Copeland borough council

Proud of our past. Energised for our future.

REVISED STATEMENT OF COMMUNITY INVOLVEMENT

COPELAND BOROUGH COUNCIL LOCAL PLAN 2017-2035

August 2020

If customers have difficulty in accessing our publications because of disability, understanding or language it is our challenge, not theirs.

This document is available in different formats such as large print, braille, audio or in a different language by calling 01946 598300.

The Council uses an interpretation service for customers called Language Line. This service provides a translator for virtually any language to be accessed without delay. The Council has a PIN (Personal Identification Number) for its Language Line account which staff can use to access an interpreter for the customer.

আপনি 01946 598300 -এই নম্বর ফোন করে, বিভিন্ন ফরম্যাট যেমন বড় প্রিন্ট, ব্রেইল, অডিও বা একটি ভিন্ন ভাষাতে এই নথিটির একটি কপি পেতে পারেন৷

Pode obter uma cópia deste documento em vários formatos, como por exemplo em Braille, áudio, ou numa outra língua. Para tal ligue para o 01946 598300.

如果您想获取该文件的不同版本，如：大字体印刷、盲文、音频或不同语言版本，请致电：01946 598300。

Paskambinę telefonu 01946 598300, galite užsisakyti šio dokumento kopiją įvairiais formatais, pavyzdžiui, atspausdintą dideliu šriftu, Brailio raštu, užsisakyti garso įrašą arba gauti dokumentą, išverstą į norimą kalbą.

Aby otrzymać kopię tego dokumentu w innych formatach, takich jak duży druk, druk Braille'm, audio, lub w innym języku proszę dzwonić pod numer 01946 598300.

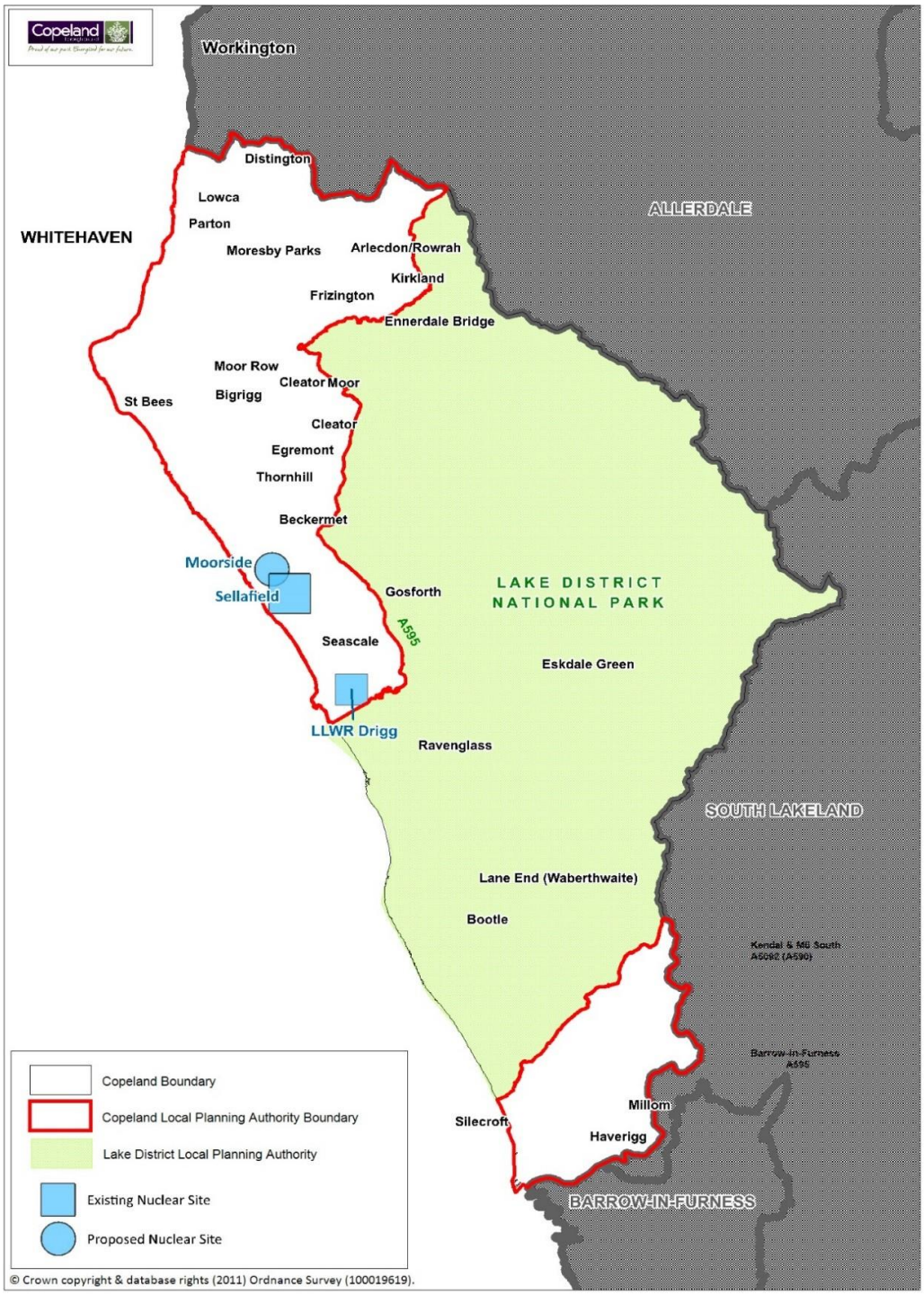
01946 598300’ u arayarak, bu dokümanın bir kopyasını büyük puntolu, körler için kabartmalı, ses dosyası gibi değişik formatlarda veya farklı bir dilde edinebilirsiniz.

Copeland Borough Council
Revised Statement of Community Involvement
August 2020

Produced by the Strategic Planning Team, Copeland Borough Council, Market Hall, Market Place, Whitehaven, CA28 7JG

Contact us on telephone: 01946 598300 or email: ldf@copeland.gov.uk

Map 1: Copeland Borough Council Local Planning Authority Area with Neighbouring Local Planning Authorities



NB: The Lake District National Park Authority is responsible for planning policy and decision making within the Lake District National Park boundary.

Contents

1 THE STATEMENT OF COMMUNITY INVOLVEMENT (SCI) 6

- The Requirement to Revise the Adopted SCI 2008
- Changes in Planning Legislation
- Neighbourhood Planning

2 COMMUNITY INVOLVEMENT IN THE LOCAL PLANS PROCESS 11

- The Copeland Local Plan 2013-2028

3 COMMUNITY INVOLVEMENT IN DEVELOPMENT MANAGEMENT PROCESS 25

- The Development Management Process

4 MONITOR AND REVIEW 38

- Monitor and Review

5 RESOURCES 39

- Resources Available to Copeland Borough Council
- Sources of Information

MAPS, FIGURES AND TABLES

Map 1: Copeland Borough Council Local Planning Authority Area

Figure 1: The Local Plan Process

Figure 2: Preparation Process of Local Plan Documents

Table 1: Consultation Methods for Producing Local Plan Documents

Table 2: Statutory Publicity Requirements for Planning Applications

APPENDICES

Appendix 1: National Policy Context and Changes in Planning Legislation

Appendix 2: List of Consultees and Deposit Locations for Local Plans

Appendix 3: Types of Planning Applications

Appendix 4: Glossary of Terms

FOREWORD

This Revised Statement of Community Involvement (SCI) 2020 has been produced by Copeland Borough Council (CBC) as part of the development of the emerging Local Plan. The original version of the Copeland SCI was adopted in 2008 and superseded in 2016. This version updates and replaces the 2016 document. The document's geographical focus is the Borough of Copeland, outside of the Lake District National Park (Map 1).

As a Local Authority, Copeland Borough Council is accountable to the people of Copeland and other stakeholders. As such, the Council has a responsibility to be open, honest and transparent by engaging, informing and involving people and their communities on planning matters which affect them.

Copeland Borough Council is committed to improving the way the community is consulted and involved in the planning system. The Council recognises that community involvement is essential to encourage local ownership of policies and to ensure that the needs and aspirations of the local community are taken into account in the preparation of documents and decisions which help shape the future development of the area. Community consultation also provides an opportunity to identify and resolve any possible areas of conflict early on in the process.

Fundamentally, the Revised SCI 2020 aims to set down how and when the Council will involve the local community in the planning process along with how this document will continue to be monitored and reviewed over time.

The Revised SCI 2020 identifies changes to national planning policy and temporary changes such as those arising from the Covid- 19 pandemic, and considers how best to engage with the community in light of this. It also considers the influence that the Local Plan has on planning and the roles played by the Borough Council, County Council and

members of the community in relation to planning matters, as well as any impacts on neighbouring authorities and neighbourhood plan areas.

1 THE STATEMENT OF COMMUNITY INVOLVEMENT (SCI)

1.0 The Statement of Community Involvement (SCI) is a Local Plan document which sets out the standards and processes the Council will use to achieve meaningful consultation through engaging, informing and involving the community, consultees, stakeholders and other interested parties in the following:

- The preparation, alteration and review of the Copeland Borough Council Local Plan 2017-2035
- The consideration of planning applications.
- Neighbourhood Plan engagement

1.1 The SCI is a key document in the Local Plan suite of documents and the Council must adhere to it when producing Local Plan documents. Failure to do so could result in documents being judged as unsound at the Local Plan Examination.

1.2 The Local Plan and Development Management processes have different ways of engaging with communities. This report aims to explain the distinct differences between the two processes which ensure the economic, social and environmental development of Copeland.

The Requirement to Revise the Adopted SCI 2016

1.3 It is a requirement of the Planning and Compulsory Purchase Act 2004 S.18 (as amended) for Local Planning Authorities (LPAs) to prepare a SCI. The SCI represents a statement of the LPA's policy on the involvement of interested parties in local planning and management of development.

