

**INSPECTOR'S REPORT**

**WALTHAM FOREST LONDON BOROUGH COUNCIL**

**STATEMENT OF COMMUNITY INVOLVEMENT**

Inspector: David Robins BA PhD FRTPI

Date: March 2007

# **Waltham Forest London Borough Council Statement of Community Involvement (December 2006)**

## **INSPECTOR'S REPORT**

### **Introduction**

- 1.1 An independent examination of Waltham Forest London Borough Council Statement of Community Involvement (SCI) has been carried out in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004 (the Act), as applied by s18(4) of the Act.
- 1.2 Section 20(5) indicates the two purposes of the independent examination in parts (a) and (b). With regard to part (a) I am satisfied that the SCI satisfies the requirements of the relevant sections of the Act, in particular that its preparation has accorded with the Local Development Scheme as required by s19(1) of the Act.
- 1.3 Part (b) is whether the SCI is sound. Following Paragraph 3.10 of Planning Policy Statement 12: Local Development Frameworks, the examination has been based on the 9 tests set out (see Appendix A). The starting point for the assessment is that the SCI is sound. Accordingly changes are made in this binding report only where there is clear need in the light of tests in PPS12.
- 1.4 A total of 21 representations were received, all of which have been considered. The Council proposed one amendment to the SCI in response to representations received and this has been taken into account in the preparation of this report.

### **Test 1**

- 2.1 The Council has undertaken the consultation required under Regulations 25, 26 and 28 of the Town and Country Planning (Local Development) (England) Regulations 2004.
- 2.2 I am satisfied that this test is met.

### **Test 2**

- 3.1 Section 1.3 recognises the links between the LDF, the SCI and the Community Strategy. Paragraph 1.3.4 makes reference to the role of the Local Strategic Partnership and Paragraph 1.3.6 shows how the Public Consultation Strategy can help ensure that existing groups will be utilised in the consultation on the DPDs. I am satisfied that the Council recognises the links between the strategies, the LDDs and the associated consultation exercises.
- 3.2 This test is met.

### **Test 3**

- 4.1 The Council has set out in Part 4 of the SCI those groups which will be consulted. This list includes the statutory bodies from PPS12 Annex E. It is stated at Paragraphs 4.1.2, 4.4.1 and 5.2.7 of the SCI that the Council holds a database of consultee details and that this will be updated as necessary. Furthermore, it is clear from Section 4.3 and Paragraphs 4.4.1 and 4.6.1 that the Council will consult with additional local stakeholders where appropriate.
- 4.2 The re-organisation of certain consultation bodies, such as English Nature, should be acknowledged in the SCI and I recommend an amendment be made and an additional sentence added accordingly.
- 4.3 This test is met subject to the following recommendations:

### **Recommendations**

**(R1)** Delete the Countryside Agency and English Nature from the list of consultees in Paragraph 4.2.1 and add Natural England.

**(R2)** Following Paragraph 4.1.3, add a new numbered paragraph to read as follows:

"Please note, that the lists of consultees which follow are not exhaustive and also relate to successor bodies where re-organisations occur."

### **Test 4**

- 5.1 Table 1 at Page 9 shows that the Council will involve and inform people from the early stages of DPD preparation and Table 4 (Page 22) sets out the range of methods the Council will employ to do this. The Council clarifies in Table 1 (at Pages 9 - 11) the stages at which consultation will take place and who will be consulted at those stages. It shows that consultation will take place with the key stakeholders during the issues and options stage of DPD production in accordance with Regulation 25. I am satisfied that providing these stages are followed the consultation proposed will be undertaken in a timely and accessible manner.
- 5.2 For the sake of completeness, reference should be made to the additional period of consultation required under Regulations 32 and 33.
- 5.3 This test is met subject to the following recommendation:

### **Recommendation**

**(R3)** In Table 1 at end of the Stage 2 section within the Community Involvement column on Page 10, add a final sentence as a bullet-point item to read as follows:

“Where site allocation representations are made, an additional 6 week period for comments is allowed prior to examination.”

### **Test 5**

- 6.1 Table 4 (Page 22) sets out the methods that the Council proposes to use to involve the community and stakeholders. These cover a variety of recognised consultation techniques that will present information via a range of different media. The Council acknowledges the benefits and disadvantages of the different methods and indicate at what stages of LDD preparation the various methods might be employed.
- 6.2 The SCI acknowledges that the Council may have to provide extra support to facilitate consultation with certain groups or individuals and proposes (in Paragraphs 4.7.3 – 4.7.6) how they might do this. Paragraph 5.2.3 explains how the Council will make its information accessible to all members of society.
- 6.3 The SCI should make reference to the Disability Discrimination and Race Relations Acts and I recommend accordingly below.
- 6.4 I am satisfied that the methods of consultation proposed in the SCI are suitable for the intended audiences and for the different stages in LDD preparation.
- 6.5 This test is met subject to the following recommendation:

### **Recommendation**

**(R4)** In Paragraph 5.2.3, add a further item to the bullet-pointed list to read:

“The Council will make every effort to meet the requirements of the Disability Discrimination Act 1995 and the Race Relations Act 2000.”

