



STATEMENT OF COMMUNITY INVOLVEMENT

Draft Version for Consultation –
November 2021



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1.0 Introduction

What is a Statement of Community Involvement?

- 1.1 A Statement of Community Involvement is a document prepared by the Council which sets out the Council's approach to involving and engaging the community and stakeholders in the planning system. This includes both planning policy (the preparation of the Local Plan and other policy documents) and development management (planning applications and other development applications). It also sets out how the Council will support those undertaking neighbourhood planning activity.
- 1.2 It is a legal requirement for the Council to produce the document under the Planning and Compulsory Purchase Act 2004 and must be reviewed every five years, in line with The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017.
- 1.3 Allerdale Borough Council's previous Statement of Community Involvement was adopted in March 2010. Therefore in order to be compliant with the Regulations, and to reflect new methods of communication, the current document needs to be revised.

How can I get involved in the planning process?

- 1.4 There are a number of ways you can get involved in the planning process at Allerdale, including:
 - making comments on planning applications
 - reporting breaches of planning control
 - being involved in the development and preparation of planning policy documents, including the Local Plan
 - taking part in neighbourhood planning

Communicating with the Council

- 1.5 If you need to contact the Council regarding a planning application, the best contact is the named officer who is dealing with the case. To do this, call the Development Management team on 0303 1231702 and ask to speak to the named case officer or email planning@allerdale.gov.uk and your email will be forwarded to the case officer.
- 1.6 If you would like to contact an officer regarding Planning Policy, the contact number is 01900 702790 and the email address is planningpolicy@allerdale.gov.uk.
- 1.7 If you are not satisfied with the service you have received, please contact the relevant officer directly. If the issue cannot be resolved through this, then the Team Leader will be able to assess the complaint, with senior management available to provide an overview. If the complaint cannot be resolved through

this process, then the Council's formal complaints procedure can be viewed [online](http://www.allerdale.gov.uk/en/contact-us/complaints-and-compliments/). (www.allerdale.gov.uk/en/contact-us/complaints-and-compliments/)

- 1.8 Information on the planning system can be found online on the websites for the [Planning Portal](http://www.planningportal.co.uk) (www.planningportal.co.uk) and the [Royal Town Planning Institute](http://www.rtpi.org.uk) (www.rtpi.org.uk). The RTPI website also hosts [Planning Aid England](http://www.planningaid.org.uk) which provides independent planning advice and support to help individuals and communities engage with the planning system. [ACTion with Communities in Cumbria](http://www.cumbriaaction.org.uk) (www.cumbriaaction.org.uk) supports communities through the neighbourhood planning process, helping them to realise their aspirations.
- 1.9 It should be noted that Allerdale Borough Council only determines planning applications and produces planning policy for the area of Allerdale that is not within the Lake District National Park; for planning applications and planning policy documents within the Lake District National Park boundary, please contact the [Lake District National Park Authority](http://www.lakedistrict.gov.uk) (www.lakedistrict.gov.uk). [Cumbria County Council](http://www.cumbria.gov.uk) (www.cumbria.gov.uk) is responsible for producing the Minerals and Waste Local Plan for Cumbria and for determining planning applications which relate to minerals and waste.

Communicating with you

- 1.10 Whilst the Council promotes the use of Plain English, Planning has a large amount of technical terms and acronyms. It is sometimes impossible to avoid using such technical jargon as they refer to legislation or are abbreviations of long titles. Therefore, many planning documents will contain a glossary to explain the terms used.
- 1.11 In order to circulate documents and decisions quickly, to a large number of people and in a more environmentally friendly manner, they are published online on the Council's website (www.allerdale.gov.uk). However, it is recognised that everyone may not be able to view this information in this way; if assistance is required, the relevant planning department can be contacted to arrange this.
- 1.12 Copies of Local Plan documents (including consultation versions of the documents) will be available to view at Council offices and libraries across Allerdale. Supporting documents may be available in a paper form, although there may be a charge for this. Again, you should contact the relevant planning department to arrange this.
- 1.13 There are a range of communication methods that the Council may use when contacting/consulting members of the public about planning issues. These methods may include:
 - Emails
 - Letters
 - Website
 - Local media (i.e. newspapers, radio)
 - Response forms
 - Social media
 - Drop in events/exhibitions

- 1.14 In 2020, the Covid-19 pandemic introduced a number of social distancing restrictions which meant that some of the communication measures included in the previous Statement of Community Involvement would not be considered appropriate to undertake during a public consultation.
- 1.15 Should a similar situation arise whereby the Council is unable to use the more traditional face to face methods of consultation, it will rely more heavily on the use of technology where appropriate until the Council is satisfied that in-person events are safe for both Council officers and members of the public to attend. The Council will continue to explore utilising new technology in different ways to ensure that engagement with members of the public can be carried out if there are restrictions on social interaction.
- 1.16 In terms of the display of site notices, this will only take place if restrictions allow the Council to do this safely. Again, the Council will explore the use of different advertisement methods for a temporary period.