1.4 The SCI for Copeland was first adopted in 2008 and updated and replaced in 2016 in light of changes in legislative requirements for consultation. The National Planning Policy Guidance (NPPG) states that LPAs must review their SCI every 5

years from the adoption date, although they may review it at the same time as updating a plan to reflect the action being taken to involve the community in any change to the plan. This version has been updated further to reflect the most up to date planning policy guidance under the NPPF (2019).

1.5 Additionally, the 2020 Covid- 19 pandemic resulted in a national lockdown and subsequent social distancing measures. In light of this, changes have been made to the planning process under The Town and Country Planning (Development Management Procedure, Listed Buildings and Environmental Impact Assessment) (England) (Coronavirus) (Amendment) Regulations 2020. This has led to temporary changes to the publicity requirements for certain planning applications. There has also been changes relating to the ability to engage with the public during consultation on planning documents. In light of these changes and Copeland's emerging Local Plan, revisions have been made to the SCI. It is likely that these changes will be temporary under paragraphs 077 and 078 of the NPPG, and will be reviewed accordingly when social distancing measures have been removed.

1.6 A statutory Duty to Co-operate has also been introduced which places a legal duty on Local Planning Authorities, County Councils and public bodies in England to engage constructively, actively and on an ongoing basis

Changes in Planning Legislation

1.7 This section provides an overview of the national and local planning legislation and guidance relevant to the preparation of planning policy and the consideration of planning applications. More detail on each piece of legislation or guidance listed can be referred to in Appendix 1: National Policy Context and Changes in Planning Legislation.

National context

1.8 The legislation and guidance on the following pages set out statutory requirements for engagement with various different groups and the consultation processes as a whole. In addition to the planning and policy processes, when undertaking consultation exercises the Council complies with wider legislation such as the Data Protection Act (General Data Protection Regulations), Human Rights Act and the Equality Act.

1.9 Each heading identified below provides a link to specific pieces of legislation or guidance which is subject to change on a frequent basis. Following adoption of this Revised SCI 2020, it is important to ensure that the most recent legislation and guidance is referenced by the reader. However, the Council will endeavour to continue to make minor amendments to the Revised SCI 2020 where necessary.

1.10 More information can be found via the Copeland Local Development Scheme on the Council's website http://www.copeland.gov.uk/content/planning-policy-introduction.

- Planning and Compulsory Purchase Act (2004): sets out the key requirements in the preparation of local planning documents.
- Localism Act (2011): introduces a number of changes which apply to consulting on planning applications and the preparation of local plans including the Duty to cooperate and neighbourhood planning.
- Neighbourhood Planning (General) Regulations (2017) provides more information about the processes involved in producing neighbourhood plans.
- National Planning Policy Framework (NPPF) (2019): Provides an update to the NPPF (2012), which replaces the previous Government's set of Planning Policy Guidance (PPGs) and Planning Policy Statements (PPSs) and sets out the presumption in favour of sustainable development.
- National Planning Practice Guidance (NPPG): sets out background and supporting information for the NPPF on specific matters such as consultation on planning applications, design, housing, Local Plans and Duty to Cooperate.

- Local Plan Regulations (2012): The Town and Country (Local Planning) (England) Regulations 2012 set out revised procedures for preparing Local Plan documents.
- Town and Country Planning (Development Management Procedure) (England) Order (2010): sets out the statutory provisions for consultation on planning applications and specifies the bodies to be consulted, dependent on the type of planning application.
- The Town and Country Planning (Development Management Procedure and Section 62A Applications) (England) (Amendment) Order 2013 specifies the requirement for developers to carry out pre-application consultation and in some cases exhibitions, for all onshore wind development of more than two turbines or where the hub height of any turbine exceeds 15 metres.
- Town and Country Planning General Permitted Development (Amendment) Order 2015: grants planning permission for a range of (mostly) minor development subjectto certain limitations and conditions.
- The Town and Country Planning (Development Management Procedure, Listed Buildings and Environmental Impact Assessment) (England) (Coronavirus) (Amendment) Regulations 2020.: Outlines changes to the planning process in light of the Covid-19 (Coronavirus) pandemic

Local Context

1.11 The Local Plan and the Revised SCI 2020 will ensure the Council reflects the following local strategies:

- The Copeland Partnership Plan - A Strategy for Sustainable Communities in Copeland
- Cumbria Local Industrial Strategy 2019
- Cumbria Strategic Economic Plan (The four pronged attack) 2014-2024
- Copeland Borough Council's Corporate Plan 2016-2020
- Copeland Growth Strategy 2016-2020

- Copeland Housing Strategy 2018-2023;
- Cumbria Nuclear Prospectus: Five Proposals for Our Nuclear Future 2020
- Copeland Vision and Prospectus for Growth 2020

Neighbourhood Planning

1.12 Copeland Borough Council recognises the value of neighbourhood planning in fulfilling local community planning priorities, and in helping to make strategic planning policy work at a local level.

1.13 Neighbourhood planning was introduced under Part 2 of the Town and Country Planning (England) 2012 and the Neighbourhood Planning (General) Regulations 2012, enabling local communities to prepare neighbourhood Development Plans also known as Neighbourhood Plans and to create Neighbourhood Development Orders.

1.14 A Neighbourhood Plan enables communities to set general planning policies for development and land use within their defined Neighbourhood Area. The level of detail in the plan is set by the local community. A Neighbourhood Development Order effectively grants planning permission within a designated Neighbourhood Area.

1.15 The Council will positively engage with Neighbourhood Planning and will provide appropriate assistance from officers within the Strategic Planning Team to advise the group preparing the Plan.

1.16 To provide additional guidance on Neighbourhood Planning a Copeland Protocol was produced in 2013 and updated in 2020 which sets out procedures, legislation, and the role of the Council and those involved in producing a Neighbourhood Plan. The Protocol is available to view on the Council's website

at: https://www.copeland.gov.uk/content/guide-neighbourhood-planning. It can also be provided in hard copy if required.

2 COMMUNITY INVOLVEMENT IN THE LOCAL PLANS PROCESS

2.1 With the introduction of the National Planning Policy Framework (NPPF) in 2012, the government simplified the planning system so that communities and Councils can work closer together to achieve social, environmental and economic sustainable development for their areas. This was subsequently updated in 2019.

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced (NPPF 2019).

2.2 This chapter explains the Local Plan process in Copeland and the stages of preparation that policy documents are required to go through before they are adopted by the Local Authority.

Copeland Borough Local Plan 2017-2035

2.3 Copeland Borough Council is currently in the process of developing a new Local Plan that will replace the adopted 'Copeland Local Plan 2013-2028' and Saved Policies. This SCI has been produced alongside the Preferred Options Draft for the Local Plan, which sets out the Council's preferred policies and sites.

Structure of the Local Plan

2.4 The Local Plan consists of a series of documents (see Figure 1, p13) including the Statement of Community Involvement (SCI), Annual Monitoring Report (AMR) and Local Plan documents.

2.5 There are two types of Local Plan document: Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs). A full list of Local Plan documents, together with any key dates for their production, can be found in the Council's Local Development Scheme (LDS) on the Council's website http://www.copeland.gov.uk/content/planning-policy-introduction.

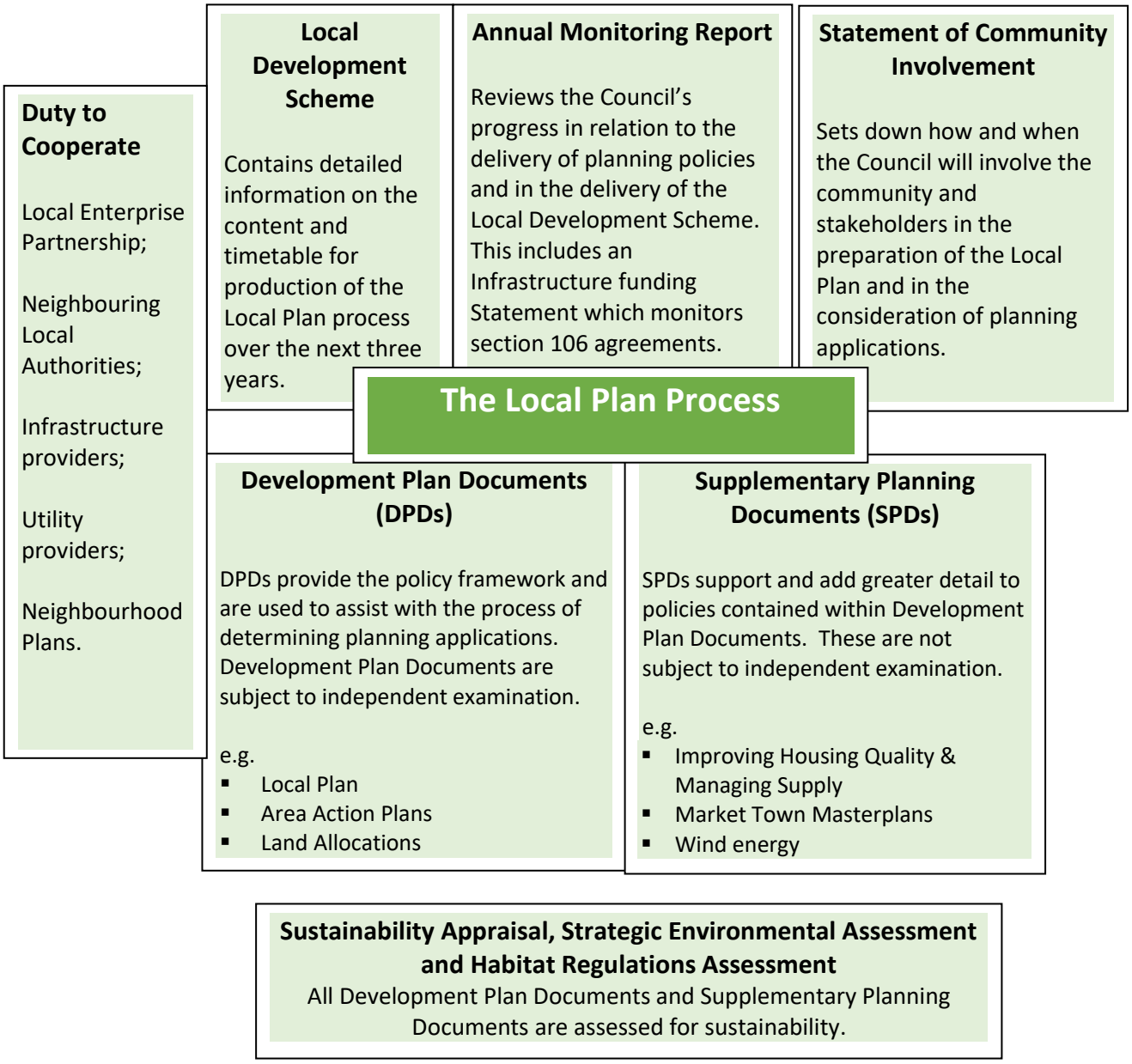
Sustainability Appraisal (SA), Strategic Environmental Assessments (SEAs) and Habitats Regulations Assessments (HRAs)

