



## **Statement of Community Involvement**

**Draft for consultation February 2023**

## Contents

1 Introduction .....	3
2 Stakeholders .....	5
3 Consultation tools.....	8
4 Important information .....	11
5 Plan-making .....	14
6 Planning Applications .....	24
7 Resources and monitoring .....	29
Appendix 1 Sustainability / sustainability appraisal .....	31
Appendix 2 Tests of soundness .....	32
Further information.....	33

# 1 Introduction

- 1.1. The Statement of Community Involvement (SCI) is a document which sets out how and when the council will consult with and involve the community and other stakeholders in planning matters including in the preparation of Lewisham's development plan, its supporting documents and in the planning application consultation process.
- 1.2. The Council is required by law to have an adopted SCI (as set out in the Planning and Compulsory Purchase Act (2004) (as amended)).
- 1.3. Being part of the planning process means that the Lewisham's diverse communities can play an active and visible role in shaping our neighbourhoods with a meaningful part in the decision-making process. The SCI will be accompanied by the Council's published guidance on good practice consultation.
- 1.4. The SCI is set out as follows:
  - **Section 2 Stakeholders** – The legislation regarding different types of consultee groups and their constituent bodies or persons.
  - **Section 3 Consultation Tools** – The range of consultation tools available to the Council in order to:
    - Meet the latest statutory requirements for public consultation.

- To ensure Council officers can continue to facilitate effective public consultation using a variety of methods, recognising improvements, and increasing use of Council's webpage and other digital/online platforms; and
- **Section 4 Important Information** – Information about document access, and contact details for internal and external bodies.
- **Section 5 Local development Framework** – The Council's minimum commitments for public consultation during the preparation of planning policy and guidance documents.
- **Section 6 Planning Applications** – Explanation of Development Management and outlines how the Council will consult and engage on planning applications
- **Section 7 Resources and Monitoring** – Explanation of the legislative requirements in respect of SCI reviews and to clarify Council commitments in respect of monitoring the SCI.
- **Appendix 1** – The latest legislation on sustainability appraisal, including that it is no longer required for Supplementary Planning Documents. Updates references to latest standing guidance (i.e. NPPG).
- **Appendix 2 Tests of Soundness for a Development Plan** – Factual updates to reflect the revised Tests of Soundness set out in the NPPF (2019) and to provide a new informative on the 'basic conditions' that neighbourhood plans are required to meet.
- **Further information and contacts** – Details regarding Council planning webpages and contact information (email, telephone, post).

## 2 Stakeholders

### Introduction

2.1. This section describes the broad categories of stakeholder groups who may engage in the planning process, whether through participation in the preparation of the development plan and supporting documents or through involvement in planning applications. The categories reflect those set out by planning legislation. However, within these categories there will be stakeholder groups that are unique to Lewisham, reflecting the number and diversity of individuals, community organisations and other bodies with an interest in the borough.

### Who we consult when preparing the Local Plan and its supporting documents

2.2. The procedures and requirements for preparing a Local Plan are set out in legislation. There are several stages of formal public consultation in the plan-making process. At all stages, the Council has a legal requirement to make information available to interested residents and organisations, as well as a duty to consult defined 'specific' and 'general' consultation bodies.

2.3. **Specific consultation bodies** are groups that have expertise and knowledge in a particular subject.

2.4. **General consultation bodies** include: recognised voluntary bodies; recognised bodies which represent the interests of certain groups (such as racial, ethnic, national, religious, disabled persons, and age groups); and bodies which represent persons carrying out businesses in the borough.

2.5. There are also a range of **Other Consultees** which have an interest in planning. They include local representative bodies who are regularly consulted, including individuals, organisations and businesses that have formally indicated to the Council they wish to be actively engaged in the preparation of Lewisham's Local Plan, or other planning documents.

### Duty to Cooperate

2.6. Under the Localism Act 2011 and the National Planning Policy Framework, the Council has a legal 'Duty to Cooperate' with other local planning authorities, including neighbouring boroughs, and various other public bodies and organisations that address strategic planning matters. The duty to Cooperate helps to ensure

coordination in the approach to planning across administrative boundaries. It supports partnership working to address key issues through the plan making process.

- 2.7. To maximise effective working on strategic matters during the preparation of local plans, Section 33A of the Planning and Compulsory Purchase Act 2004 requires the Council to engage “constructively, actively and on an ongoing basis” with relevant policy makers and bodies. The Council will carry out the Duty to Cooperate and document how it has done so, in line with the legal requirements. The preparation of Statements of Common Ground is one way in which this will be demonstrated.