Equalities

- 1.17 The Council has a duty under the Equalities Act 2010 to ensure that decisions made as part of the planning processes do not discriminate against the protected characteristics and promote equality for all. To ensure this happens, Equality Impact Assessments will be undertaken on relevant planning policy documents.

Data Protection

- 1.18 In line with the Town and Country Planning (Local Planning) (England) Regulations 2012, copies of representations submitted to planning policy documents are made publicly available on the Council's website (www.allerdale.gov.uk/en/planning-building-control/planning-policy). This includes publishing the names of those making the representations but personal details, such as email addresses or telephone numbers, will not be included. Similarly, representations to planning applications are published in the same way. The Council is unable to accept anonymous comments.
- 1.19 The Council is required to conform to the requirements of the General Data Protection Regulations (GDPR). Therefore, the contact data provided to the Council will only be used for the purpose for which it was provided and in line with the Council's Privacy Statement.
- 1.20 The Planning departments regularly review the data they hold and you can request the removal of your details at any time.

2.0 Community Consultation and Involvement in Planning Policy

What is Planning Policy?

- 2.1 The Council is required to produce a Local Plan which identifies a strategic vision and framework for future sustainable development within Allerdale (for areas outside the Lake District National Park). The Local Plan will contain policies which identify how development should be carried out, as well as identifying the level of development needed across the district over a certain number of years (this is referred to as the plan period). The policies and site allocations contained within the Local Plan are used to determine planning applications.
- 2.2 The Council is also able to produce other policy documents such as Supplementary Planning Documents and other Local Development Documents. All planning policy documents will be supported by an evidence base which could include research and technical studies and reports.
- 2.3 The Council is required to maintain an up-to-date Local Development Scheme which is a programme outlining when the Council intends to produce various planning policy documents. This provides an opportunity for members of the public, and stakeholders, to see when documents are likely to be released for public consultation.
- 2.4 Anyone who wishes to be notified directly of consultations on planning policy documents can be added to our consultation database at any time. If you wish to be added to the database, or would like your details to be removed, please email planningpolicy@allerdale.gov.uk or write to Planning Policy, Allerdale Borough Council, Allerdale House, New Bridge Road, Workington, CA14 3YJ.

Consultation on Planning Policy Documents

- 2.5 The level of consultation required for planning policy documents is set out in national legislation and is different for each type of document. Table 1 sets out the consultation stages for the Local Plan, whilst Table 2 outlines the consultation stages for Supplementary Planning Documents and other planning policy documents.
- 2.6 There are documents which will be produced by the Planning Policy team which will not be subject to public consultation (e.g. Local Development Scheme, Annual Monitoring Reports, evidence base documents), or will only require consultation with specific consultation bodies.

Stage	What we will do	Options we will consider
Options (also known as Issues and Options) – this may also be followed by a further optional consultation stage (usually known as Preferred Options)	<ul style="list-style-type: none"> • Consultation will run for a minimum of six weeks; where consultations run over main holiday periods, this will be factored into the consultation time period • Notify the following of the consultation: Councillors; Parish/Town Councils; those on our consultation database; statutory stakeholders; and specific consultation bodies • Publish consultation documents on our website • Make consultation documents available to view at Council offices and libraries within Allerdale (outside the Lake District National Park) • Issue a press release • Publish a summary of the comments received to the consultation and, if necessary, include the Council’s response to these comments 	<ul style="list-style-type: none"> • Publicise via social media • Public exhibitions/drop in sessions/public meetings • Include a notice in the local newspapers • Meetings with stakeholders and local communities (e.g. Parish/Town Councils) • Virtual consultations • Further consultation stages may be undertaken
Publication (also known as Pre-Submission)	<ul style="list-style-type: none"> • Consultation will run for a minimum of six weeks; where consultations run over main holiday periods, this will be factored into the consultation time period • Notify the following of the consultation: Councillors; Parish/Town Councils; those on our consultation database; statutory stakeholders; and specific consultation bodies • Publish consultation documents on our website • Make consultation documents available to view at Council offices and libraries within Allerdale (outside the Lake District National Park) • Publish a summary of the comments received to the consultation and, if necessary, include the Council’s response to these comments 	<ul style="list-style-type: none"> • Publicise via social media • Issue a press release