2.6 SEA is a process which ensures that environmental impacts are considered throughout the formation of Local Plans. SA is similar, except it takes into account a broader scope of development impacts, including the economy, the environment and local communities. Each Local Plan document is subject to a continuous process of Sustainability Appraisal (SA), which incorporates the SEA, to ensure that impacts are considered and mitigated against throughout the plan making process. Each Local Plan document goes through a rigorous preparation process, with each iteration being tested. This is outlined in Figure 1.

2.7 The full Integrated SA and SEA Report is published along with the Preferred Options, publication and submission drafts and draft documents for comment. Comments received will be considered before the final SA Report and Local Plan is produced. The SCI does not require an accompanying SA.

2.8 In addition to SAs and SEAs, where a land-use plan is likely to have a significant effect on a European designated site and is not directly connected with or necessary for the management of the site, the Council must make an appropriate assessment of the implications for the site in relation to the site's conservation objectives. The appropriate assessment is often undertaken alongside the SA process and is referred to as a Habitats Regulations Assessment (HRA).

Figure 1: The Local Plan Process



2.10 The Local Development Scheme (LDS) contains detailed information on the content and timetable for production of the Local Plan over the next three years. The Annual Monitoring Report (AMR) reviews the Council's progress in relation to the LDS and national policy.

Producing Local Plan Documents

2.11 Local Plan documents are required to undertake a specific process of production, as outlined in Figure 2 below.

Figure 2: Preparation Process of Local Plan Documents

Development Plan Document (DPD) Preparation Process				
STAGE 1 **PRE-PRODUCTION** Survey and evidence gathering, including the production of an Issues and Options document for consultation which outlines the key issues for the borough and methods for overcoming these.	STAGE 2 **PRODUCTION** Preparation of Preferred Options, SA (Including SEA) and HRA for consultation for a minimum of 6 weeks (Regulation 18). Comments are considered and draft DPD and SA amended where necessary.	STAGE 3 **PUBLICATION** public consultation that seeks representation on whether the Plan is sound, legally compliant and whether the duty to cooperate has been met	STAGE 4 **EXAMINATION** Independent examination to assess the soundness of plans carried out by the Planning Inspectorate. The Inspector will prepare a report with any amendments that need to be made. The Inspector may request consultation on any proposed modifications.	STAGE 5 **ADOPTION** In accordance with the recommendations of the Inspector's Binding report the Council will adopt the DPD and SA.

Supplementary Plan Document (SPD) Preparation Process		
STAGE 1 **PRE-PRODUCTION** Evidence gathered will be used to prepare a draft SPD along with a draft SA. Draft documents will be sent to statutory consultees and relevant stakeholders for comment.	STAGE 2 **PUBLIC PARTICIPATION** The draft SPD and SA will be made available for consultation for 6 weeks (Regulation 12). All responses will be considered and used to finalise the SPD and SA.	STAGE 3 **ADOPTION** The Amended SPD and SA will be adopted by the Council.

2.12 Full Council approve Local Plan documents before the document undergoes public consultation and/or submission for public examination. Full Council also agrees any necessary changes before formally adopting Local Plan documents.

2.13 In addition to the formal approval of Local Plan documents by Full Council, workshops and meetings with the LDF Panel are held to examine issues involved in the preparation of Local Plan documents and advise Full Council accordingly.

2.14 Members of the LDF Panel are also involved in examining the means, extent and timing of consultation with stakeholders and the local community. This is to ensure inclusiveness, consistency and consideration of formal objections/ expressions of support at the appropriate stages of Local Plan document production.

Local Plans Consultation – Who to consult?

2.15 The Planning and Compulsory Purchase Act 2004 (as amended) and associated regulations set down minimum public participation requirements which each Local Planning Authority (LPA) must comply with for the production of Local Plan documents. The Council adhere to the regulations and where possible exceed them. A list of consultation bodies can be found in Appendix 2: List of Consultees and Deposit Locations for Local Plans.

2.16 In addition to the specific and general consultees there are other bodies who are consulted including (and not exclusive to) the following:

- A database of Local Plan contacts: used to consult on the preparation of Local Plan documents. All contact details are held in accordance with the General Data Protection Regulation (GDPR) and anyone can request their details to be added to or deleted from the Local Plan Consultee database at any time. If you would like to be kept informed of emerging Local Plan documents please send an email to ldf@copeland.gov.uk or telephone the Strategic Planning team on 01946 598300.
- Members of the Council have an important role to play in the development of the Local Plan process and in the determination of planning applications. Some

Members of the LDF Panel also sit on Planning Panel which exists to help determine planning decisions.

- Under-represented Groups: The Council is keen to engage those people who belong to traditionally under-represented groups i.e. single parent families; young people; people from ethnic minority groups; homeless people; people with disabilities; people living in areas of deprivation or low income and; people living in remote areas, particularly those with limited internet access. This list is not exhaustive.

2.17 The Council continuously seek to identify new ways of encouraging involvement from under-represented groups in the planning process through:

- Targeted leaflets;
- Providing information in a concise and easy to read manner;
- Providing information in different formats where required;
- Improving the accessibility and ease of submitting comments using the Council's website;
- Using social media.

This list has been altered as a result of Covid- 19 restrictions on public gatherings. Usually, engagement with under-represented groups would also be achieved through careful timing and consideration of the accessibility of meeting venues where possible. As a result of this, the importance of leaflets and social media in reaching under-represented groups will be considered and maximised.

2.18 The Council works with both the Cumbria Local Enterprise Partnership (LEP), Cumbria County Council and other District Councils to maximise involvement of under-represented groups.

<u>Local Plans Consultation – How to consult?</u>

2.19 In accordance with the Regulations the Council must comply with the procedures set out in the Revised Statement of Community Involvement (SCI) 2020 when producing any Local Plan document.

2.20 The Council recognise that consultation methods may need to be tailored and as such, identify the most appropriate methods of consultation for the specific Local Plan document by considering the characteristics of each sector of the community involved. Further details on methods used and the type of Local Plan document they are most suited to can be found in the table on the following pages.

2.21 As has been previously mentioned, at the time of writing this document, restrictions are in place as result of the Covid-19 pandemic. This restricts the ability for public meetings and alters guidance surrounding certain consultation methods, for example, restrictions around placing documents in public places.

2.22 As Government guidance surrounding social distancing measures alters, there may be scope for the list to change, allowing for more flexibility around consultation methods. On the other hand, there may be potential for a 'local lockdown' in Copeland, which could restrict the methods further. The Council will endeavour to achieve meaningful engagement with the public and alter consultation methods accordingly in line with any changes.

2.23 A column has been added to the table to highlight the changes made to consultation processes in light of Covid-19. This demonstrates the measures the Council would usually take to consult on Local Plan documents and the approach being taken at the time of writing this SCI. These changes are temporary measures made in line with paragraph 077 of the NPPG and will be reviewed accordingly.

Table 1: Consultation methods for Producing Local Plan Documents

Method of consultation applied	**How the method of consultation is usually applied**	**Changes in light of Covid-19 restrictions**	**Planning document applied to**
Consultation drafts of documents at Deposit locations	When producing Local Plan documents the Council deposits draft documents for inspection at Copeland Borough Council offices at the Market Hall Whitehaven, Millom Council Centre and at other local facilities such as libraries, depending on the subject of the Local Plan document. Written responses are sought either by post or by e-mail.	The Council will still aim to provide hard copies of documents to deposit locations. This will depend on government guidance surrounding social distancing and hygiene as well as the individual regulations in place. Discussion will take place with libraries and the appropriate contacts at the Council Offices to determine the ability to do this, with potential measures including an increased number of document copies to allow for rotation. In the event of a Local lockdown, providing draft documents to deposit locations will not be possible.	All Local Plan documents.
Website and email	The Council publishes all draft documents for inspection on the Planning Policy pages of Copeland Borough Council's website. Written responses are sought either by post or by email.	The Council will continue to publicise documents through their website and email. Given the current circumstances, this will be maximised as much as possible.	All Local Plan documents.
Direct notification via letter or email	Written notification is sent (via letter or email) to all specific and general consultees (as outlined in Appendix 2) along with all other consultees on the Local Plan database to inform them of formal stages of the production process. These methods of communication will provide a link to the website to provide access to the relevant document(s).	The Council will continue to send notification to consultees via letter or email.	All Local Plan documents.

Method of consultation applied	How the method of consultation is usually applied	Changes in light of Covid-19 restrictions	Planning document applied to
Social media	The Council ensures that, as far as possible, it uses social media (Facebook, Twitter and LinkedIn) to notify all followers and friends of any milestones regarding the Local Plan process.	Given the current circumstances and restrictions, it is vital that the Council continue to promote the Local Plan through social media. Discussions are currently underway with the Communications team which will ensure that social media coverage is as widespread as possible and provides easy access across the community. This may include separating key themes up into easy to understand segments of information, releasing information at different times of the day to maximise readers and providing photos and videos to engage the audience and encourage participation.	All Local Plan documents.
Topic-based focus groups	The Council organise topic-based focus groups when seeking to generate debate on issues and options with key stakeholders and interest groups.	Where required, the Council will continue to carry out these meetings virtually to align with Government social distancing guidelines.	Development Management Policies and Site Specific Allocations.
Presentations to specific meetings	The Council applies this method for scheduled meetings e.g. Town and Parish Council meetings, by attending these meetings or with invitations to a separate specifically scheduled meeting.	Where possible, the Council will endeavour to continue attending these meetings virtually.	Core Strategy; Development Management and Site Specific Allocations.