#### Planning policy consultation database

- 2.8. The Council’s Planning Service maintains a planning policy ‘consultation database’. This includes Other Consultees, along with contacts from specific and general consultation bodies. It is a live database and regularly updated. Everyone on the database is notified of public consultations for Local Plan documents. Organisations, groups and individuals can choose to be added or deleted from the database at any time by contacting the Planning Policy Team (for details, refer to the ‘Further information’ section at the end of this Addendum to the SCI). Those who have previously responded to a formal public consultation on a specific planning document are automatically added to the database but can be removed by request.

#### Supplementary Planning Documents

- 2.9. For Supplementary Planning Documents (SPDs), current legislation specifies that consultation must take place with narrowly defined ‘statutory consultees’. When preparing SPDs and other guidance documents, we will consult with the relevant statutory consultees. We will also seek to engage more widely with the above noted stakeholder groups, ensuring consultation is effective and proportionate in scope to the nature of the document and the communities likely to be affected by the proposals.
- 2.10. Where Strategic Environmental Assessment screening exercises or full SEA assessments are undertaken for an SPD, we will consult with the relevant ‘statutory bodies’.
- 2.11. Please refer to Annex A for a list of Specific, General and Duty to Cooperate bodies that are routinely consulted. This will be reviewed and updated regularly, where appropriate, to reflect the latest statutory requirements. The names of organisations may be subject to change over the lifetime of the SCI.

## 3 Consultation tools

### Introduction

- 3.1. This section provides information about the range of consultation tools available to the Council, which may be used to support the preparation and implementation of Lewisham's development plan. Further information about the documents that make up and support the development plan are set out in Chapter 5 of this Statement of Community Involvement.
- 3.2. Consultation with the community and other stakeholders is a vital part of the planning process. The Council will seek to ensure that effective and inclusive consultation with communities and other stakeholders is undertaken. Whilst meeting its statutory obligations, the Council will tailor public consultation using the tools available to it, taking into account:
- **The nature and scope of a policy or guidance document.** For example, development plan documents prepared by the Council (such as the Local Plan) are likely to require a larger program of consultation activities than other planning documents, due to the statutory requirements governing their preparation, as well as their influence on the borough and other local authorities.
  - **The nature and scale of a development proposal.**
  - **Who the consultation is aimed at.** For example, a more focussed consultation is likely to be appropriate when the Council consults on a neighbourhood plan or an Article 4 direction covering a particular area of the borough.
  - **Resources.** This includes an appropriate response to reduce the material costs for the Council, such as printing materials or postage costs.
- 3.3. In preparing for and undertaking consultation the Council will have regard to changes in legislation and Government guidance. Some consultation tools which have been used previously by the Council may therefore not be appropriate now, or at a future time. For example, COVID-19 and the public health emergency required the Council to adapt its consultation processes to ensure compliance with the Government's latest standing guidance on social distancing.



## Consultation tools available

### Physical copies of documents

Physical copies of documents made available for public inspection at the Council's principal office, as well as other offices or facilities the Council considers to be appropriate, for example, public libraries.

### Lewisham council website

Electronic copies of documents made available to access on the internet via the Lewisham Council website. The Council will ensure online documents meet the relevant legal requirements and/or standards for accessibility.

### Social media platforms

Information publicised through the Councils official social media accounts.

### Posters and leaflets

Posters and leaflets which publicise or display information about public consultations. These will normally be sited or made available at prominent visitor and/or community destinations within the borough.

### Public notices and press releases

Consultation information published in press outlets (such as Lewisham Life and the News Shopper). Public notices may also be used to publicise information regarding site or area specific consultations.

### E-mail and postal correspondence and notifications

Electronic mail (e-mail) correspondence and notifications. This includes notifications to consultees included on the planning policy 'consultation database'. Where an individual or body included on the database expressly does not wish to receive correspondence by e-mail, a postal notification may be sent. The consultation database will be maintained by the Council having regard to the latest legal requirements on data protection, currently the General Data Protection Regulations (GDPR) 2018.

The Council may also send information about consultation and receive feedback or representations from the public by way of e-mail or post.

### Public meetings

Meetings which the general public are invited to attend, including forums. The Council will use tools available to notify the public about opportunities to attend such meetings or forums.