Submission to the Secretary of State	Once we have submitted the draft Local Plan to the Secretary of State, we will notify all those registered on the consultation database and anyone else who has requested to be notified. This notification will include the details of when and where the documents can be viewed.	None
Public Examination	<p>At least six weeks prior to the Examination we will:</p> <ul style="list-style-type: none"> • Publish on our website the date, time and place where the Examination will be held, as well as the name of the Inspector carrying out the Examination • Notify anyone who has made a comment during the Publication stage of the details of the Examination • Further consultation may arise as part of the examination at the instruction of the inspector. The Inspector may require consultation on additional evidence or work put forward, or on modifications to the local plan. 	The Inspector and Programme Officer are responsible for how the Public Examination is carried out.
Publication of Inspector's recommendations	<ul style="list-style-type: none"> • Publish the Inspector's recommendations on our website • Notify all those who had made representations throughout the Local Plan process and all those registered on the consultation database and anyone else who has requested to be notified that the recommendations have been received, providing details about where it can be viewed. 	<ul style="list-style-type: none"> • Publicise via social media • Issue a press release
Adoption	<ul style="list-style-type: none"> • Take the final version of the document to the Council's Full Council for approval for adoption • Publish the adopted document on our website and make it available to view at Council offices • Publish the adoption statement on our website and make it available to view at Council offices • Notify all those who had made representations throughout the Local Plan process and all those 	<ul style="list-style-type: none"> • Publicise via social media • Issue a press release

	registered on the consultation database and anyone else who has requested to be notified that the Local Plan has been adopted, providing details about where the statement can be viewed.	
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Table 1: Consultation stages for the Local Plan

Stage	What we will do	Options we will consider
Preparation	<ul style="list-style-type: none"> • Informal engagement with relevant stakeholders to identify key issues 	<ul style="list-style-type: none"> • Preparation of a Scoping Report
Draft	<ul style="list-style-type: none"> • Consultation will run for a minimum of four weeks; where consultations run over main holiday periods, this will be factored into the consultation time period • Notify the following of the consultation: Councillors; Parish/Town Councils; those on our consultation database; statutory stakeholders; and specific consultation bodies • Publish consultation documents on our website • Make consultation documents available to view at Council offices and libraries within Allerdale (outside the Lake District National Park) • Summarise the comments received to the consultation and identify any changes that need to be made as a consequence 	<ul style="list-style-type: none"> • Publicise via social media • Issue a press release • Meetings with stakeholders and local communities (e.g. Parish/Town Councils) • Virtual consultations
Adoption/approval	<ul style="list-style-type: none"> • Present the final document to the Council's Full Council for their approval for adoption • Publish the adopted document and the adoption statement on our website • Notify those who have been asked to be notified of the adoption 	<ul style="list-style-type: none"> • Publicise via social media • Issue a press release

Table 2: Consultation stages for Supplementary Planning Documents (SPDs) and other planning policy documents

3.0 Community Consultation and Involvement in Development Management

Pre-application Advice

- 3.1 The Council encourages applicants to contact the Council before submitting formal planning applications. This is through the Council's [pre-application enquiry system](#), for which there is a charge. Details are available on the planning pages of the Council's website: www.allerdale.gov.uk
Under an enhanced pre-application enquiry, meetings can be arranged with Planning Officers to discuss proposals and obtain advice on how best to proceed. There is an increase in fee for this optional service.
- 3.2 The Council will also encourage potential applicants of large scale schemes to consult with local community groups and residents who would have an interest in the proposal before the scheme is finalised and an application is submitted. It is mandatory to carry out pre-application consultation with the local community for planning applications for wind turbine development involving more than two turbines or where the hub height of any turbine exceeds 15 metres.
- 3.3 On major schemes there is also the opportunity to seek the views of elected members through the Council's Development Management Forum. The Council has produced a [guide](#) providing further details on pre-application consultation with elected members which is available to view on the planning pages of the Council's website: www.allerdale.gov.uk

Planning Applications

- 3.4 The scale and nature of consultation will vary dependent on the type of planning application. The requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) are exceeded. In brief, the following strategy is pursued.

Major applications (including reserved matters). Major development is defined as residential applications for ten or more dwellings or sites greater than 0.5 hectares. For all other uses the definition is based on floor space of 1000 square metres or more or sites over 1.0 hectares.

