 Mon-Thu and 08:45-16:15 Fri).

Information about all valid planning applications received will be compiled by way of a weekly list which will be available free of charge at the Development and Environment Department at the Town Hall, and available for postal subscription for an annual fee. An alternative version of the [weekly list \(new window\)](#) is viewable online.

The procedure for notification is described in the following document, which can be viewed or downloaded:

 [NOTIFICATION PROCEDURE FOR PLANNING APPLICATIONS \(PDF file, new window\)](#)

## Notification Procedure

### Publicity for Major Development

For residential development, major development is defined as the erection of 10 or more dwellings and/or a proposal for a site area of over 0.5 hectares. For other forms of development (offices, industry, retail etc) the definition refers to the development of over 1,000 sq metres of floor space and/or over 1 hectare or more of site. Major development also includes the mining or working of minerals and all waste developments. These definitions are those specified for form PS2 returns to the Office of the Deputy Prime Minister.

**Procedure:** *Notify all adjoining occupiers having a common boundary with an application site as well as those properties on the opposite side of any road. A site notice to be displayed on or near the site for a period of 21 days and a notice to be published in the local newspaper currently the *Darlington and Stockton Times* (published Fridays).*

### Publicity for Minor Development

Minor development is defined as the erection of 9 or less residential units and/or residential development of less than 0.5 hectares in area. For other forms of development minor development is defined as less than 1,000 sq metres of floor space and/or less than 1 hectare in site area.

**Procedure:** *Notify all adjoining occupiers having a common boundary with the application site as well as those properties on the opposite side of any road. Consideration will also be given to the need to display a site notice in cases where there may be some doubt as to who the interested parties are, perhaps because the occupation of*

*adjoining land is uncertain; or because the development is likely to be of interest to more than immediate neighbours.*

### Publicity for Change of Use

Change of use applications can sometimes also involve building operations, in which case the relevant requirements identified above will apply. Where applications are solely to change the use of land and buildings, the following guidelines apply.

**Procedure:** *Notify all adjoining occupiers having a common boundary with the application site including those within the application site itself (e.g. upper floor) if identifiable and appropriate, and those occupiers of land and buildings directly opposite. Consideration will also be given to the need to display a site notice where ownership of land or buildings may be uncertain, or where a development may be of interest to more than immediate neighbours.*

### Publicity for Householder Development

Householder developments are defined as those within the curtilage of residential property which require an application for planning permission and are not a change of use. These include extensions, alterations, swimming pools, walls, fences, vehicular accesses and porches.

**Procedure:** Occupiers will be notified as follows:

- rear extensions: *occupiers on both sides plus any properties to the rear that might be affected.*
- side extensions: *occupiers on both sides, plus any properties to the front and rear that are affected.*
- front extensions: *occupiers on both sides and those directly opposite.*

- *porches*: occupiers on both sides and those directly opposite that are affected.
- *garages, sheds and other forms of domestic development*: occupiers directly adjacent to the proposal.

### **Publicity for Other Development**

Publicity for other proposals (for example applications to undertake works to protected trees, hedgerows, etc.): All occupiers of land which have a common boundary with the proposed site will be notified.

Where there are no clearly identifiable adjoining occupiers, the Council will display a site notice and, where necessary under statutory publicity requirements, place a press advert.

### **Minor Amendments**

Minor changes are often proposed to an approved scheme that will be of such limited impact that adjoining occupiers would not have a material interest of acknowledged importance that could result in a material planning objection e.g.

- changes to external materials which do not significantly affect the overall appearance of the development.
- the re-siting of a dwelling where this does not adversely affect the privacy distances for occupiers of nearby properties, or where it will not significantly alter the visual appearance of the development.
- alterations to approved elevations, where they do not adversely affect the privacy or amenity of the occupiers of nearby property.
- the re-alignment or other alterations to access roads within a development where this will cause no disturbance or other impact to the occupiers of nearby property.

**Procedure:** These matters can be dealt with as a non material amendment, approval being given by letter. However, this power is used with caution and a formal submission for a variation will be required where the amendment would increase the size or alter the former character of the proposed development significantly. Following receipt of such an application, all adjoining occupiers originally notified will be re-consulted. Note: The onus will be on the applicant to identify the amendments to the revised plans by clear notation on the plans and/or clear description of changes in an accompanying letter. Such details may be circulated to affected neighbours in appropriate circumstances.