#### Public exhibitions/drop-in events

Public exhibitions and drop-in events which are open for members of the public to attend. These can be used to publicise information about planning documents or planning applications. Where Council officers are present, they may be available to speak to members of the public regarding proposals or other matters.

Public exhibitions may not always involve the presence of a Council officer. Drop-in events will normally involve at least one Council officer being present.

#### Internal consultation with Members and Council service areas

Internal consultation in which Council planning officers engage both informally and formally with elected Members, as well as informally with officers in other service areas across the Council. Internal consultation is important to ensure a coordinated approach to preparation and implementation of Lewisham's development plan.

#### Other digital tools and telephone calls

A range of modern communication tools are now available and which continue to be used more widely by the public. These tools including online conferencing, 'virtual' workshops or meetings, as well as telephone conferencing and calls. These tools can often be useful to engage with hard to reach groups, and others whose circumstances make attending events in person a challenge.

#### Internet (online) consultation and engagement platforms

Consultation and engagement platforms hosted online. These can be used, for example, to display or publicise information and enable the public to submit comments or formal representations to consultations.

#### Planning Applications

- 3.4. How the Council engages with the public and applicants for planning permission is set out in Part 6 of this report.

## 4 Important information

- 4.1. This section outlines important information relating to planning, consultation and how the community can access planning information. It is presented in a question and answer' style.

### **How can planning information and consultation material be accessed?**

- 4.2. Information and consultation material can be accessed in a number of ways. To learn more, see the 'Further information' section of this document for details on contacting the Planning Service.

### **Can I obtain written information in alternative formats?**

- 4.3. Yes. The Council will provide advice and assistance to ensure all documents can be provided in alternative formats on request. The Council will also advise the community of the existence of this service as part of its consultation documents. Some common alternative formats include languages other than English, large print, audio, PDF and Braille. Those in the community requiring alternative formats are encouraged to discuss their requirements with the Council.

### **Is there a mailing list for keeping me informed on planning activities?**

- 4.4. Yes. The Council has developed a planning policy Consultation Database which you can request to be added to if you want to be contacted about planning matters in the borough. Contact the Council if you would like to be added.

### **Who is on the planning policy Consultation Database?**

- 4.5. The planning policy Consultation Database contains the names of individuals, groups and organisations on which the Council holds contact information for the purpose of consulting with them on matters relating to the Local Development Framework and Local Plan.

### **How can I speak to a council officer?**

- 4.6. The Council provides a range of pre-planning application advice services which enable prospective planning applicants to seek and receive advice on their proposals prior to submitting an application. A fee is payable, and this will vary depending on the type of service being sought.

4.7. Further information on the different types of service offered can be found at:

<https://lewisham.gov.uk/myservices/planning/apply-for-planning-permission/get-planning-advice>

### **How do I make a written representation to the Council?**

4.8. Those wishing to make a written representation/submission on a planning document or planning application can do so in the following ways:

- online via the Council's website ([www.lewisham.gov.uk](http://www.lewisham.gov.uk))
- by email ([planning@lewisham.gov.uk](mailto:planning@lewisham.gov.uk))
- by sending a letter to the Council

See the 'Further Information' section of this document for key contact information.

### **Where can I go for independent advice?**

4.9. Planning Aid for London is a registered charity and may be able to provide advice to individuals and groups unable to afford professional consultants. The details for Planning Aid for London are:

Planning Aid for London

Tel: 030 077 29 808

Website: [www.planningaidforlondon.org.uk](http://www.planningaidforlondon.org.uk)

Email: [info@planningaidforlondon.org.uk](mailto:info@planningaidforlondon.org.uk)

### **How can I comment on, compliment or complain about the service I receive?**

4.10. It's the community's feedback that helps the Council improve the way things are done. If you would like to make a comment, give a compliment or complain, you can contact the Planning Service or the Council switchboard – see the 'Further Information' section for details. The Council can also provide you with information about how to complain to the Local Government Ombudsman.

### **What if I have special requirements stopping me from participating?**

4.11. The Council is conscious of the need to ensure all in the community are able, if they so choose, to participate in planning at Lewisham. The Council also recognises that many have requirements that need to be considered

before they are able to participate (e.g. a disability, caring responsibilities, limitations on availability, mobility issues). In order to accommodate any special requirements people may have in order to participate, people can contact the Planning Service so that suitable arrangements (where feasible) can be put in place.