Consultation on major applications would include a press notice, site notice/s, and individual letters to adjoining owners/occupiers. The press notice will publicise that the application is "major" but also may advise that the application is a departure to the development plan (adopted Local Plan and/or Neighbourhood Plan) and/or affects a public right of way and/or the setting of a listed building. Details of the application will be placed on the Council website and statutory consultees will be consulted. Local interest groups may also be consulted depending on the nature of the application and at the discretion of the local planning authority, for example e.g. West Cumbria Bus Users' Group.

Listed Building Consent applications. Consultation would include a press notice, site notice and individual letters to adjoining residents. Local amenity groups (such as the Cocker mouth or Wigton Civic Societies) would also be informed as appropriate, as well as statutory consultees such as Historic England and the National Amenity Societies such as the Victorian Society where necessary.

Minor applications (including reserved matters). Consultation on minor applications (those applications that are not designated as major applications) will involve the use of site notices and individual letters to adjoining neighbours. In addition, Parish Councils and other agencies such as the County Highway Authority or Environment Agency will also be informed where necessary. The application will also be publicised in the local press if it is assessed as being a departure to the Local Plan and/or affecting a public right of way and/or affecting the setting of a listed building or the character or appearance of a Conservation Area.

Householder applications (extensions and alterations to dwelling houses and development within gardens for domestic purposes). Householder applications are advertised by individual letters to adjoining properties only. Applications will also be publicised by site notice and in the local press if the scheme is assessed as being a departure to the Local Plan and/or affecting a public right of way, and/or affecting the setting of a listed building or the character or appearance of a Conservation Area. Relevant organisations such as Parish Councils would be informed and other bodies such as the County Highway Authority consulted where appropriate.

Notifications for Prior Approval. All applications are publicised on the Council's website and, in some instances, such as notifications under Class Q of Part 3 of Schedule 2 of the Town and Country Planning General Permitted Development Order (GPDO 2015), consultations are undertaken. Some parts of the GPDO also require the applicant to display a site notice or consult their neighbours.

- 3.5 Some applications are also accompanied by an Environmental Statement under the Environmental Impact Assessment Regulations 2017. These regulations require additional publicity, including notices published in the press by the applicant.
- 3.6 For the purpose of consulting neighbouring residents and businesses, the Council sends individual letters to properties immediately adjacent to the application site. For some proposals this can be extended to a wider area depending principally upon the scale and nature of the proposal e.g. for peaking power plants and wind turbine developments. The Council will adopt a consistent approach for publicity for each type of application.
- 3.7 Consultation letters invite comments to be made within 21 days of the date of the letter. However, bodies such as Natural England may be allowed a longer period of time to comment on applications where this is prescribed by legislation. Where there is insufficient information for statutory consultees to

comment, an extension to the 21 day consultation period would be agreed between the consultee and the Council. The results of any such consultation will be reported and taken into account in decisions made by, and on behalf of, the Council.

- 3.8 If an application is materially amended during its consideration, the Council will send a further round of consultation letters to residents originally consulted and to people who have also commented on the proposal. A copy of the revised plans will also be sent to the Parish/Town Councils. The normal period provided for comments to be received to amendments is 14 days, although this period maybe reduced where appropriate. Other consultees, such as the County Highways Authority, will be consulted if relevant to the amendment.
- 3.9 All applications can also be viewed on the Council's website (www.allerdale.gov.uk/en/planning-building-control/planning-applications/). The Council will receive comments by on-line comments, email (planning@allerdale.gov.uk) and post (Development Management, Allerdale Borough Council, Allerdale House, Workington CA14 3YJ), although electronic submission is preferred.
- 3.10 Over 90% of the applications received by the Council are dealt with through delegated powers to officers and do not go to the Council's Development Panel. The Council's Constitution states when applications are referred to the Panel.
- 3.11 The Panel is made up of Council Members providing representation across the Borough. The Council allows the public to speak at the Development Panel meetings.
- 3.12 Anyone who has submitted written comments on an application may register to address the Panel for five minutes, although the number of commentators allowed to speak on each application is limited. The applicant has the same period of time to respond unless there is more than one speaker objecting. In this instance the applicant or their agent will be permitted a maximum of ten minutes to respond to any issues raised. Full details of the procedure is available in the [Public Participation at Development Panel Guide](#) (www.allerdale.gov.uk/en/planning-building-control/applying-planning-permission/apply-planning-permission).
- 3.13 The Council posts decisions on planning applications on their website. Parish and Town Councils receive a copy of the decision notice.
- 3.14 At present a weekly list of applications, full details of individual planning applications, reports to the Development Panel and decisions on all the applications are available on the Council's website.

