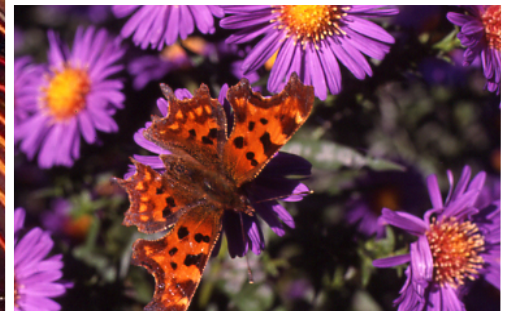


# STATEMENT OF COMMUNITY INVOLVEMENT

## RESPONSES REPORT

AUGUST 2013



## Introduction

- 1.1 This document sets out the consultation that was carried out on the revised 2013 Statement of Community Involvement, the representations received and the Council's response to those representations.
- 1.2 The revised SCI was published as a Consultation Draft for a 4-week consultation period from 24 June to 22 July 2013, highlighting the changes made since the 2009 adopted SCI as a result of reforms to Regulations and changes to the Council's consultation measures.
- 1.3 Despite there being no requirement to carry out consultation on the SCI in the Regulations, this consultation involved writing to all organisations and bodies on the Council database which were considered relevant to the document. A press release was also placed in local newspapers, and the draft document was put on deposit at selected local libraries, on the Council website and at the Planning offices at Knowsley Place. The consultation was also promoted using the department's social media accounts on Facebook and Twitter. 11 representations were received, and were incorporated into the final document where appropriate. A record of the comments received and the officer responses to them is contained within Appendix 2.
- 1.4 A total of 11 representations were received on the SCI Consultation Draft. Table 1 below shows details of the respondents.

**Table 1: SCI Consultation Draft respondents**

Organisation
The Holcombe Society
English Heritage
Natural England
Network Rail
Friends of Cockey Moor, Whitehead & Parker Lodges
National Trust
Civil Aviation Authority
The Coal Authority
United Utilities
Bury Pipeline Talking Newspaper
Homes and Communities Agency

- 1.5 The appendices for this report contain the following:
  - Appendix 1: Consultation Draft June 2013 letter
  - Appendix 2: Consultation Draft comments and responses

## **APPENDIX 1 – CONSULTATION DRAFT JUNE 2013 LETTER**

*Our Ref:*

*Date:* 24 June 2013

*Please Ask For:* Michael Whitehead

*Direct line:* 0161 253 6154

*Direct fax:* 0161 253 5290

*E-mail:* m.whitehead@bury.gov.uk

### **BURY STATEMENT OF COMMUNITY INVOLVEMENT LEAFLET: CONSULTATION**

As you may be aware, as part of the Local Plan process, the Council is required to prepare a Statement of Community Involvement (SCI). The role of the SCI is to specify how the Council will involve the community in the preparation of future planning policies, through the Local Plan, as well as in the processing of planning applications.

The Council's current SCI was adopted in December 2009. Since then, however, the Government has introduced a number of changes to the development planning process through legislation and associated revised Regulations. The SCI has therefore been updated to bring it in line with the new legislation so that it can be demonstrated that the Council has followed the correct consultation requirements in preparing its Local Plan or when inviting comments on planning applications. Once adopted, all future planning consultations and publicity will be carried out in line with its requirements.

One such change to the Regulations is the removal of the mandatory duty for the Council to carry out public consultation on the SCI. However, the Council nonetheless considers it appropriate to seek your views on the revised version, particularly as the document has been simplified and produced in a more user-friendly format as a 10-page leaflet.

The revised Statement of Community Involvement is the subject of a four-week period of public consultation from **Monday 24 June to Monday 22 July 2013**.