Method of consultation applied	How the method of consultation is usually applied	Changes in light of Covid-19 restrictions	Planning document applied to
Locality Groups	There are six Locality groups across Copeland administered by the Community and Economic Regeneration team at the Council. The Locality Groups provide opportunities for key stakeholders to come together to debate local issues and help influence priorities. The Council attends Locality Group meetings when appropriate to discuss and debate local issues.	Where required, it is likely the Council will continue to attend these meetings virtually to align with Government social distancing guidelines.	All Local Plan documents.
Exhibitions	Manned/unmanned exhibitions, roadshows or displays may be used at key stages of production of Local Plan documents to illustrate proposals for the area to local residents. These events would provide face-to-face contact with Council staff who would be available to answer questions and receive comments from the community.	Under the Covid-19 restrictions, it is unlikely that these exhibitions will take place.	Development Plan Documents; Development Management and Site Specific Allocations; Supplementary Planning Documents.
Leaflets, posters & letters	The Council may produce leaflets, posters and letters to promote either an exhibition taking place, or produce a summary leaflet and poster for a Local Plan document when deemed necessary.	Given the current circumstances and restrictions, it is vital that the Council continue to promote the Local Plan through leaflets and posters. Discussions are currently underway with the Communications team which will ensure that coverage is as widespread as possible and provides easy access to information across the community.	All Local Plan documents.

Method of consultation applied	How the method of consultation is usually applied	Changes in light of Covid-19 restrictions	Planning document applied to
Questionnaires	Questionnaires may be sent to our database of contacts or, when we wish to consult with a cross-section of our community the Council will use the Community Voice panel: a panel of residents in the Copeland Borough who are representative of the Borough and who have agreed to take part in surveys and research conducted by the Local Authority.	The Council will continue to consult with the community using Questionnaires. Respondents will be encouraged to provide responses through email or post.	All Local Plan documents.
Media	At the formal consultation stage, a notice is placed in the most appropriate local newspaper with details of when and where the documents can be inspected and details of how and when to respond to consultation documents. The Council also seeks advice from the Council's Communications Team on the use of press releases, radio interviews, Twitter, Facebook and LinkedIn updates, the use of the Council's residents' magazine 'Copeland Matters' and the Council's internal staff magazine 'Copeland Chat'.	The Council will continue to provide details of Consultation through media outlets. Given the current restrictions, this is increasingly important and therefore care will be taken to maximise media coverage and engagement with the community	All Local Plan documents.
Planning For Real	This technique involves role playing events using maps and models which the local community take part in. The events are led by trained staff. This can be a costly method of engagement so will be used when both staff and financial resources allow.	Under the Covid-19 restrictions, it is unlikely that these events will take place.	Core Strategy; Development Management and Site Specific Allocations; Development Plan

Method of consultation applied	How the method of consultation is usually applied	Changes in light of Covid-19 restrictions	Planning document applied to
			Documents; Supplementary Planning Documents (subject to available resources)
One-to-One Meetings / Officers attending Community Meetings	The Council may attend one-to-one meetings and community meetings and engage with colleagues internal to the Council.	The Council will continue to engage with one-to-one sessions on virtual platforms where possible and where required.	All Local Plan documents.

2.24 As standard practice and in accordance with Local Plans legislation the Council use the following mechanisms of consultation:

- Making copies of all documentation available for inspection during normal office hours at the Council's principal reception and other suitable locations for the duration of the six-week consultation period. Some consultations may be extended beyond this, for example, if they fall over the Christmas period. (see Appendix 2 for deposit locations where documents will be available to view)[1];
- Placing all documentation and supporting information on the Council's website (www.copeland.gov.uk) with details of where and when the documents are available to be inspected. Documents will be uploaded in PDF format and will be accessible using reading software;
- Directly notifying consultation bodies (outlined in Appendix 2) together with additional relevant contacts on the database of Local Plan contacts;
- Giving notice by advertising in local newspapers stating where and when documents can be inspected, how copies can be obtained, where to send representations and the closing date for representations;
- Using social media to promote consultations and any other public meeting or event being held. The Council will endeavour to maximise social media promotions as a result of Covid-19 restrictions.

2.25 On submission to the Planning Inspectorate, a Local Plan document must be accompanied by a Statement of Consultation identifying the methods used to consult the public (at regulation 18 and regulation 19 stages) and how the consultation complies with the Statement of Community Involvement (SCI). If an inspector finds the council has not complied with the standards set out in the SCI the Local Plan document could be withdrawn.

Feeding back to the community

[1] The council will endeavour to continue providing documents in suitable locations in line with any national and individual social distancing measures brought in following the Covid-19 pandemic

2.26 The Council will make copies of representations received to statutory consultation exercises available to view at the two main Council offices in Whitehaven and Millom.[2] In addition, a consultation report is produced, summarising representations received along with the Council's response to those representations, together with any necessary changes to the document. This will be available on the Council's website at www.copeland.gov.uk.

2.27 The Council will notify those who submit representations, those who request to be notified of the submission of a Local Plan document to the Planning Inspectorate and any other interested parties, of future consultation stages and document adoption. At submission stage, this role is taken over by the Programme Officer.

[2] The council will endeavour to continue providing documents in suitable locations in line with any national and individual social distancing measures brought in following the Covid-19 pandemic

3 COMMUNITY INVOLVEMENT IN DEVELOPMENT MANAGEMENT PROCESS

3.1 According to the Ministry for Housing, Communities and Local Government (MHCLG) Plain English guide to the Planning System, the purpose of planning is to:

> *"…ensure (s) that the right development happens in the right place at the right time, benefitting communities and the economy. It plays a critical role in identifying what development is needed and where, what areas need to be protected or enhanced and in assessing whether proposed development is suitable."* (DCLG, 2015)

3.2 The majority of new buildings, changes to buildings, change in the use of buildings or significant changes to the local environment all require planning permission and are guided by the Local Authority's Local Plan (see chapter 2.0) which outlines the policies that need to be taken into account when making decisions or 'determinations' on planning applications. The following paragraphs explain the purpose and process of Development Management.

The Development Management Process

3.3 Development Management (formerly referred to as Development Control) is a statutory function of a Local Planning Authority (LPA). The Council's Development Management team handles the processing of planning applications and takes into account Copeland Local Plan documents; development briefs; masterplans, government guidance, relevant legislation and other material planning considerations when making planning decisions and determinations.

3.4 The above information is used to assess the individual merits of each development, support the management of sustainable development in Copeland both in the publics' interest and to help safeguard the social, environmental and economic environment.

Planning applications

3.5 Planning applications come in different forms ranging from major development proposals to simple householder extensions. Appendix 3 provides a brief overview of the types of applications that are regularly submitted in Copeland.

3.6 Cumbria County Council oversee planning applications which specifically focus on Minerals and Waste. Copeland Borough Council is the Local Planning Authority (LPA) for the borough of Copeland outside of the Lake District National Park. The Lake District National Park Authority is the LPA for the National Park.

Pre-application advice

3.7 The general public can find out about whether their development proposal require planning permission and/or approval under the building regulations by completing and returning a "Householder Development Enquiry Form", which is available on Copeland Borough Council's website www.copeland.gov.uk or from the Council Offices at Market Hall, Whitehaven in the north of the Borough, Millom offices in the South. This is currently a free service that is operated by the Planning Team. Any completed and returned form is usually responded to within a time period of 10 working days.

3.8 The Council encourage applicants to contact the Development Management team at an early stage of their development proposal to find out whether planning permission is required and if necessary, to obtain pre-application advice. This is particularly important for larger scale development proposals which are likely to raise more complex planning issues. Planning Officers can be contacted for all pre-application enquiries by either:-

Email development.control@copeland.gov.uk or

Telephone 01946 598300.

Planning Performance Agreements (PPAs)

3.9 A Planning Performance Agreement (PPA) is a tool which encourages joint working between the applicant and Local Planning Authority and can also help to bring together other parties such as statutory consultees.

3.10 A PPA is agreed voluntarily between the applicant and the Local Planning Authority prior to the application being submitted and can be a useful focus for pre-application discussions regarding the main issues that will need to be addressed as part of the planning application process.

3.11 Although PPAs may be appropriate for any application they are more relevant to larger and more complex planning applications. PPAs also provide an opportunity to identify the preferred approach to community engagement, including the identification of the specific communities to involve, the process of engagement and the best approach to incorporating their views.

Planning obligations

3.12 Planning obligations and other contributions made by a developer to the LPA help to make a development proposal acceptable in planning terms, where it would have otherwise been unacceptable. This includes the provision of appropriate mitigation measures to address the impacts that may result from a particular development. The Council encourages discussions of this nature as early as possible in the planning process including at the pre-application stage. In areas where there is currently two tier local government such as Cumbria discussions around infrastructure must also include Cumbria County Council who oversee such matters as highways and education provision.

Publicising Planning Applications

3.13 Once a planning application has been submitted the application goes through a period of validation whereby the information required to be submitted along with a planning application (often outlined at the pre-application discussion stage) is checked to make sure that all information required is present and accurate.

3.14 Once an application has been validated then the Local Planning Authority is required to undertake a formal period of public consultation, prior to making a decision. This is prescribed in article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). There are separate arrangements for applications for permission in principle which are set out in Article 5G of the Town and Country Planning (Permission in Principle) Order 2017 (as amended); for listed buildings which are set out in regulation 5 and regulation 5A of the Listed Buildings and Conservation Area Regulations 1990 (as amended) and for applications for prior approval for development which is subject to permitted development rights which are set out in Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

What publicity will take place to let the public know that a planning application has been submitted?