Enforcement - Unauthorised development

- 3.15 Planning enforcement is the process through which the Council monitors the implementation of planning permissions, investigates alleged cases of unauthorised development and takes action where it is appropriate to do so.
- 3.16 Anyone can report possible breaches of planning control for investigation through the Council's website: www.allerdale.gov.uk/en/planning-building-control/planning-enforcement-action/planning-enforcement/
- 3.17 Breaches of planning control are dealt with in the strictest confidence. The name and address of any complainant will not be repeated to the person or organisation involved in the alleged breach, nor will they be published on the Council's website.
- 3.18 Our published [Planning Enforcement Plan](http://www.allerdale.gov.uk/en/planning-building-control/planning-enforcement-action/planning-enforcement/) (www.allerdale.gov.uk/en/planning-building-control/planning-enforcement-action/planning-enforcement) sets out how investigations are prioritised and responded to, based on the level of harm caused .You can view more information on the planning enforcement process and the types of actions available on the government website: www.gov.uk/guidance/ensuring-effective-enforcement
- 3.19 Further information is also available on the planning pages of the Council's website.

4.0 Neighbourhood Planning

What is Neighbourhood Planning?

- 4.1 The Localism Act (2011) and its subsequent regulations introduced the idea of Neighbourhood Planning to give communities an additional way of deciding how their area should develop in the future.
- 4.2 Communities have a choice of three different approaches in Neighbourhood Planning, and it is possible to use more than one at the same time:
- Neighbourhood Plans – a Neighbourhood Plan is a document which sets out planning policies for the identified area. It is written by the local community, rather than the Local Planning Authority.
 - Neighbourhood Development Orders – this type of Order can grant planning permission for a particular type of development in a specific area.
 - Community Right to Build Orders – this is a type of Neighbourhood Development Order. It allows community groups to bring forward small-scale development without the need for planning permission if the development is for the benefit of the community (e.g. affordable housing, playgrounds).
- 4.3 All Neighbourhood Plans, Neighbourhood Development Orders and Community Right to Build Orders must be consistent with national and local planning policies and guidance. There are Acts and Regulations which cover the preparation of Neighbourhood Plans/Orders. Neighbourhood Planning is to be led by the local community, although the Council will provide support for the process from the beginning.

How to prepare a Neighbourhood Plan

- 4.4 Neighbourhood Plans are produced by those who know the area best, those who live and work in the area. However, there are some things to consider when deciding if it is appropriate to prepare a Neighbourhood Plan:
- Is there community support to produce a Plan?
 - Does the community have the necessary resources (e.g. finance, skills, time, commitment from people) to produce a Plan?
 - What do you want the Plan to achieve?
 - Could there be an alternative method to obtaining the desired outcome? Could consultation representations be made to the Council during the preparation of planning policy documents (e.g. Local Plan, Supplementary Planning Documents)?
- 4.5 Locality has produced a document or 'roadmap' which gives a step-by-step guide on how to produce a [Neighbourhood Plan](http://www.neighbourhoodplanning.org) (www.neighbourhoodplanning.org) A summary of the main stages is provided below.

Stage 1 – Designation

- Designate the neighbourhood area.
- In areas where there is no parish/town council, designate a neighbourhood forum.
- The Council will consult on the submitted Neighbourhood Area and Forum for six weeks prior to the designation.

Stage 2 – Drafting

- The Parish/Town Council/Neighbourhood Forum should draft the Neighbourhood Plan. The Parish/Town Council/Forum should work with the community (residential and business) to decide what the Plan should include and gather baseline evidence and information.
- The draft document will be released for consultation. If necessary, the draft Plan should be amended to reflect the comments received during the consultation.

Stage 3 – Submission

- The draft Plan should be submitted to the Council who will then check that it complies with local and national policy.
- A six week consultation on the draft Plan will be carried out by the Council.
- The Council will then appoint an independent examiner.

Stage 4 – Examination

- The independent examiner will hold an Examination which will assess the Plan.
- Once the Examination is completed, the Inspector will send a report to the Council with their findings. This will include a recommendation of whether or not the Plan can proceed to referendum (as modified if necessary).

Stage 5 – Referendum

- The Council gives notice that a Referendum will be held to allow the community to vote on whether or not to accept the Plan.
- The Referendum is held and the Council will publish the results.

Stage 6 – Making the Plan

- The Council will adopt the Plan, if it complies with EU requirements.