Copies of the draft leaflet can be obtained from, or inspected at, the Planning offices at 3 Knowsley Place, Duke Street, Bury and can also be inspected at Bury Town Hall and selected local libraries (please see [www.bury.gov.uk/5265](http://www.bury.gov.uk/5265) for a list). Alternatively, you can request a copy by calling the Planning Policy and Projects Section on 0161 253 5550 or by email at [planning.policy@bury.gov.uk](mailto:planning.policy@bury.gov.uk).

Alternatively, copies may also be downloaded from the Council's web site at [www.bury.gov.uk/5265](http://www.bury.gov.uk/5265). A comment form is provided on the web site in

'Word' format and you can type in your response and return it as an e-mail attachment to the e-mail address above.

Completed comment forms or any other correspondence can also be returned by post to the address below by **no later than Monday 22 July 2013**.

FREEPOST RSHH-BGXC-LSSK  
Department of Communities and Neighbourhoods  
Planning Policy and Projects  
3 Knowsley Place  
Duke Street  
Bury  
BL9 0EJ

Comments may also be faxed to 0161 253 5290.

If you would like to discuss the SCI consultation draft, or the Local Plan in general, please contact a member of the Planning Policy and Projects Section on 0161 253 5550.

Yours faithfully,

A handwritten signature in black ink, reading "M Whitehead", enclosed within a hand-drawn oval.

**MICHAEL WHITEHEAD  
PLANNING OFFICER**

PLANNING POLICY AND PROJECTS

## **APPENDIX 2 – CONSULTATION DRAFT COMMENTS AND RESPONSES**

**Ref: 21**

**Response by: The Holcombe Society**

**Representation:**

Previous deliberations and decisions separated areas for building and areas for conservation, relaxation, recreation with such publications as the Walking Strategy and Rights of Way footpaths and bridleways, local nature reserves...but which the officers struggle to carry out the planners' decisions their resources are whisked away and not upheld by any element of enforcement. Posts from conservation officer, and ecology officers to wardens are considered redundant and discontinued.

The Planners' work and decisions are completely useless when they are ignored without any attempt to enforce. Health authorities have expressed concern on obesity in old and young. Government promised that the Olympic Games will inspire and effect general facilities for the rest of the population, concern is expressed for children playing computer games instead of playing in the countryside. Areas houses are built but then access to the countryside is blocked despite the effort of Commons as Rights of Way officers and so called Right to Roam when hitherto open spaces are fenced off and degraded. Trees are cut down intermittently. Open spaces are encroached on small and even larger areas.

The plans and policies and good intentions are there but not carried out due to lack of control of selfish reputation.

**Council's Response:**

Comments noted, no change required.

**Ref: 626**

**Response by: English Heritage**

**Representation:**

Thank you for consulting English Heritage on the above document. At this stage we have no comments to make on its content.

If you have any queries about any of this matter or would like to discuss anything further, please do not hesitate to contact me.

**Council's Response:**

Comments noted.

**Ref: 690**

**Response by: Natural England**

**Representation:**

Thank you for your consultation on the above and received by Natural England on 24 June 2013.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

We are supportive of the principle of meaningful and early engagement of the general community, community organisations and statutory bodies in local planning matters, both in terms of shaping policy and participating in the process of determining planning applications.

We regret we are unable to comment, in detail, on individual Statements of Community Involvement but information on the planning service we offer, including advice on how to consult us, can be found at <http://www.naturalengland.org.uk/ourwork/planningdevelopment/default.aspx>.

**Council's Response:**  
Comments noted.

**Ref: 696**  
**Response by: Network Rail**

**Representation:**  
Thank you for the opportunity to provide feedback to the proposed policy.

Network Rail is the 'not for dividend' owner and operator of Britain's railway infrastructure, which includes the tracks, signals, tunnels, bridges, viaducts, level crossings and stations - the largest of which we also manage. All profits made by the company, including from commercial development, are reinvested directly back into the network.

With regards to the proposal Network Rail has been included on the list of Specific and 'Duty to Co-operate' consultation bodies include the following (as at June 2013) and therefore we have no further comments to make.