3.15 Local Planning Authorities have discretion about how they inform communities and other interested parties about planning applications. This usually comprises a combination of site notices and individual consultation letters, depending on the nature and scale of the development proposed. All planning applications are also published on the Council's website:-

www.copeland.gov.uk/view-and-comment-planning-applications

3.16 Article 15 of the Development Management Procedure Order sets out minimum statutory requirements for applications for planning permission. These are summarised in the table below:-

Table 2: Statutory publicity requirements for applications for planning permission and listed building consent

Type of development	Site notice	Site Notice or Neighbour notification letter	Newspaper or advert	Website
Applications for major development as defined in Article 2 of the Development Management Procedure Order (which are not covered in any other entry).		✓	✓	✓
Applications subject to an Environmental Impact Assessment which are accompanied by an environmental statement.	✓		✓	✓
Applications which do not accord with the development plan in force in the area.	✓		✓	✓
Applications which would affect a right of way to which Part 3 of the Wildlife and Countryside Act 1981 applies	✓		✓	✓
Applications for planning permission not covered in the entries above e.g. non-major development.		✓		✓
Applications for listed building consent where works to the exterior of the building are proposed.	✓		✓	✓
Applications to vary or discharge conditions attached to a listed building consent or involving exterior works to a listed building	✓		✓	✓
Applications for development which would affect the setting of a listed building, or affect the character or appearance of a conservation area.				

What is the time period for making comments?

3.17 The time period for making comments will be set out in the publicity accompanying the planning application. This will be not less than 21 days, or 14 days where a notice is published in a newspaper. To ensure comments are taken into account it is important to make comments before the statutory deadline. Local Planning Authorities may, at their discretion, take into account comments that are made after the closing date (but have no obligation to do so).

3.18 In prescribed circumstances local planning authorities must extend periods of public consultation by one day for each public holiday that occurs during the public consultation period. In this context 'public holiday' means Christmas Day, Good Friday, or a day which is a bank holiday in England.

3.19 Site notices are displayed as required by planning legislation and are used to advertise proposals which are considered to have a wider impact on the community. Site notices may also be used in certain cases for example, where ownership of neighbouring land may be unknown. The results of any such consultation will be taken into account in decision making process undertaken by the Council.

3.20 The publication of press notices for certain types of development is required by government regulation and relate to major applications; departures from the local development plan; developments affecting listed buildings and conservations areas; development affecting a Public Right of Way and; applications which are subject to an Environmental Impact Assessment (EIA).

3.21 If an application is significantly amended during its consideration, the Council will send a further round of consultation letters to those previously consulted and to

people who have also commented on the proposal. The Parish Council will also be re-consulted. However, if the Council considers that the proposed amendments alter the original application to a greater extent then a new application may be required to enable proper consideration of the revised scheme and to allow full consultation with statutory and non-statutory bodies.

3.22 The Council will publish a copy of applications and accompanying plans for anyone to view on its web site – www.copeland.gov.uk/view-and-comment-planning-applications. A paper copy is also placed on deposit at the Market Hall in Whitehaven. Copies of applications relating to the South Copeland area will also be available for inspection at the Council in Millom.

Consultation bodies

3.23 Once a LPA has received a planning application it must undertake a period of consultation to give interested parties the opportunity to express their views of the development proposal. Examples of the main types of LPA consultation are set out below:-

Statutory consultees: where there is a requirement set out in law to consult a specific body who are then under a duty to respond and provide advice on the development proposal. Examples of statutory consultees include:-

- Highways Authority;
- Local Lead Flood Authority
- Environment Agency
- Parish and Town Councils;

Non-Statutory consultees: In addition to the statutory consultees the local planning authority will need to consider whether there are planning policy reasons to engage other consultees who, whilst not designated in law, are likely to have an

interest in a proposed development. Examples of non- statutory consultees include:-

- Emergency services
- Forestry Commission
- Copeland Disability Forum/South Copeland Disability Forum.

Other forms of communication

3.24 The Local Planning Authority will, when appropriate, consider other methods of local communication to bring applications to the attention of those who are likely to have an interest in the application to provide them with information that would enable them to make relevant representations. These include but are not limited to the following:-

- Council newsletters
- Using the Councils social media channels such as Facebook and Twitter
- Using the Council's website
- Using local online newspapers
- Informing local neighbourhood forums and parish/town councils by email
- Informing local community, amenity and environmental groups by email

How to Comment

3.25 Anyone has the right to comment on a planning application even if they haven't been directly consulted by receiving an individual letter. Comments either in support or in objection are welcome by the LPA although only material planning considerations can be taken into account by decision makers.

3.26 Material planning considerations can include concerns such as loss of privacy, overshadowing, noise or disturbance, highways issues and previous appeals. Non material planning considerations include concerns such as loss of property value, building control matters, private issues between neighbours and loss of view.

3.27 Comments in response to planning applications should be made within 21 days of the date of validation of the planning application. All comments must be made in writing either by email: development.control@copeland.gov.uk or by letter posted or hand delivered to either:

Copeland Borough Council, Market Hall, Market Place, Whitehaven, CA28 7JG	**Copeland Council Office St Georges Road Millom LA18 4DD**

3.28 At the present time, all comments made either by post or email will be acknowledged by the Development Management team.

Decision making

3.29 Approximately 90% of the applications received by the Council are dealt with under powers delegated to officers and do not go to the Planning Panel for decision making. The adopted scheme of delegation is set out in the Councils constitution which is available on the Council's web site.

3.30 The Planning Panel is made up of Council Members representing communities across the Borough. Members of the public are also entitled to speak at the Planning Panel meetings, by prior arrangement under the Councils public speaking procedure. Details are available on the Council web site:- www.copeland.gov.uk/consultations-governance-policies-and-finance

The outcome of planning decisions

3.31 Once a planning application has been determined a decision notice represents the formal notification of the decision. A decision notice outlines whether an application has been granted or refused and this is sent to the applicant.

3.32 The Council posts decisions on planning applications on its website – www.copeland.gov.uk/planning/application-search-terms

3.33 A weekly list of all decisions issued is also published on a weekly basis – www.copeland.gov.uk/planning-applications-determined

3.34 Reports to the Planning Panel can be viewed on the Council website – https://copeland.moderngov.co.uk/mgListCommittees.aspx

3.35 Any queries relating to a decisions on a particular applications can be referred to the Planning team by telephone 01946 598300 or email development.control@copeland.gov.uk.

Planning Appeals

3.36 If an applicant disagrees with a decision from the Local Planning Authority (LPA) there is the right of appeal. The applicant also has the right to appeal against any Enforcement Notice served by the LPA.

3.37 All appeals are administered by the Planning Inspectorate and once an appeal has been submitted, it will be checked to make sure that information is present and correct.

3.38 The Case Officer dealing with the appeal will let the appellant know what else is required during the course of the appeal and the timescale it needs to be completed by.

3.39 After all the documentation has been gathered together the Inspector will consider all the evidence in the light of:

- The Local Authority's development plan (Copeland Local Plan 2013-2028);
- Local and national policy;
- The applicant's Statement of Case;
- The LPA's Statement of Case;
- Comments made on Statements of Cases;
- Comments submitted by any other parties.

3.40 The Planning Inspectorate will then consider the appeal and the appellant will normally get a decision within 19 weeks, yet this process can take longer. The appellant can challenge the decision in the High Court if it is considered that the Planning Inspectorate has acted unlawfully.

3.41 Members of the public can search for an appeal decision on the Planning Inspectorate website using the 'appeal' search function – https://acp.planninginspectorate.gov.uk/

Enforcement

3.42 The NPPF describes enforcement as:

> *"…a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control".* (NPPF, 2019)

3.43 Local planning authorities have responsibility for taking whatever enforcement action may be necessary in the public interest, within their administrative areas.

3.44 Breach of planning control is defined in section 171A of the Town and Country Planning Act 1990 as:

- The carrying out of development without the required planning permission; or;
- Failing to comply with any condition or limitation subject to which planning permission has been granted.

3.45 Any contravention of the limitations on, or conditions belonging to, permitted development rights, under the Town and Country Planning (General Permitted Development) (England) Order 2015, also constitutes a breach of planning control against which enforcement action may be taken.

3.46 Development becomes immune from enforcement if no action is taken:

- Within four years of substantial completion for a breach of planning control consisting of operational development;
- Within four years for an unauthorised change of use to a single dwellinghouse;
- Within ten years for any other breach of planning control (essentially other changes of use).

3.47 The Council has an Enforcement Officer whose duties comprise of the following:

- Investigating allegations and enquiries;
- Writing to complaints and offenders;
- Negotiating remedial action;
- Liaising with other council departments to ensure consistency of approach;
- Making recommendations as to the expediency of taking enforcement action;
- Checking compliance with enforcement notices and prosecuting for non-compliance;
- Appearing as a Council witness in the Magistrate Court.

3.48 Members of the public can report any breach of planning control by contacting planning.enforcement@copeland.gov.uk or telephoning the main customer service line on 01946 598300

3.49 To help the Council investigate a complaint, the following information is useful:

- Where is the location of the breach?
- What is the nature of the breach?
- When did you first notice the breach?
- Who is responsible for the breach?
- Do you have any evidence?

3.50 Once the Enforcement Officer has concluded the investigation into a complaint or report of a breach of planning permission the officer will inform the complainant of the outcome and of what action has been taken.

Each reported breach of planning control is different; some reports can take two weeks to resolve while others can take significantly longer. The Council keep an Enforcement register with a record of all complaints that have been made over the last six years.

3.51 The identity of any person reporting a suspected breach of planning control will be treated as confidential unless the complainant advises otherwise. Please note that the alleged offender might still correctly assume who the complainant is and we may also request attendance to provide evidence at any subsequent prosecution.