### **Test 6**

- 7.1 Section 7.1 along with Appendix 2 of the SCI explain how the Council will seek to ensure that sufficient resources are put in place to achieve the scale of consultation envisaged. I am satisfied that the Council is alert to the resource implications of the SCI.
- 7.2 This test is met.

### **Test 7**

- 8.1 Tables 1 and 2 (Pages 9 – 12), in the Community Involvement column, explain how the results of community involvement will be taken into account by the Council and used to inform decisions. The Council also proposes to prepare reports at the end of the

consultation period explaining how views have been considered and documents changed in light of the community involvement.

8.2 In the interests of consistency regarding the public availability of documentation, I have recommended an addition to Table 1.

8.3 This test is met subject to the following recommendation:

### **Recommendation**

**(R5)** In Table 1 in the Stage 3 section at the end of the Community Involvement column, add a final bullet-point item to read as follows:

“We will also make the statement and representations available for inspection in the borough’s libraries and main Council offices, as well as on our website [www.walthamforest.gov.uk](http://www.walthamforest.gov.uk)”

### **Test 8**

9.1 Section 7.2 explains that the Council continuously monitors and reviews its consultation methods on all LDDs and that the SCI will be formally reviewed after three years as part of this process and reported on through the Annual Monitoring Report.

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

9.3 This test is met.

### **Test 9**

10.1 The SCI in Part 6 describes the Council’s policy for consultation on planning applications. Sections 6.1 and 6.2 meet the minimum requirements and provide additional methods of consultation. This distinguishes between procedures appropriate to different types and scale of application. Section 6.3 includes information on how the consultation results will inform decisions.

10.2 This test is met subject to the following recommendation:

### **Recommendation**

**(R6)** In Table 3 (Page 13) in the first box of the Statutory Periods column, add a further bullet-pointed item to read as follows:

“Bodies such as Natural England will be allowed a longer period of time to comment on applications where this is prescribed by legislation.”

### **Conclusions**

11.1 The Council, in its Regulation 31 Statement (March 2007), have proposed one change to the SCI in response to representations received on the submission document. This suggested amendment

does not affect the substance of the SCI but it does improve the clarity and transparency of the submission SCI. I therefore agree that it be included and it forms a recommendation at the end of this Report.

- 11.2 In the event of any doubt, please note that I am content for such matters as any minor spelling, grammatical or factual matters to be amended by the Council, so long as this does not affect the substance of the SCI.
- 11.3 Subject to the implementation of the recommendations set out in this Report, the Waltham Forest London Borough Council SCI (December 2006) is sound.

### **Recommendations**

**(R7)** The Council should implement its proposed change to the SCI by inserting the following text at the appropriate point in Paragraph 5.2.5:

“For individual property changes with implications for the character of the area or for future applications of a similar nature, we will consult widely.”

**(R8)** The Council should remove all references to previous stages of this document.

Inspector

*David Robins*

David Robins

**APPENDIX A**  
**TESTS OF SOUNDNESS**

### **Examination of the soundness of the statement of community involvement**

3.10 The purpose of the examination is to consider the soundness of the statement of community involvement. The presumption will be that the statement of community involvement is sound unless it is shown to be otherwise as a result of evidence considered at the examination. A hearing will only be necessary where one or more of those making representations wish to be heard (see Annex D). In assessing whether the statement of community involvement is sound, the inspector will determine whether the:

- i. local planning authority has complied with the minimum requirements for consultation as set out in Regulations;<sup>1</sup>
- ii. local planning authority's strategy for community involvement links with other community involvement initiatives e.g. the community strategy;
- iii. statement identifies in general terms which local community groups and other bodies will be consulted;
- iv. statement identifies how the community and other bodies can be involved in a timely and accessible manner;
- v. methods of consultation to be employed are suitable for the intended audience and for the different stages in the preparation of local development documents;
- vi. resources are available to manage community involvement effectively;
- vii. statement shows how the results of community involvement will be fed into the preparation of development plan documents and supplementary planning documents;
- viii. authority has mechanisms for reviewing the statement of community involvement; and
- ix. statement clearly describes the planning authority's policy for consultation on planning applications.

*From:* Planning Policy Statement 12: Local Development Frameworks

<sup>1</sup> The Town and Country Planning (Local Development) (England) Regulations, 2004.