

NEW FOREST NATIONAL PARK AUTHORITY

AUTHORITY MEETING – 28 MARCH 2007

**STATEMENT OF COMMUNITY INVOLVEMENT
INSPECTOR'S REPORT AND ADOPTION**

Report by: David Illsley, Planning Policy Officer

Summary

Representations were received from 25 bodies during the consultation period on the Submission draft Statement of Community Involvement (held between October and November 2006). The majority of these considered the draft Statement to be 'sound'. Following the end of the consultation period the Planning Inspectorate considered all of the representations made in an independent examination.

The Authority has now received the Inspector's Report on the Statement of Community Involvement (attached at **Annex 1**), which found the Statement essentially sound, but recommended several very minor changes. The Authority is obliged to accept these changes. This paper sets out the main recommendations contained in the report, and recommends the adoption of the Authority's Statement of Community Involvement incorporating the changes (attached at **Annex 2**). Once adopted, the Statement of Community Involvement will guide community involvement in the production of the Local Development Framework documents and in the consideration of planning applications.

Recommendations

To note the Inspector's binding report recommendations and to adopt the final Statement of Community Involvement incorporating the recommended changes (Annex 2).

Resources and Corporate Plan

A4 – Develop spatial planning policies to support the delivery of the National Park's purposes and duties.

Routine resources

Paper

NFNPA 173/07: Cover paper

Annex 1: Inspector's Report of Examination of the Statement of
Community Involvement

Annex 2: Statement of Community Involvement for adoption

NFNPA 131/06: Previous Authority paper on the Statement of Community
Involvement – Submission draft (September 2006)

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Introduction

1. The Statement of Community Involvement (SCI) sets out how the Authority will involve the community in the preparation of planning policy documents that will make up the Local Development Framework, and the consideration of planning applications.
2. The National Park Authority approved the Submission draft Statement of Community Involvement in September 2006 (NFNPA 131/06). The document was submitted to the Secretary of State on 5 October 2006 and there followed a statutory six week consultation period.
3. Representations were received from 25 bodies on the Submission draft Statement of Community Involvement, of which eight (Burley Parish Council; Friends, Families and Travellers; the Government Office for the South East; the Government Office for the South West; Hyde Parish Council; Marchwood Parish Council; Natural England; and RWE NPower) sought specific changes to the document. It should be noted that the Authority has no power to respond directly to these suggestions. They are at this stage in the hands of the Inspector.

Report from the Planning Inspectorate

4. An independent examination of the Authority's Statement of Community Involvement was carried out in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004. The purpose of the examination was to:
 - (a) determine whether the document satisfies the requirements for the preparation of a development plan document;
 - (b) determine whether it is 'sound'.

5. The Inspector's Report was received at the end of January 2007 (**Annex 1**). The examination considered all of the representations received, as well as the two tests outlined above.
6. With regard to part (a), the Inspector is content that the Statement of Community Involvement satisfied the requirements of the relevant sections of the Planning and Compulsory Purchase Act 2004.
7. Part (b) focused on whether the Statement of Community Involvement was sound. The examination is based on the nine tests of soundness set out in paragraph 3.10 of Planning Policy Statement 12: *Local Development Frameworks*. The starting point for the assessment is an assumption that the Statement of Community Involvement is sound. Accordingly, changes in the binding report are only made where there is a clear need to in light of the tests in Planning Policy Statement 12. The table below outlines the main changes as set out in the Inspector's Report. Full details can be found in the Inspector's Report (**Annex 1**).

Soundness Test	Inspector's comments	Changes Required
Test 1: The Authority has complied with the minimum requirements for consultation	The Authority has undertaken the consultation required under the Town and Country Planning (Local Development) (England) Regulations 2005. This test is met.	No changes required.
Test 2: The SCI links with other community involvement initiatives	The Authority recognises the links between the Community Strategies, the National Park Management Plan, the Local Development Documents and the various consultation exercises.	No changes required.
Test 3: The SCI identifies in general terms which groups will be consulted	<ul style="list-style-type: none"> • The SCI Annexes list the statutory consultees bodies from PPS12 apart from the Government departments. • Details should be added setting out how groups could be added to the database of consultees. 	<ul style="list-style-type: none"> • Add the Government departments listed in PPS12 to the SCI. • Insert text into section 3 of the SCI setting out how groups could be added to the consultee database.
Test 4: The SCI sets out how groups can be involved in an accessible and timely manner	The SCI sets out the range of involvement methods and providing these are followed the consultation proposed will be undertaken in a timely and accessible manner.	No changes required.