3.52 Members of the public can find more information about Enforcement procedures in Copeland by reading the Council's Planning Enforcement Manual at: http://www.copeland.gov.uk/attachments/planning-enforcement-manual.

4 MONITOR AND REVIEW

4.1 It is intended that the Revised Statement of Community Involvement 2020 will be a flexible document, particularly in light of recent Covid-19 restrictions and the 'new normal'. The consultation methods used will be continually monitored to evaluate their effectiveness. This may result in techniques being removed and new ideas and opportunities being tried.

4.2 Changes to the Revised SCI 2020 may also be required through further revisions of the Regulations which sets out by law, the community's involvement in the planning policy preparation and planning application processes.

4.3 The Annual Monitoring Report (AMR) will include an assessment of the success of the Revised SCI 2020. AMR's are available to view on the Council's website. The Revised SCI 2020 will be updated when:

- The types of groups identified have changed significantly;
- Different engagement techniques are to be employed;
- There is a change in the Regulations requiring amendments.

There is also potential for the SCI to be updated again if there is significant lasting impacts resulting from the Covid-19 pandemic that further impact on the ability to carry out consultation

4.4 These changes will be reported on as part of the publication of the Local Plan Monitoring Report and any programme for updates to that report set out in the Local Development Scheme.

5 RESOURCES

5.1 This section provides an outline of the resources available to the Council in the plan preparation, consultation, monitor and review processes of Local Plans. Also identified in this section are some useful sources of information for the reader and for anyone whom would like to engage in the planning process.

Resources available to Copeland Borough Council

5.3 The consultation techniques which have been included in this Revised SCI 2020 have been selected with the aim of engaging as wide a coverage of the community as possible, whilst at the same time using the resources available to the Council as efficiently as possible.

5.4 As the Council has limited resources, methods that aim to use existing consultation networks have been identified. For example, those developed through the Council's Locality Group structure which has strong links to the community and collaborative working practices.

5.5 Any change to the structure of the Strategic Planning Team will have implications for the effective delivery of the Revised SCI 2020. As such, where dedicated officers are unable to lead on the production of Local Plan documents, additional support will be commissioned and Council Officers will lead on arrangements for consultation in accordance with the procedures, outlined in this Revised SCI 2020, to ensure a co-ordinated and consistent approach.

Sources of Information

5.7 Below are some useful sources of information that will help the reader find out more information about planning policy and procedure, building regulations or economic and/or community regeneration strategies.

ModernGov: provides a facility for members of the public and Council staff to access a range of information and documents relating to the Council's decision making processes, to find out about forthcoming Council meetings and decisions and to obtain details of local political representatives.

Website: www.copeland.moderngov.co.uk

The Planning Inspectorate: deals with planning appeals, national infrastructure planning applications, examinations of local plans and other planning related and specialist casework in England and Wales.

Website: www.gov.uk Email: enquiries@pins.gsi.gov.uk
Phone: 0303 4445000; Fax 0117 3728782
Room 3/13, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN

Planning Portal: The UK government's online planning and building regulations resource can be used to find out more information about planning policy and building regulations and planning applications can be made online here.

Website: www.planningportal.gov.uk Email: support@planningportal.gov.uk
Phone: 0333 323 4589
Temple Quay House, 2 the Square, Temple Quay, Bristol, BS1 6PN

Planning Aid: a voluntary service offering free, independent and professional advice on planning matters to community groups and individuals. The Council will promote Planning Aid to the community to raise awareness of the advice and support available.

Website: http://www.rtpi.org.uk/planning-aid/ Email: contact@rtpi.org.uk
Phone: 020 7929 9494
Royal Town Planning Institute, 41 Botolph Lane, London, EC3R 8DL

National Planning Policy Framework (NPPF) and Planning Practice Guidance: an online resource covering guidance on appeals and Viability to Local Plans and Rural Housing. Guidance is intended to assist practitioners and offers an indication of the Planning Inspectorate's views. The department seeks to ensure that the guidance is in plain English and easily understandable.

Website: http://planningguidance.communities.gov.uk/
Planning Practice Guidance, Department for Communities and Local Government, SE Quadrant Third Floor Fry Building, 2 Marsham Street, London SW1P 4DF

Strategic Planning Team, Copeland Borough Council: this team is responsible for producing local land use policies, allocations and guidance that are all used in determining planning applications and act as guidance for future development in the Copeland Borough.

Website: http://www.copeland.gov.uk/content/planning-policy-introduction
Email: ldf@copeland.gov.uk Phone: 01946 598300

Development Management Team, Copeland Borough Council: this team is responsible for processing and making decisions on planning applications. Appointments can be made with a Development Management Officer discuss proposals by contacting the Development Management team.

Website: www.copeland.gov.uk/section/planning
Email: development.control@copeland.gov.uk
Phone: 01946 598418 / 598421

Building Control, Copeland Borough Council: this team is responsible for ensuring that building projects whether it is a new build, conversion or extension, are in compliance with the Building Regulations and other relevant design standards.

Website: http://www.copeland.gov.uk/buildingcontrol
Email: building.control@copeland.gov.uk
Phone: 01946 598409

Economic Development and Community Regeneration, Copeland Borough Council: this team takes a strategic role in the development and delivery of key initiatives around growth, skills and worklessness, diversification and community-led regeneration working closely with the six locality-based Partnerships in Copeland. The service supports Copeland's communities and their Community Leaders to actively participate in steering and delivering locally led growth and economic development.
Website: www.copeland.gov.uk Email: info@copeland.gov.uk
Phone: 01946 598300

APPENDICES

Appendix 1: National Policy Context and Changes in Planning Legislation

Appendix 2: List of Consultees and Deposit Locations for Local Plans

Appendix 3: Types of Planning Applications

Appendix 4: Glossary

Appendix 1: National Policy Context and Changes in Planning Legislation

The legislation and guidance below sets out statutory requirements for engagement with different groups and with the consultation processes as a whole. The Council also complies with wider legislation such as the Data Protection Act, Human Rights Act and the Equality Act when undertaking consultation exercises.

Planning and Compulsory Purchase Act (2004): sets out the key requirements in the preparation of local plan documents. In preparing these documents the Local Planning Authority (LPA) must have regard to:

- National policy and guidance;
- The Community Strategy (The Copeland Partnership Plan 2011/12) and any Local Plan document (The Copeland Local Plan 2013-2028) which has been prepared by an authority;
- The SCI;
- An appraisal of the sustainability of the proposals in each document. (Not applicable to the SCI – see section 2.1).

Localism Act (2011): introduces a number of changes which apply to consulting on planning applications and the preparation of local plans including the Duty to cooperate and neighbourhood planning:

Duty to Co-operate: establishes the Duty to cooperate in the planning of sustainable development. It requires a LPA to engage with other LPAs and designated bodies on strategic matters on an ongoing basis. For Copeland this means working alongside Allerdale Borough Council, Barrow-In-Furness Borough Council, Cumbria County Council, Lake District National Park and South Lakeland District Council. Copeland also takes into account the Local Plans of these neighbouring district authorities:

- Allerdale Borough Council Local Plan (Part 1) - Strategic and Development Management Policies and Local Plan (Part 2) - Site Allocations;
- Barrow-In-Furness Borough Council Local Plan 2016-2031
- Lake District National Park Local Plan Part One Core Strategy; Local Plan Part Two Allocations of Land and Local Plan Part Three Minerals Safeguarding Areas. The LDNPA is currently awaiting adoption of their new Local Plan
- South Lakeland District Council Local Plan Core Strategy 2010. South Lakeland are currently in the process of developing a new Local Plan

LPAs must also cooperate with the Local Enterprise Partnership (LEP), private sector bodies, utility and infrastructure providers. Evidence of cooperation is required to be demonstrated when Local Plans are submitted for examination.

Neighbourhood planning: introduces Neighbourhood Development Plans where parish and neighbourhood forums can produce a neighbourhood plan to establish general planning policies for the development and use of land within a defined neighbourhood. This may include identifying where new homes and offices should be built and what they should look like. Neighbourhood planning can also grant planning permission through Neighbourhood Development Orders and Community Right to Build Orders for specific development which complies with the order. On the back of the Localism Act 2011, the Neighbourhood Planning (General) Regulations (2012) was established to provide more information about the processes involved in producing neighbourhood plans.

The responsibility for ensuring the effective consultation and engagement when producing Neighbourhood Plans rests with the Local Parish/Town Council or Neighbourhood Planning Group. There is no requirement that Neighbourhood Plans are produced to conform to this Revised SCI 2020 yet it would be a useful starting point for any Neighbourhood Planning Group. The Council has produced a Neighbourhood Planning Protocol which outlines how it will be involved in the production process of Neighbourhood Plans. This protocol can be referred to on the Council's website at http://www.copeland.gov.uk/content/planning-policy-introduction.

National Planning Policy Framework (NPPF) (2019): Amendments to the 2012 version of the NPPF, which replaces the previous Government's set of Planning Policy Guidance (PPGs) and Planning Policy Statements (PPSs). It sets out the presumption in favour of sustainable development and identifies the following areas of attention to decision making:

- Economic - building a strong economy by ensuring the right type of land is available in the right places to support growth and infrastructure;
- Social - supporting strong, vibrant and healthy communities by providing sufficient housing to meet the needs of future generations and creating a high quality environment with accessible local services that reflect the community's needs;
- Environmental - contributing to protecting and enhancing our natural, built and historic environment, minimising waste and pollution, and adapting to climate change.

National Planning Practice Guidance (NPPG): sets out background and supporting information on the NPPF on specific matters such as consultation on planning applications, design, housing, Local Plans and Duty to Cooperate.

Local Plan Regulations (2012): The Town and Country (Local Planning) (England) Regulations 2012 set out revised procedures for preparing Local Plan documents. It specifies the bodies that LPAs must engage with in the preparation of planning policy documents. See paragraph 2.1 The Local Plan Process for more information.

Town and Country Planning (Development Management Procedure) (England) Order (2010): This Order sets out the statutory provisions for consultation on planning applications and specifies the bodies to be consulted, dependent on the type of planning application.