Neighbourhood Planning Protocol

- 4.6 The Council has prepared a protocol (see Appendix A) to outline what the Council will do to support the preparation of Neighbourhood Plans, Neighbourhood Development Orders and Community Right to Build Orders.

- 4.7 Neighbourhood Plans are normally led by the Parish/Town Councils (or Neighbourhood Forum if no such council exists for the designated area). The Council will provide advice and appropriate support where required, in line with its statutory requirements.
- 4.8 The Council is required to outline the support it will provide to Parish/Town Councils and Neighbourhood Forums within the Statement of Community Involvement; the Protocol within Appendix A provides this information.

Glossary

Adoption

The final confirmation of a development plan or Local Development Document by a local planning authority (LPA), conferring statutory status.

Annual Monitoring Report (AMR)

An Annual Monitoring Report (AMR) reviews progress of Local Plans and includes monitoring information on employment, housing, and the natural environment. An AMR is the tool that can be used to lead to policy change if the policies in the Local Plan are not achieving the desired results

Approval of Reserved Matters (see Reserved Matters)

Development Plan (Local Plan)

The Development Plan can be a single document or several documents that together provide adopted planning policy. For Allerdale this currently comprises the Allerdale Local Plan (Part 1) (2014), the Allerdale Local Plan (Part 2) (2020), and the Cumbria Minerals and Waste Local Plan (2017) produced by Cumbria County Council

Development Plan Document (DPD)

A planning policy document prepared by the Council which sets out the planning policy framework against which proposals for development are assessed.

Environment Statement

Applicants for certain types of development, usually more significant schemes, are required to submit an "environmental statement" accompanying a planning application. This evaluates the likely environmental impacts of the development, together with an assessment of how the severity of the impacts could be reduced.

Environment Impact Assessment

A procedure to be followed for certain types of project or proposal to ensure that decisions are made in full knowledge of any likely significant effects on the environment.

Evidence base Documents

Collection of baseline specific data for the District which is used to inform the development of all Local Plan policies and Supplementary Planning Documents.

Equality Impact Assessment

An Equality Impact Assessment (EIA) is a way of measuring the potential impact (both positive and negative) that a policy function or service may have on different groups.

General Data Protection Regulations (GDPR)

The Data Protection Act 2018 is the UK's implementation of the General Data Protection Regulation (GDPR). It controls how personal information is used by local authorities, organisations, businesses, or the government.

Independent Examination

Development Plan Documents are subject to a public examination by an independent planning inspector appointed by government to test legal compliance and soundness, involving discussions of selected issues raised by respondents at the publication stage

Inspector's Report

A document written by an independent Inspector which assesses the soundness of the Local Plan

Issues and Options

An early stage in the development of a local plan identifying and addressing key issues and considering suitable options. Responses aid development of the plan.

Local Plan

The plan for the future development of the local area, drawn up by the local planning authority in consultation with the community. In law this is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004.

Local Development Documents (LDD)

All Development Plan Documents, Supplementary Planning Documents and the Statement of Community Involvement are known as Local Development Documents. LDDs collectively deliver the spatial planning strategy for the local planning authority's area.

Local Development Scheme (LDS)

The LDS sets out the local authority's timetable to produce Local Development Documents such as the local plan and supplementary planning documents.

Local Planning Authority (LPA)

Allerdale Borough Council is the LPA for most planning applications in the parts of the district outside the Lake District National Park. The Lake District National Park Authority is the LPA for the Lake District National Park, and Cumbria County Council is the LPA for applications relating to mineral extraction, waste disposal and certain other development relating to their function.

Material Consideration

A material planning consideration is one which is relevant to making a planning decision (e.g., whether to grant or refuse an application for planning permission). The scope of what can constitute a material consideration is very wide. However, as planning is concerned with land use in the public interest, the protection of purely private interests such as the impact of a development on the value of a neighbouring property would not normally be a material consideration.

Major Development

For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development it means additional floorspace of 1000m² or more, or a site of 1 hectare or more.

Minor Applications

Any development that is smaller than 'major' (defined above) is considered minor.

National Planning Policy Framework (NPPF)

This sets out the Government's planning policies for England and how these are expected to be applied. It provides guidance for local planning authorities and decision makers, both in drawing up plans and making decisions about planning applications. It must be taken into account in the preparation of Development Plan and is a material consideration in planning decisions. This is accompanied by Planning Practice Guidance which sets out how the NPPF is to be interpreted.