<p>Test 5: The proposed consultation methods are suitable for the audience and the various stages</p>	<ul style="list-style-type: none"> • SCI should acknowledge the need to provide extra support to facilitate consultation with certain groups. • Need to confirm compliance with Race Relations Act 2000 and the Disability Discrimination Act 1995. 	<ul style="list-style-type: none"> • Insert text into section 7 outlining the need to facilitate the involvement of harder to reach groups. • Insert additional text in the SCI setting out how the needs of the disabled will be met.
<p>Test 6: The resources are available to manage community involvement</p>	<p>Satisfied that the Authority is alert to the resource implications of the SCI.</p>	<p>No changes required.</p>
<p>Test 7: The SCI shows how the results of community involvement will feed into the process</p>	<p>The SCI sets out how the results of community involvement will be taken into account and used to inform decisions. This test is met.</p>	<p>No changes required.</p>
<p>Test 8: The Authority has mechanisms for reviewing the SCI</p>	<p>Section 9 of the SCI explains how the Authority will review and monitor the SCI. This test is met.</p>	<p>No changes required.</p>
<p>Test 9: The SCI describes the Authority's policy for consultation in planning applications.</p>	<ul style="list-style-type: none"> • The SCI does not adequately deal with how the results of consultation will be reported and used to inform the decision making process. • The SCI does not address the longer statutory time period for consultation that may be applicable in certain circumstances. 	<ul style="list-style-type: none"> • Insert wording into section 11 setting out how the results of consultation will be taken into account. • Insert wording into section 11 setting how that the standard 21 day period for comments on applications may be extended in certain circumstances.

8. The Authority also proposed a number of minor amendments to the Statement in response to representations received on the submission document. These included adding a number of bodies (such as the Hampshire and Isle of Wight Wildlife Trust and the Wiltshire Wildlife Trust) to the list of consultees in Annex C.

9. The Inspector endorsed these minor amendments, concluding that they did not affect the substance of the Statement of Community Involvement, but that they did improve the clarity and transparency of

the Statement. The Planning Inspectorate also confirmed that they are content for such matters as minor spelling, grammatical or factual matters to be amended by the Authority.

10. The Inspector concluded that subject to the implementation of the recommendations sets out in the report, the New Forest National Park Authority Statement of Community Involvement is considered to be sound.

Statement of Community Involvement – Adoption

11. Paragraphs 3.11 and 3.12 of Planning Policy Statement 12 reiterate that the Inspector's Report is binding upon the local planning authority.

“The report will set out precise recommendations for how the statement of community involvement must be changed. The local planning authority must incorporate the changes required by the inspector and then adopt the statement of community involvement.”

12. Section 23 of the Planning and Compulsory Purchase Act 2004 states that a document is adopted by resolution of the authority. **Annex 2** to this paper is the final Statement of Community Involvement, incorporating the amendments made by the Inspector and is recommended for adoption. The document has now been through the statutory consultation periods and has been found to be sound. The Authority has completed the production process in just under the 12 month period suggested by the Government in PPS12 and programmed in the Authority's draft Local Development Scheme.
13. Once adopted, the National Park Authority must comply with the Statement of Community Involvement when preparing local development documents and in the determination of planning applications. Inspectors, in testing development plan documents, will determine whether the requirements of the Statement of Community Involvement have been complied with as part of the examination process. The Statement of Community Involvement, once adopted, will be available for inspection at the Authority's office and web-site.

Recommendation

To note the Inspector's binding report recommendations and to adopt the final Statement of Community Involvement incorporating the recommended changes (Annex 2).