**What is meant when the Council says it will do something where/as appropriate?**

4.12. Planning is very diverse in the issues it deals with and the people it impacts on. It is not possible to determine every possibility and, to this extent, the Statement of Community Involvement is intended to be flexible enough to accommodate various circumstances as they arise. In situations where there will be a need for the Council to exercise discretion in deciding how something should be dealt with, the terms 'where appropriate' or 'as appropriate' are used to reflect the reality that something will only happen if, having regard to the specific circumstances of the matter being considered, the Council considers it is a suitable and/or reasonable approach to take. Anyone in the community is able to raise and discuss with the Council circumstances where they think an action was not appropriate.

**What is the role of my ward councillor?**

4.13. Ward councillors receive notification of planning applications and may be involved in local meetings, as outlined in Section 6. The community are able to contact their ward councillor(s) about their concerns in relation to any planning matter. Councillor information can be obtained from the Council and on the Lewisham website.

## 5 Plan-making

### Introduction

- 5.1. The planning system in England is 'plan-led'. Local planning authorities, (including Lewisham Council) must prepare and have in place an up-to-date plan for their area, covering a specified period. The plan sets out policies and guidelines for the development and use of land, taking into account the direction provided by higher-level policies, including the National Planning Policy Framework. Adopted plans are used as the basis for planning decisions, including the determination of planning applications.
- 5.2. Most local planning policy and guidance documents for Lewisham are prepared through consultation with the community and other stakeholders. The following section describes the various types of planning policy documents and the hierarchy of these (see also Figure 5.1). It also sets out the opportunities for the public to get involved in their preparation.

### The planning policy framework

#### **National planning policy**

- 5.3. The UK government sets out guidelines for preparing local planning policies, and what they should include or take account of, through the National Planning Policy Framework (NPPF). Further details on how these national policies should be implemented are provided in the associated National Planning Practice Guidance (NPPG).

#### **Regional planning policy - The London Plan**

- 5.4. The London Plan, prepared by the Mayor of London, sets out the Spatial Development Strategy for London and forms part of Lewisham's statutory Development Plan. The London Plan includes policies on the development and use of land. It also instructs what the Local Plan should include to address London's future needs, as well as to ensure investment is appropriately coordinated across and within boroughs. The London Mayor also prepares Supplementary Planning Guidance (SPG) documents to support implementation of the London Plan.

#### **Lewisham's Development Plan**

- 5.5. Lewisham's statutory Development Plan is made up of the London Plan, the Local Plan (or Local Development Framework plans) and Neighbourhood Plans. Most applications for new development (with exceptions, such as for

permitted development) are assessed against the Development Plan and the policies contained in the NPPF.

### Lewisham Local Plan

- 5.6. The Lewisham Local Plan is the main strategic planning policy document prepared by the Council, in consultation with the community and key stakeholders. It sets out a long-term development and investment strategy for the borough along with strategic planning policies and guidelines to implement this. The Local Plan must be prepared in accordance with the processes and procedures set out by legislation. It is required to be consistent with national planning policy (i.e. NPPF) and in general conformity with the London Plan.

### Supplementary Planning Documents (SPDs)

- 5.7. Supplementary Planning Documents are prepared by the Council to support Lewisham's Development Plan. They provide further details and guidance on planning policies to help ensure these are implemented effectively. The planning matters addressed by SPDs can vary in scope, for example, by focussing on local areas within the borough, specific sites and/or certain types of development. SPDs do not contain policy themselves and therefore do not carry 'development plan' status. However, they are a material consideration in the determination of planning applications.
- 5.8. SPDs are not subject to independent public examination. Although the NPPF and planning legislation make clear that SPDs should be prepared through consultation with the community and other stakeholders.

### Neighbourhood Plans

- 5.9. Neighbourhood Plans are planning policy documents that are produced for specific areas by local community groups, called Neighbourhood Forums, which are designated by the Council. Once a proposed Neighbourhood Plan successfully passes through a public examination and local referendum, it is adopted by the Council and forms part of the statutory Development Plan. Neighbourhood Plans set out non-strategic planning policies for their respective designated Neighbourhood Areas. A Neighbourhood Plan can focus on one particular policy area or a number of different policy areas that the Forum feels is necessary to address. Neighbourhood plans must be in conformity with adopted strategic policies in higher-level documents, including the Local Plan.