Neighbourhood Planning

This was introduced by the Localism Act 2011, and it gives rights and powers for local communities to shape new development by coming together to prepare Neighbourhood Plans. A neighbourhood planning process can be used to prepare a Neighbourhood Plan, a Neighbourhood Development Order or a Community Right to Build Order, or a combination of the three.

Neighbourhood Development Plan/Neighbourhood Plan

A plan generally prepared by a Neighbourhood Forum, which establishes planning policies for the development and use of land in a defined area. A Neighbourhood Plan must be in conformity with the Development Plan for the area and will undergo examination and a referendum.

Options (see issues and options)

Outline planning application

Applications for outline planning permission seek to establish whether the scale and nature of a proposed development would be acceptable to the local planning authority, before a fully detailed proposal is put forward. This type of application

allows fewer details about the proposal to be submitted. Once outline permission has been granted, a further approval of the details (a “reserved matters” application) is needed before work can start.

Planning Inspectorate (PINS)

The Planning Inspectorate holds independent examinations by appointed Planning Inspectors to determine whether Development Plan Documents are ‘sound’. The Planning Inspectorate also handles planning and enforcement appeals.

Planning Practice Guidance

The Government’s detailed online, web-based guidance on national planning policies, which adds detail to the National Planning Policy Framework.

Preferred Options

Essentially a draft stage in the production of the local plan which builds on previous local plan consultations, seeking views on the preferred approach.

Prior approval means that a developer must seek approval from the local planning authority that specified elements of the development are acceptable before work can proceed. A local planning authority cannot consider any other matters when determining a prior approval application.

Publication Stage (sometimes called pre-submission draft)

The publication stage plan is the document that the local authority considers ready for examination. This plan must be published for representations by the local planning authority before it can be submitted to the Planning Inspectorate for examination. This provides a formal opportunity for the local community and other interests to consider the local plan which the local planning authority would like to adopt.

Reserved Matters

A reserved matters application deals with some or all outstanding details required following an outline planning application, which may include appearance, means of access, landscaping, layout, or scale. The details of the reserved matters application must be in line with the outline approval, including any conditions attached to the permission, and must be within 3 years of the outline approval.

Site Allocations

A Site Allocation means land that is designated or ‘allocated’ for a particular type of development or land use such as housing, employment or leisure within a development plan.

Sound/soundness

This describes where a Development Plan Document is considered to 'show good judgement' and to fulfil the expectations of legislation, as well as conforming to national policy.

Statement of Community Involvement (SCI)

This is a document that sets out how we will consult and involve the public in preparation of planning policy and in the determination of planning applications.

Strategic Environmental Assessment (SEA) Procedure (set out in the Environmental Assessment of Plans and Programmes Regulations 2004) which requires the formal environmental assessment of certain plans and programmes which are likely to have significant effects on the environment.

Submission Stage

The final stage in preparation of Development Plan Documents (DPD). The documents are sent to the Secretary of State and an independent Examination will be held.

Supplementary Planning Documents (SPD)

Supplementary Planning Documents add further detail and supplementary guidance to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues. They do not form part of the development plan and are not subject to independent examination.

Sustainability Appraisal (SA). A sustainability appraisal is a systematic process that must be carried out during the preparation of Local plans and development strategies. Its role is to promote sustainable development by assessing the extent to which the emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic, and social objectives.

Appendix A

Neighbourhood Planning Protocol

Allerdale Borough Council's Neighbourhood Planning Protocol: A Statement of Support to Town/Parish Councils and Neighbourhood Forums.

This Protocol is designed to clarify the extent to which Allerdale Borough Council (as the Local Planning Authority) will support the preparation (and any subsequent modification) of Neighbourhood Plans, Neighbourhood Development Orders and Community Right to Build Orders. It also outlines what the Parish/Town Council/Neighbourhood Forums will be expected to do at each stage.

Stage 1 – Designation

The Parish/Town Council/Neighbourhood Forums will:

- arrange to meet the Council to discuss the possibility of producing a Neighbourhood Plan/Neighbourhood Development Order/Community Right to Build Order.
- submit an application for a Neighbourhood Area and the Neighbourhood Forum.
- prepare a project plan showing the expected timescales of the preparation of the Plan/Order.
- consider the formation of a steering group who will lead the development of the Plan/Order and the key contacts for the Council.