Furthermore, The Town and Country Planning (Development Management Procedure and Section 62A Applications) (England) (Amendment) Order 2013 which came into force on 17 December 2013 specifies the requirement for developers to carry out pre-application consultation and in some cases, exhibitions, for all onshore wind development of more than two turbines or where the hub height of any turbine exceeds 15 metres.

Town and Country Planning General Permitted Development (Amendment) Order 2015: The 2015 Order grants planning permission for a range of predominantly minor development, subject to certain limitations and conditions. Development granted planning permission under the Order is known as 'permitted development' and the effect is that no application needs to be made to the local planning authority to obtain planning permission, although in some cases the permitted development right is subject to 'prior approval' from the local planning authority in relation certain specified matters.

Examples of changes in permitted development rights for Copeland sees proposals to:

- extend the current right for larger householder rear extensions;
- install, alter or replace Solar Photovoltaics (PV) on the roofs of nondomestic buildings;
- Change the use of agricultural buildings to dwellings.

For further detail on permitted development rights please refer to the Planning Portal website under 'Change of Use'.

http://www.planningportal.gov.uk/permission/commonprojects/changeofuse

Appendix 2: List of Consultees and Deposit Locations for Local Plans

Adapted from paragraph 2, Part 1, The Town and Country Planning (Local Planning) (England) Regulations 2012.

Consultation Bodies
The regulations for the Planning and Compulsory Purchase Act 2004 sets out the categories of consultation bodies that must be consulted with on a Local Plan document.

The Act states that a Local Planning Authority must:

- Notify each of the bodies or persons set out below of the subject of a Local Plan which the local planning authority propose to prepare, and
- Invite each of them to make representations to the Local Planning Authority about what a Local Plan with that subject ought to contain.

The bodies or persons to be consulted must include:

- Such of the specific consultation bodies as the Local Planning Authority consider may have an interest in the subject of the proposed Local Plan;
- Such of the general consultation bodies as the Local Planning Authority consider appropriate; and
- Such residents or other persons carrying on business in the Local Planning Authority's area from which the Local Planning Authority consider it appropriate to invite representations.

The categories of consultation bodies set out in the Act include:

<u>Specific</u>

- The Coal Authority
- The Environment Agency
- The Historic Buildings and Monuments Commission for England (known as English Heritage
- The Marine Management Organisation
- Natural England
- Network Rail Infrastructure Limited
- The Highways Agency
- A relevant authority any part of whose area is in or adjoins the local planning authority's area
- Any person to whom the electronic communications code applies
- Strategic Health Trust
- A person to whom a licence has been granted under section 6(1)(b) or (c) of the Electricity Act 1989
- A sewerage undertaker
- A water undertaker

- Homes and Communities Agency

Statutory Consultation Bodies and Government Departments

- Department of Constitutional Affairs
- Canal and River Trust
- Commission for Architecture and the Built Environment
- Civil Aviation Authority
- Coal Authority
- Crown Estate Commissioners
- Department for Culture, Media and Sport
- Department for Education and Skills (through Government Offices)
- Department of Energy and Climate Change
- Department for Environment, Food and Rural Affairs
- Department for Health (through relevant Regional Public Health Group)
- Department for Transport (through Government Offices)
- Department of Work and Pensions
- English Heritage
- Environment Agency
- Forestry Commission
- Garden History Society
- Health and Safety Executive
- Highways England
- Home Office
- Local and Regional Bodies (County Planning Authority, District Planning Authority, Greater London Authority, Local Highway Authority, Local Planning Authority, Parish and Town Councils)
- Ministry of Defence
- Relevant Nationally Significant Infrastructure Projects
- National Air Control Transport Services and Operators of Officially Safeguarded Civil Aerodromes
- Natural England
- Office of Government Commerce (Property Advisers to the Civil Estate)
- Owners/controllers of telecommunications apparatus
- Rail Network Operators
- Sport England
- Theatres Trust
- Toll Road Concessionaries

Non-Statutory Consultees

- Conservation Area Advisory Committees
- County Archaeological Officers
- Drainage Board
- Emergency Services and Multi-Agency Emergency Planning
- Health Authorities and Agencies
- HM Revenue and Customs
- Local Authority Environmental Health Officers
- Navigation Authorities
- Police Architectural Liaison Officers and Crime Prevention Design Advisers
- Schools and Colleges
- Waste Disposal Authorities
- Water and Sewerage Undertakers

General Consultation Bodies

- Voluntary bodies some or all of whose activities benefit any part of the local planning authority's area
- Bodies which represent the interests of different racial, ethnic or national groups in the local planning authority's area
- Bodies which represent the interests of different religious groups in the local planning authority's area
- Bodies which represent the interests of disabled persons in the local planning authority's area
- Bodies which represent the interests of persons carrying on business in the local planning authority's area

Deposit Locations

Below is a list of deposit locations at accessible locations where certain planning policy documents will be left for members of the public to view for a temporary time period[3].

Copeland Borough Council Offices. See www.copeland.gov.uk for opening days and times in Whitehaven and Millom.

Libraries (*depending on document type and subject*)

Please note that library opening days and hours are subject to change. See http://www.cumbria.gov.uk/libraries for the most current information on library opening days and times across Copeland.

	Frizington Library
Cleator Moor Library	Millom Library
Egremont Library	Whitehaven Library

[3] This may be subject to change in line with Government restrictions surrounding the Covid-19 pandemic. At the time of writing this document, only Whitehaven Library is currently open to the public.

Appendix 3: Types of planning applications

HOUSEHOLDER PLANNING PERMISSION

A simplified form of application that can be only be used for proposals to alter or enlarge a single house, including works within the boundary/garden of a house. This application type can be used for the following forms of development:-

- Extensions
- Conservatories
- Loft conversions
- Dormer windows
- Garages, car ports and outbuildings.

FULL PLANNING PERMISSION

This is a detailed planning application for development, excluding householder developments. A full planning application is required for development that includes building, engineering or other works, in, on, over or under land, or the making of any material change in the use of any buildings or other land.

OUTLINE PLANNING PERMISSION

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 planning application allows fewer details about the proposal to be submitted. Once outline permission has been granted, further a further application(s) will be required which seek approval of the details ("reserved matters") before work can start. These details will be the subject of a "reserved matters" application at a later stage.

RESERVED MATTERS

Where outline permission has been granted, application(s) may be submitted within three years of the outline approval, for the outstanding reserved matters, i.e. the information excluded from the initial outline planning application. This will typically include information about the layout, access, scale and appearance of the development.

LISTED BUILDING CONSENT

Applications for listed building consent are required if either of the following cases apply:

- You want to demolish a listed building
- You want to alter or extend a listed building in a manner which would affect its character as a building of special architectural or historic interest.

Listed Building consent is also likely to be required for any works to separate buildings within the grounds of a listed building. It is a criminal offence to carry out work which needs listed building consent without obtaining consent beforehand.

ADVERTISEMENT CONSENT

This form should be used for proposals to display an advertisement or sign which requires permission. The term advertisement covers a very wide range of advertisements and signs including:

- Posters and notices
- Placards and boards
- Fascia signs and projecting signs
- Pole signs and canopy signs
- Models and devices
- Advance signs and directional signs
- Estate agents' boards
- Captive balloon advertising (not balloons in flight)
- Flag advertisements
- Price markers and price displays
- Traffic signs
- Town and village name-signs.

LAWFUL DEVELOPMENT CERTIFICATE

A Lawful Development Certificate can be used to establish whether an existing or proposed use of a building is lawful or that the proposal doesn’t require planning permission.

PRIOR APPROVAL

Certain types of development are granted planning permission by national legislation without the need to submit a planning application. This is known as 'Permitted Development'. In order to be eligible for these permitted development rights, each 'Class' specified in the legislation has associated limitations and conditions that proposals must comply with.

One such condition on certain classes of permitted development is the need to submit an application to the Local Planning Authority to determine if its 'Prior Approval' will be required. This allows the Local Planning Authority to consider the proposals, their likely

impacts in regard to certain factors (e.g. transport and highways) and how these may be mitigated.

REMOVAL OR VARIATION OF A CONDITION

This type of application should be used to request that the local planning authority removes or changes the requirements of a condition imposed on a planning permission or listed building consent.

APPROVAL/DISCHARGE OF CONDITIONS

This type of application will be necessary where a condition in a planning permission or a listed building consent requires details of a specified aspect of the development (which was not fully described in the original application) to be approved by the local planning authority before the development can begin.

This is also commonly known as 'discharging' conditions, and should not be confused with the process to remove or vary a condition.

CONSENT TO DO WORKS TO A TREE COVERED BY A TREE PRESERVATION ORDER

Permission is required for proposed work to trees that are subject to a Tree Preservation Order (TPO).

NOTIFICATION OF PROPOSED WORKS TO TREES IN CONSERVATION AREAS

In conservation areas, notice is required for works to trees that have a trunk diameter of more than 75mm when measured at 1.5m from ground level (or more than 100mm if reducing the number of trees to benefit the growth of other trees).

You have to give your local planning authority six weeks' notice before carrying out work on trees which are located in a conservation area but are not yet the subject of a tree preservation order. This gives the authority an opportunity to consider whether an order should be made to protect the trees.

APPLICATION FOR NON-MATERIAL AMENDMENTS FOLLOWING PLANNING PERMISSION

Following a grant of planning permission, it may be necessary to make amendments to the permission;
Where these are non-material, this form can be used to make an application;

Whether or not a proposed amendment is non-material will depend on the circumstances of the case: a change which may be non-material in one case could be material in another.

PLANNING PERMISSION FOR RELEVANT DEMOLITION IN A CONSERVATION AREA

If a development site is in a conservation area, then planning permission is generally required for relevant demolition in a conservation area to do the following:

- Demolish a building with a volume of 115 cubic metres or more.
- To demolish any gate, fence, wall or other means of enclosure with:
    - a height of one metre or more if next to a highway (including a public footpath or bridleway), waterway or open space; or
    - a height of two metres or more elsewhere.