**Council's Response:**  
Comments noted.

**Ref: 1058**  
**Response by: Friends of Cockey Moor, Whitehead & Parker Lodges**

**Representation:**  
I wish to be notified at all stages of any planning applications for the Green Belt in the Lowercroft - Whitehead Lodges area.

**Council's Response:**  
Comments noted, no change required.

On the receipt of a planning application, the Council's procedures are to publicise it in accordance with the statutory provisions contained within Article 13 of the Town and Country Planning (Development Management Procedure) Order 2010. This arrangement ensures that the public have an opportunity to comment on a planning application and its proposals whilst publicising the application in the most suitable way by either letters, press notice or site notices. It is therefore not reasonable for the Department of Communities & Neighbourhoods to hold such requests of individual notifications for an indefinite period in the event that an application may or may not meet given criteria such as the one requested.

**Ref: 1546**  
**Response by: National Trust**

**Representation:**  
Our only concern with this section is how the following intention is actioned in practice: 'We have developed a database of individuals, groups and stakeholders who we regularly contact on planning matters where it is of interest to them...'

It is unclear how the Council will determine what is of interest to individual consultees and unless there is a prior questionnaire to each person/body on the database to ask which specific documents/stages they wish to be consulted upon, then it will be necessary to take a very 'safety first' approach so that no inappropriate assumptions are made about what is in fact of interest to a particular consultee. This also needs to

include appropriate arrangements in respect of consultations relating to Neighbourhood Planning.

**Council's Response:**

Comments noted, change required. It is accepted that the reference to 'where it is of interest to them' is misleading and therefore this has been removed. Part 2 of the leaflet shows the bodies which we will consult and who we are required to consult so there is no negative impact caused by making this amendment. Advice on how the Council will aid groups who wish to become involved in neighbourhood planning is provided on our website and this is referenced within the SCI.

**Representation:**

We would question the wording:

'The arrows show when you can get involved in the planning process.'

For example, in terms of the Local Plan it is possible for consultees to get involved with both the Submission Stage and more particularly the Independent Examination. It would perhaps be more correct to say: 'The arrows show the stages at which stakeholders can influence emerging planning policies', i.e. as per the note under the graphic in the right hand margin.

**Council's Response:**

Agree with change, original reference in text removed.

**Representation:**

National Trust confirms its continuing interest in planning matters in Bury and wishes to remain on the Council's consultee database as well as being notified of individual applications that may have direct or indirect impacts upon the land and buildings that it owns and manages in the Council's area (additional information about the nature and extent of these can be provided on request if necessary).

Lastly, congratulations on preparing a well written draft SCI and that is only 10 pages long - well done!

**Council's Response:**

Comments noted and support welcomed.

**Ref: 1651**

**Response by: Civil Aviation Authority**

**Representation:**

While the CAA has a duty to provide aviation safety advice when requested, it is not a statutory consultee for planning applications (unless its own property is affected). In order to reduce the time devoted to unnecessary consultations, the following guidance aims to clarify requirements.

Other than the consultation required by Section 110 of the Localism Act 2011, it is not necessary to consult the CAA about:

- Strategic Planning Documents (e.g. Local Development Framework and Core Strategy documents) other than those with direct aviation involvement (e.g. Regional Renewable Energy Plans);
- Waste Plans;
- Screening Options;
- Low-rise structures, including telecommunication masts. With the exception of wind turbine developments, the CAA is unlikely to have any meaningful input related to applications associated with structures of a height of 100 feet or less that are situated away from aerodromes or other landing sites;
- Orders affecting Rights of Way or Footpaths;
- Sub-surface developments;
- General planning applications not affecting CAA property.

- Solar Photovoltaic Panels (SPV)

In all cases where the above might affect an airport, the airport operator is the appropriate consultee.

Please be advised that we will no longer respond to future correspondence received regarding the above subjects. Where consultation is required under Section 110 of the Localism Act 2011 the CAA will only respond to specific questions (but will nevertheless record the receipt of all consultations).