The Council will:

- meet local communities who are interested in producing a Neighbourhood Plan/Neighbourhood Development Order/Community Right to Build Order to provide initial advice and discuss options. Ideally, communities would contact the Council to arrange this meeting prior to the submission of an application.
- assess the acceptability of the proposed designated Neighbourhood Area and, if applicable, the Neighbourhood Forum.
- publicise and consult upon the application on the Council's website and within the area to which the application relates (e.g. in local libraries) for a six week period.
- prepare and issue their decision on whether or not the Area/Forum can be designated. If the Council determines that the Area/Forum is not suitable for designation, the Council must outline the reasons why. The Council will produce this decision within 13 weeks of the consultation ending.

Stage 2 – Drafting

The Parish/Town Council/Neighbourhood Forums will:

- talk to the local community and Councillors as the plan develops to ensure that it reflects the community needs. This should include consulting them on options of what should be included in the Plan/Order.
- prepare the draft Plan/Order.

- prepare the Strategic Environmental Assessment, Sustainability Appraisal, Habitats Regulations Assessment or Appropriate Assessment. If these documents are required, then the Parish/Town Council/Neighbourhood Forums will be required to prepare them, or commission consultants to do the work.
- share any new evidence, data and research gathered as part of this process with the Council.
- submit a copy of the draft Plan/Order to the Council for their comments.
- formally issue the draft Plan/Order for consultation for a six week period.
- if necessary, amend the Plan/Order to reflect the comments received during the consultation period.

The Council will:

- provide electronic copies of available, relevant evidence base documents to support the drafting of the draft Plan/Order.
- provide comments on the draft Plan/Order.
- carry out a Screening Opinion to check if the Plan/Order will need to have a full Sustainability Appraisal.
- publish the draft Plan/Order on its website for the six week consultation. This will include: the details of the draft Plan/Order; where the draft Plan/Order can be viewed; how comments can be made on the draft Plan/Order; and the closing date of the consultation. In addition, the Council will notify the consultation bodies as set out in the Neighbourhood Planning Regulations.

Stage 3 – Submission

The Parish/Town Council/Neighbourhood Forums will:

- prepare the following supporting documents: Consultation Statement; Basic Conditions Statement; map/statement which identifies the area to which the Plan/Order relates; and, if applicable, a Sustainability Appraisal.
- submit the draft Plan/Order and all the supporting documents to the Council.

The Council will:

- assess if the submitted documents meets the requirements of the Town and Country Planning Act 1990. The Council will then write to the Parish/Town Council/Neighbourhood Forum to confirm the outcome of the assessment.
- publish the submitted Plan/Order for a six week period (if the requirements have been met).

Stage 4 – Examination

The Parish/Town Council/Neighbourhood Forums will:

- work with the Council to jointly appoint an independent Examiner.

- respond to questions from the Examiner. Usually, this will be done through written representations, but there may be occasions where a hearing will be organised for evidence to be presented orally.
- amend the Plan/Order following the Examiner's recommendations.

The Council will:

- work with the Parish/Town Council/Neighbourhood Forums to jointly appoint an independent Examiner.
- submit all documents and any responses to the consultation received to the Examiner.
- respond to the Examiner's questions.
- fact check the Examiner's report and issue the report once finalised.

Stage 5 – Referendum

The Parish/Town Council/Neighbourhood Forums may want to organise a campaign to raise awareness of the Referendum and encourage people to take part. The cost of the campaign will need to be met by the Parish/Town Council/Neighbourhood Forums.

The Council will:

- organise and pay for the Referendum to allow those registered to vote in the area covered by the Plan/Order to determine if the Plan/Order should be adopted. In some circumstances, other communities may be invited to vote if the Examiner feels that the proposed Plan/Order may affect them
- provide advice on the procedures that the Parish/Town Council/Neighbourhood Forums must follow prior to and during the Referendum.

Stage 6 – Making the Plan

The Council will:

- adopt the Plan/Order if the majority (i.e. more than 50% of the voting turnout) supported this. The Plan/Order will then form part of Allerdale Borough Council's Development Plan.
- update their website to reflect the new status of the Plan/Order.
- inform those who had provided comments on the draft Plan/Order about the adoption.

General

The Parish/Town Council/Neighbourhood Forums will be expected to provide the Council with regular progress updates.

Where resources allow, the Council will provide:

- informal ongoing advice and support throughout the process.
- practical assistance such as IT advice, mapping and printing where appropriate.
- relevant contact information for consultation bodies.
- guidance and interpretation of relevant legislation.
- maintain the Neighbourhood Planning page on the Council's website to reflect the current status of a Plan/Order; this will include those in draft and those which have been adopted.

The Council will not:

- provide funding (unless specified in the protocol), although it will help to identify available sources of funding.
- write any of the policies for the Plan/Order or draft any text for the document.