### **Scope of Notification Procedure**

The above notification procedure applies to all full applications, outline applications, Certificates of Lawful Use (existing use) and submissions of reserved matters, applications for advertisement consent, listed building consent, conservation area applications, variations or modifications to planning permissions, applications for work to protected trees, hedgerow applications, applications for prior approval for telecommunications apparatus.

It will not apply to agricultural or other 28 day determinations (because of the short timescale involved) nor to Certificates of Lawful Use (Proposed Use or Development) because these applications are solely decided on an interpretation of the law.

**Note:** The Council will address correspondence to the occupier of the property but will not be responsible for notifying owners of land or property who do not occupy the affected land, e.g. if a dwelling is rented, the tenants will be notified but the landlord will not be separately notified by the Council.

The above publicity will be supplemented by site notices posted by the applicant (e.g. telecommunications, overhead power lines etc)

and the circulation of the weekly list of applications received.

### **General Service Standards**

The notification letters, site notices and advertisements will request that all representations be returned to the Council within 21 days from the date of the letter, or the date that the site notice is erected, or the date when the advertisement appears in the newspaper. With respect to notification on amendments, a period of 14 days from the date of the letter is considered adequate because people will have some general knowledge of the proposal already. A decision on any application is not likely to be made before the expiration of the stated consultation period.

### **Late Representations**

Any representations received outside the timescale of the publicity timetable but received prior to a decision on an application being made will normally be taken into account. However, disclosure of correspondence received on the day of a Planning Committee (including faxes and e-mails) cannot be guaranteed to be reported. Representations received after a decision has been made cannot be taken into account.

## “Commenting” Webpage

# COMMENTING ON A PLANNING APPLICATION

## Comments & Objections

If you believe you are affected by a proposed development in a planning application, you may submit your views to the local planning authority. All comments and objections received will be taken into account when considering the application.

Letters received cannot be confidential. Some may be read out at [Planning Applications Committee](#). Letters associated with a particular current planning application can be made available to view on request.

## Types of Issues to Raise

Only material planning considerations can be considered relevant for the purpose of determining a planning application. Examples include:

- the relationship to local, regional and national planning policies
- traffic impact and highway safety
- privacy, visual impact, overshadowing and overlooking
- noise
- effects on trees
- concern about crime

Comments can be in favour of, or in objection to, the proposal or any part of it. Remember that it is often possible for a proposal to be modified to take into account your concerns. Therefore it may be helpful to make any suggestions that would overcome your concerns.

## Types of Issues not to Raise

Non-planning issues should not be raised. Examples include:

- personal morals or views about the applicant
- possible effect on property values
- ownership disputes over land encroachment, rights of way, fence lines etc.
- restrictive covenants
- property maintenance
- loss of private views
- business competition
- conflict with other laws

Such matters cannot be taken into account when considering a planning application. If you raise them they will be disregarded.

## Time Limits

We leave a minimum of 21 days before determining an application to allow time for comments to be submitted. We accept comments up until the time a decision is made.

## How to Submit your Comments

Comments may be submitted in one of three ways:

- by letter
- via email
- on a Comments Form

Please note that it is essential to identify the application by including its reference number. Please also include the site address.

If you wish to comment on more than one application, please use a separate letter, email or form for each.

## Comments by Letter

Letters should be addressed to:

Development & Environment Department,  
Town Hall,  
Darlington,  
DL1 5QT

If you prefer, your letter may be faxed to us on 01325 38

## Comments via Email

Comments can be sent via email to either [planning.enquiries@darlington.gov.uk](mailto:planning.enquiries@darlington.gov.uk) or [planning.control@darlington.gov.uk](mailto:planning.control@darlington.gov.uk).

## Comments Form

The following form can be used to record your comments. be downloaded, printed out and filled in by hand.

 [PLANNING APPLICATION COMMENTS FORM \(PDF file, new window\)](#)

The completed form should be sent to the above address, faxed to us on 01325 388900.