PERMISSION IN PRINCIPLE

The permission in principle consent route is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed.

HYBRID APPLICATION

Seeks outline planning permission for one part and full planning permission for another part of the same site.

Appendix 4: Glossary of terms

Annual Monitoring Report (AMR): As part of the Local Plans process the Annual Monitoring Report will assess and monitor the implementation of the Local Development Scheme (LDS) and the extent to which policies in Local Plan documents are being successfully implemented.

Associated development sites: Development which is associated with a Nationally Significant Infrastructure Project (NSIP) and which is granted consent under the Act. The construction or extension of one or more dwellings is specially excluded from the definition of associated development. Associated development should not be an aim in itself but should be subordinate to and necessary for the development and effective operation to its design capacity of the NSIP that is the subject of the application.

Change of Use: A change in the way that land or buildings are used. Planning permission is usually necessary in order to change a use class (see Use Classes).

Community Strategy: Local authorities are required by the Local Government Act 2000 to prepare these with the aim of improving the social, environmental and economic well-being of their areas. Through the Community Strategy, authorities are expected to co-ordinate the actions of local public, private, voluntary and community sectors. The Community Strategy for Copeland is called the 'Copeland Partnership Plan: A Strategy for Sustainable Communities in Copeland'.

Core Strategy: Sets out the long-term spatial vision for the local planning authority area, the spatial objectives and strategic policies to deliver that vision. In can include strategic site allocations. The Core Strategy will have the status of a Development Plan Document.

Cumbria Local Enterprise Partnership (LEP): provides a strategic lead in all activities contributing to the growth and vibrancy of the Cumbria's economy and takes action, using the skills, capability and networks of its partners. The LEP's aim is to develop Cumbria's economy while maintaining its uniqueness in terms of landscape, culture and quality of life.

Department for Communities and Local Government (DCLG): a Government department responsible for creating great places to live and work, and for giving more power to local people to shape what happens in their area. The department is responsible for driving up housing supply; increasing home ownership; devolving powers and budgets to boost local growth in England and; supporting strong communities with excellent public services.

Deposit locations: When producing Local Plan documents the Council deposit draft copies for inspection at Copeland Borough Council offices and libraries across Copeland.

Development: Development is defined under the 1990 Town and Country Planning Act as "the carrying out of building, engineering, mining or other operation in, on, over or under land, or the making of any material change in the use of any building or other land". Most forms of development require planning permission.

Development Consent Order: A consent by a Minister for a Nationally Significant Infrastructure Project (NSIP) will take the form of a 'development consent order'. This will combine a grant of planning permission with a range of other separate consents, such as listed building consent. A development consent order can include rights to compulsorily purchase land.

Development Management Policies: A suite of criteria-based policies which are required to ensure that all development within the area meets the spatial vision and spatial objectives set out in the Core Strategy.

Development Plan: As set out in Section 38 (6) of the Act, a document which sets out a Local Authority's policies and proposals for the development and other use of land and buildings within its area. A Local Authority's development plan consists of the Development Plan Documents (DPDs) contained within its Local Plan. These are required to be in conformity with the NPPF.

Development Plan Document (DPD): Spatial planning documents that are subject to Independent Examination will form the Development Plan for a local authority area for the purposes of the Act. They can include a Core Strategy, Site Specific Allocations of land, and Area Action Plans (where needed). Other Development Plan Documents (DPD), including generic Development Control Policies, can be produced. They will all be shown geographically on an Adopted Proposals Map. Individual Development Plan Documents (DPD) or parts of a document can be reviewed independently from other Development Plan Documents. Each authority must set out the programme for preparing its Development Plan Documents in the Local Development Scheme.

Environmental Impact Assessment (EIA): aims to protect the environment by ensuring that a local planning authority when deciding whether to grant planning permission for a project, which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and takes this into account in the decision making process. This assessment is undertaken in support of the planning application submission.

Examination: Independent consideration of the soundness of a draft Development Plan Document (DPD) chaired by a Planning Inspector whose recommendations are binding.

Infrastructure Planning Commission: An organisation central to decision making on national infrastructure projects which are the large scale facilities that support the economy and vital public services. Commissioners, who are independent of government and all other interests, will examine the evidence for and against each project. They will be required to act in accordance with government policy as set out in National Policy Statements. These statements will consider national priorities and explain the case for investment in energy, transport, water and waste infrastructure.

Local Plan: The name for the portfolio of Local Plan documents. It consists of Development Plan Documents (DPDs), Supplementary Planning Documents (SPDs), a Statement of Community Involvement (SCI), the Local Development Scheme (LDS) and Annual Monitoring Reports (AMRs). Together these documents will provide the framework for delivering the spatial planning strategy for a local authority area and may also include Local Development Orders (LDOs) and Simplified Planning Zones.
The Local Plan is has previously been referred to as the Local Development Framework.

Local Development Framework (LDF): The name previously referred to for the portfolio of Local Plan documents. It consists of Development Plan Documents (DPDs), Supplementary Planning Documents (SPDs), a Statement of Community Involvement (SCI), the Local Development Scheme (LDS) and Annual Monitoring Reports (AMRs). Together these documents will provide the framework for delivering the spatial planning strategy for a local authority area and may also include Local Development Orders (LDOs) and Simplified Planning Zones.
The Local Development Framework is now referred to as the Local Plan.

Local Development Scheme (LDS): Sets out the programme for preparing Local Plan documents. All authorities must submit a Scheme to the Planning Inspectorate and the LDS must be kept under review.

Local Enterprise Partnership (LEP): A partnership of stakeholders who develop ways of involving local people in shaping the future of their neighbourhood and deciding how local services are provided. They are often single non-statutory, multi-agency bodies which aim to bring together locally the public, private, community and voluntary sectors.

Local Planning Authority (LPA): The local authority or council that is empowered by law to exercise statutory town planning functions for a particular area of the UK. The authority is often the local borough or district council. County Councils (where they exist) are the Local Planning Authority for waste and minerals matters and for their own developments, such as most schools, care homes, fire stations and non-trunk roads.

Localities: There are the five locality areas, first defined in the Sustainable Community Strategy, but with Whitehaven later splitting into two localities: one for the town Whitehaven and one for the wider rural area Howgate and Distington.

Major Development: In the context of this document 'major development' will normally relate to sites greater than 0.5 ha or comprising 10 or more dwellings.

Material Considerations: Matters that should be taken into account in deciding a planning application or an appeal against a planning decision.

National Planning Policy Framework (NPPF): The National Planning Policy Framework was first published in March 2012, and sets out government's planning policies for England and how these are expected to be applied. It was most recently updated in 2019.

National Planning Policy Guidance (NPPG): Supporting guidance to explain how the NPPF should be applied.

Nationally Significant Infrastructure Project (NSIP): introduced to streamline the decision-making process for nationally significant infrastructure projects, making it fairer and faster for communities and developers alike.

Non Material Considerations: Matters that should not be taken into account in deciding a planning application or an appeal against a planning decision.

Planning Inspectorate (PINS): The Planning Inspectorate is an executive agency of the Government responsible for a number of functions. Its main role in relation to the Local Plan is to undertake Examinations of Development Plan Documents (DPDs).

Planning Obligations and Agreements: A legal agreement between a planning authority and a developer, or offered unilaterally by a developer, ensuring that certain extra works related to a development are undertaken. For example, the provision of highways. Sometimes referred to as "Section 106" agreement.

Planning Panel: The Council's Planning Panel is a decision making body made up of Copeland Borough Council Members and which deals with the larger, more complex or controversial planning applications or those which have a wider significance to local communities.

Planning Permission: Formal approval sought from a Council, often granted with conditions allowing a proposed development to proceed. Permission may be sought in principle through outline plans, or be sought in detail through full plans.

Regeneration: A proposal to deliver the economic, social and environmental renewal of a rural or urban area through investment and improvement.

Soundness: A Development Plan Document (DPD) is considered sound if it is based upon good evidence and has been prepared in accordance with the Test of Soundness and the

Authority's Local Development Scheme (LDS) and Statement of Community Involvement (SCI).

Specific Consultation Bodies/Statutory Bodies: These are bodies that must be consulted on development plans and planning applications.

Statement of Community Involvement (SCI): Sets out the processes to be used by the local authority in involving the community in the preparation, alteration and continuing review of all Local Plan documents and in the consideration of planning applications. The Statement of Community Involvement (SCI) is an essential part of the Local Plan.

Strategic Environmental Assessment (SEA): An environmental assessment of plans and programmes, including those in the field of planning and land use, which complies with the EU Directive 2001/42/EC (the SEA Directive) in order to make sure that the plan is sustainable. In Copeland it forms part of a wider Sustainability Appraisal (SA).

Statutory: Required by law (statute) through an act of parliament.

Supplementary Planning Document (SPD): An SPD is a Local Plan documents that may cover a range of issues, thematic or site specific, and provides further detail of policies and proposals in a 'parent' Development Plan Document (DPD). SPDs do not form part of the Development Plan and are not subject to Independent Examination, although they must be subject to community consultation before being adopted.

Sustainability Appraisal (SA): This is a tool for appraising policies to ensure they reflect sustainable development objectives (i.e. social, environmental and economic factors) and required in the Act to be undertaken for all Local Plan documents.

Sustainable Development: Sustainable development is the core principle underpinning contemporary town planning in the UK. At the heart of sustainable development is the ideal of ensuring a better quality of life through development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

The Borough: The Borough refers to the Copeland Borough Council's administrative area. It includes part of the Lake District National Park.

The Regulations: Town and Country Planning (Local Development) (England) Regulations 2004, and the Town and Country Planning (Transitional Arrangements) Regulations 2004

Strategic Planning
Copeland Borough Council
The Copeland Centre, Catherine Street, Whitehaven CA28 7SJ
Telephone: 01946 598300
Email: ldf@copeland.gov.uk
Website: www.copeland.gov.uk