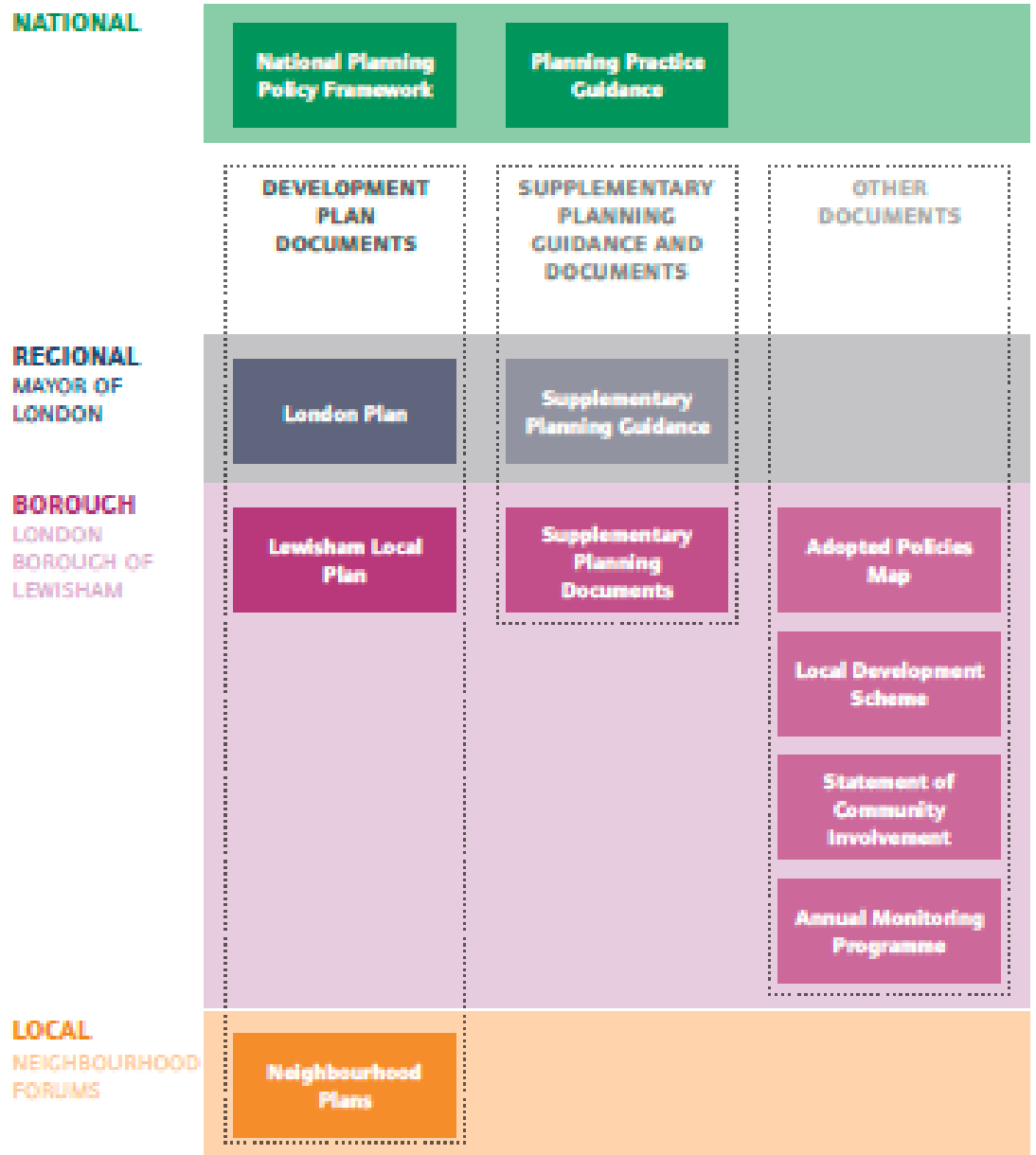


Figure 5.1 Planning policy hierarchy



## Plan-making in Lewisham

5.10. This section provides further details about the key stages of plan-making for different types of planning policy and guidance documents and the Council's consultation commitments during their preparation.

### Lewisham Local Plan

5.11. The Council is required to prepare the Local Plan in accordance with relevant planning legislation and national planning policy. This includes consultation with specific and general consultation bodies, and other consultees (see Section 2).

5.12. The following table provides a summary of the key stages of the plan-making process and highlights where there are opportunities for communities and other stakeholders to get involved. It also sets out the Council's commitments to public consultation at different stages throughout the process. We will follow the relevant planning regulations for the statutory stages of consultation.