## Have Your Say at Committee

### Planning Applications Committee

The Committee meets every four weeks to consider planning applications which cannot be decided by the Council's Director of Development.

Most of these applications are either contrary to the Council's planning policies, or where objections to them have been received, or both. Sometimes the officers' recommendation is to take a decision which does not accord with policy or the comments of objectors, and therefore the Committee must take the decision.

The Committee is a formal meeting of the Council and it has to be run efficiently and according to legal requirements.

In order to make sure that the meeting is properly run, one of the Councillors holds the position known as "Chair", and he or she is in charge of who may speak at the meeting and in what order. Only applications which have been included on the published agenda for the meeting can be considered, and every application is accompanied by a report prepared by planning officers.

### The Report

This explains the details of the application and the site, comments received from neighbours and other consultees, the relevant policies from the Development Plan together with any other planning considerations relevant to the case. The report must give the Councillors who sit on the Committee a clear recommendation which the planning officers judge to be right for the application, having weighed up any arguments for or against the proposal. The recommendation may be to either approve or refuse the application. In the case of approval, this may be recommended subject to conditions or legal

agreements to control the exact form of development.

### The Decision

The planning officers' report is not the only thing which the Committee will take into account. They will consider the merits of the application, and use their own local knowledge and judgement to reach a decision which they consider to be right for the application. They are under a legal requirement to take decisions in accordance with the Development Plan, unless there are clear planning reasons for not doing so.

The Development Plan is in fact two documents - the Borough of Darlington Local Plan and the Structure Plan. These plans tell you what things the Council will take into account in reaching a decision on most types of planning application. If a proposal does not comply with the policies it may well be refused.

If the Committee decides to refuse permission, specific reasons for this will be given, including reference to the key planning policies which are relevant to the decision.

Persons who have commented in writing on applications are sent a letter to inform them of the decision.

### Speaking at the Committee

Darlington Borough Council recognises that persons with an interest in the decision, such as the applicant or people who object strongly to what is being proposed, often value the chance to speak at the meeting directly to the Councillors, and draw attention to the points which they feel the Committee should consider in reaching the decision.

### How The Public Speaking Arrangements Work

- You can tell officers in the Planning Services Team in advance of the meeting that you wish

to speak on an application, but this is not essential.

- When you arrive at the meeting, you must report to the reception desk outside the Committee Room, so that your details can be noted and included on the Chair's list of persons who wish to speak on particular applications.
- Arrive at the meeting 10 - 15 minutes before the start time of 1.30 pm, so that you can register and to find a seat in the Committee Room.
- The Chair will usually make sure that applications where people have registered a wish to speak are considered as early as possible during the meeting, but this is not always possible. You may have to wait while other applications are considered before the one you are interested in comes up.
- When the time comes for the application to be considered, the Chair will first ask the officer to present the report. Speakers will then follow in this order, as relevant:
  1. Ward Councillor/Parish Council representative
  2. Objector or his/her representative
  3. Applicant or his/her representative
- The Chair will ask speakers to take a seat at the table where the microphone system can ensure everyone can hear.
- Following the above the Chair will ask the planning officer if there are any comments on the points raised.
- The Committee will then debate the application before moving on to a decision.
- Members of the Committee may ask specific questions of a speaker if they are unsure

about something which was said, but speakers cannot take part in the debate and will not be given a further opportunity to put forward their case.

- Following the debate the Committee will move to a decision and a vote will be taken.

### **Frequently Asked Questions**

#### **How long will I be allowed to speak for?**

The approved guidelines for the scheme allow a maximum of 3 minutes. In exceptional cases the Chair may allow longer if agreed beforehand, but you should aim to put forward your case clearly and briefly.

#### **Can anyone speak on a planning application?**

Only persons who have a legitimate interest in the planning application are allowed to speak, interested parties must keep their comments to material planning considerations, and avoid comments of a personal or discriminatory nature.

#### **How many people can speak for or against an application?**

Normally only one person will be allowed to speak on behalf of those objecting to the application, and one person in support of the application. If more than one person wishes to speak the time will normally be shared.

#### **Can I show the Committee my own plans or photographs?**

Yes, but you will need to leave a copy with the Council to go on the application file. You can make reference to any visual material which has been presented by officers. You may be allowed to make use of the Council's projecting equipment, but you must arrange this beforehand and it must be agreed with the Chair.