It is necessary to consult the CAA in the following situations:

- When a Local Planning Authority is minded to grant permission for a development to which a statutorily safeguarded airport or NATS Plc has objected
- When a Local Planning Authority is considering a proposed development involving wind turbines
- When a development involves structures of a height of 90 metres or more, lasers or floodlights

Further information on consultation requirements can be found on the CAA website, including document entitled Guidance on CAA Planning Consultation Requirements.

Further information on Solar Photovoltaic Panels can be found on the CAA website including document entitled Guidance on Photovoltaic systems.

Please could you ensure that your Planning Officers are aware of these principles and the revised policy and that any associated procedures are amended with immediate effect.

**Council's Response:**

Comments noted, no change required. The 2012 Regulations specify the Civil Aviation Authority as a body which the authority must consult with under the Duty to Co-operate, as outlined in the 2011 Localism Act.

**Ref: 1652**

**Response by: The Coal Authority**

**Representation:**

Thank you for consulting The Coal Authority on the above.

The Coal Authority welcomes the fact that we are acknowledged as a statutory consultee within the Draft Statement of Community Involvement.

We look forward to receiving your emerging planning policy related documents; preferably in an electronic format. For your information, we can receive documents via our generic email address, on a CD/DVD, or a simple hyperlink which is emailed to our generic email address and links to the document on your website.

Alternatively, please mark all paper consultation documents and correspondence for the attention of Planning and Local Authority Liaison.

Should you require any assistance please contact a member of Planning and Local Authority Liaison at The Coal Authority on our direct line.

**Council's Response:**

Comments noted.



**Ref: 1702****Response by: United Utilities****Representation:**

Thank you for your consultation and seeking the views of United Utilities in this process.

United Utilities supports growth and sustainable development within the North West.

Our aim is to proactively share our information; assist in the development of sound planning strategies, to identify future development needs and to secure the necessary long-term infrastructure investment.

United Utilities wishes to build a strong partnership with all Local Planning Authorities [LPAs] and Neighbourhood Groups to aid sustainable development and growth within the North West. We aim to proactively identify future development needs and share our information. This helps:

- ensure a strong connection between development and infrastructure planning;
- deliver sound planning strategies; and
- inform our future infrastructure investment submissions for determination by our regulator.

Water services are vital for the future well-being of your community and the protection of the environment. When developing your Local Development Framework [LDF] and future policies you should consider the impacts its community and environment and ensure infrastructure capacity is available.

We have no comments to make at this stage, but wish to be included in further consultations and where necessary, the development of your Local Plan and supporting polices, to ensure that all new growth can be delivered sustainably and with the necessary infrastructure available in line with the Council's delivery targets.

The Council should read our comments in conjunction with our historical responses and the covering letter; please do not extract/use our comments in isolation; as this may lead to confusion or a misunderstanding of our message.

Our historical consultation responses to your Local Development Framework consultations; planning applications and pre developer enquiries are still valid and you should consider them when developing your Local Plan and supporting policies.

**Council's Response:**

Comments noted.

**Ref: 1780****Response by: Bury Pipeline Talking Newspaper****Representation:**

I refer to you letter of 24th June which was sent to our former secretary. Mrs. Chadwick is no longer on our Committee and I have only just received your letter.

Please could you forward any future correspondence to me.

**Council's Response:**

Comments noted. Details have been amended on our records.

**Ref: 5207****Response by: Homes and Communities Agency****Representation:**

Thank you for your recent enquiry to the Homes and Communities Agency received on 24 Jun 2013, regarding Bury's Statement of Community Involvement leaflet.

Please be aware that I have reviewed this and have no comments or suggestions to add.

**Council's Response:**

Comments noted.



**Bury Council**  
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**Duke Street, Bury, BL9 0EJ**  
**0161 253 5550**  
**[planning.policy@bury.gov.uk](mailto:planning.policy@bury.gov.uk)**  
**(August 2013)**