#### **Can I ask questions about the application?**

If you wish you can include questions as part of your comments on the application, but none of the other people present are under any obligation to answer. You will not be able to interrupt the meeting to ask questions after you have had your time to speak.

#### **How do I find out where and when the Committee is going to consider the application I am interested in?**

If you are the applicant, agent, or someone who has commented in writing on the application, you will be written to in advance of the meeting and be told the time and date. If this is not the case, you will need to contact the Development and Environment Department to find out the time and date. The meeting is always held in a Committee Room at Town Hall and commences promptly at 1.30 pm.

#### **Can I have a copy of the officers Committee Report before the meeting?**

Yes. The agenda for the meeting becomes publicly available 5 clear working days before the meeting. If you contact the Development and Environment Department on 01325 388 670 or Democratic Services on 01325 388 366 to request a copy of an individual report this can usually be sent to you by post, fax or email, or you can call in the Town Hall and collect a copy. There may be a small charge for this service.

#### **What are material planning considerations?**

It is relevant to raise issues such as traffic impact and highway safety; effects on trees; concern about crime; privacy, visual impact and overshadowing; noise; and the relationship to local, regional and national planning policies. These matters- and many others - are termed material planning considerations. Some issues which are sometimes raised but are not normally planning considerations are:

- \* personal morals or views about the applicant
- \* possible effect on property values
- \* ownership disputes over rights of way, fence lines etc
- \* restrictive covenants
- \* property maintenance
- \* loss of private views
- \* business competition
- \* conflict with other laws

The Committee cannot take matters such as these into account, and if you raise them you may be reminded of this by the Chair.

#### **Will the application always be decided at the meeting?**

No. The Committee will sometimes defer an application in order to visit the site or to enable further information to be supplied which is important to enable the right decision to be made. The Council is committed to meeting government targets for the time taken to decide planning applications, and applications will only be deferred if there is a good reason.

#### **Site Visits**

The Committee visits sites only when they consider that this is necessary for them to properly understand the planning arguments. The Council has to make sure that everyone has a fair and equal opportunity to put forward their viewpoint, and for this reason site visits are not the time for applicants or objectors to speak to the Committee. The Committee do not make decisions on applications at the site visit. Members of the public are welcome to attend site visits to observe what takes place, although where this involves going onto private land access will be at the landowner's discretion.

## “Planning Records” Webpage

# PLANNING APPLICATION RECORDS

## The Planning Register

Local planning authorities are obliged to keep records of all planning applications that they deal with. These records, collectively known as "the Planning Register", include a log of all applications received, files containing the submitted forms and attachments, plus all decision notices issued.

Copies of current planning application details and recent Decision Notices are made available to members of the public. These can be viewed at the reception desk in the Town Hall foyer.

## Application Files

Each application is filed separately. Copies of the application forms, plans, drawings and all correspondence associated with the application are kept together in the file. Applications are numbered and filed sequentially and chronologically. Our records go back as far as 1947.

For each active application, i.e. those currently under consideration, a separate file containing copies of all the main items describing the proposal details is kept at the reception desk. These copies are made available within three working days of the application being validated (see [the application & decision process](#)). Members of the public may view these files on request. Please note that if you wish to view non-current files, it is advisable to contact the department beforehand to ensure that the relevant files are available.

## Database

Since 1997, details of each planning application have been recorded in a database which is constantly being kept up to date. We have made these records available online so that you can search for an application.

The search & display facility for planning applications can be accessed here:

### [SEARCH & DISPLAY APPLICATIONS \(new window\)](#)

Using the new Darlington Borough Council eServices, view details of applications (back to 1997). Search on postcode, date or application number and view application details.

This search and display facility is very limited at present, but is currently being upgraded to display decision details and to allow searching by address.

Records covering the period 1974-96 have been captured retrospectively. These will be made available eventually.

## Database Extracts

Some [lists of applications](#), e.g. current applications and decisions, are produced periodically in PDF format and made online. These can be viewed or downloaded.

Weekly lists of applications received can be viewed as part [search & display facility \(new window\)](#).