	<b>Stage of preparation</b>	<b>What is involved?</b>	<b>Our commitment</b>
1	Regulation 18  <b>Early engagement, scoping and options appraisal</b>	The Council publicises its intention to undertake the preparation of a Local Plan document. The public is invited to comment on the scope of the document. This is an opportunity for the public to assist with the identification of the main issues for the Local Plan along with possible options to address these. The options, which may be presented as proposed policy approaches, will be informed by technical evidence and where possible, early engagement with stakeholders. This is an options testing stage of the plan-making process, which may be repeated.	A minimum 6-week period of public consultation.  Afterwards, a 'Consultation Statement' will be published setting out who was involved in the consultation, the main issues and other matters raised, and how the Council has addressed these in preparing the plan.

	<b>Stage of preparation</b>	<b>What is involved?</b>	<b>Our commitment</b>
2	Regulation 19  <b>Publication</b>	A more complete draft of the Local Plan document, including detailed policy proposals, is published for further public feedback. At this stage, the consultation is more narrowly focussed on matters of 'soundness', as set out in national planning policy, and legal compliance.	A minimum 6-week period of public consultation.  Afterwards, a 'Consultation Statement' will be published setting out who was involved in the consultation, the main issues and other matters raised, and how the Council has addressed these in preparing the plan.
3	Regulation 22  <b>Submission</b>	The Local Plan document is submitted to the Secretary of State for independent examination.	There is not a formal public consultation at this stage.  The Council will give notice of its submission of the Local Plan, as required by legislation.
4	Regulation 24  <b>Examination</b>	A Planning Inspector, who is appointed by The Secretary of State, undertakes a public examination of the Local Plan document. The Inspector invites participants to the hearings, which are open to the public.  The Inspector may require that modifications are made to the Local Plan in order to ensure it is sound and legally compliant.	The Council will publish the dates, times and locations of public examination hearings in advance of them taking place.  The Council will consult the public on any modifications to the Local Plan, where required.

	<b>Stage of preparation</b>	<b>What is involved?</b>	<b>Our commitment</b>
5	Regulation 25  <b>Planning Inspector's report</b>	The Planning Inspector issues their recommendations, which are published by the Council.	The Council will publish the Inspector's Report and give notice to those who requested to be notified.
6	Regulation 26  <b>Adoption</b>	Where the Local Plan document is judged to be sound by the Planning Inspector, it can be formally adopted by a decision of Council.	A public meeting will be held, where Council will decide to adopt the Local Plan.  If the plan is adopted, the Council will make available the required Local Plan documents. An Adoption Statement will be sent to the Secretary of State and others who asked to be notified of the plan's adoption.

### Sustainability Appraisal

- 5.13. Section 19 of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to carry out a Sustainability Appraisal for each of the proposals in the Local Plan and prepare a report of the findings of the appraisal.
- 5.14. Sustainability Appraisals (SA) consider how the Local Plan document and its policies contribute to sustainable development, and assess whether the policies and proposals in the Local Plan document are the most appropriate given the reasonable alternatives. SAs are required for all Local Plan documents.
- 5.15. In accordance with the regulations, when deciding on the scope and level of detail to be included in a sustainability appraisal report, the Council will consult relevant consultation bodies. Where a consultation body decides to respond, it will be required to do so within a 5-week period after receipt of the request.
- 5.16. The Council will consult and invite public representations on SAs alongside the consultation of Local Plan documents.

## Strategic Environmental Assessment

5.17. Strategic Environmental Assessment (SEA) considers only the environmental effects of a Local Plan document, whereas sustainability appraisals consider the wider economic and social effects in addition to its potential environmental impacts.

### Supplementary Planning Documents (SPDs)

5.18. SPDs offer detailed guidance to support the implementation of the Lewisham Local Plan.

5.19. There are three main stages involved in preparing an SPD, as set out in the table below. We will follow the relevant planning regulations for the statutory stages of consultation.

	<b>Stage of preparation</b>	<b>Our commitment</b>
1	<b>Notification and preparation</b>	The Council will publish its intention to produce an SPD. Work will then commence on the preparation of the SPD. This can include the gathering of technical evidence and early engagement with key stakeholders to inform the direction of the document.
2	<b>Public consultation and refining the draft SPD</b>	<p>A draft SPD will be prepared and published for public consultation, for minimum 4-week period. We will notify the community and other stakeholders, including statutory bodies, about the public consultation and details for submitting representations.</p> <p>The Council will take into account feedback received from the public consultation, and use this to inform necessary changes to the draft SPD.</p> <p>Prior to adopting an SPD, the Council will publish a Consultation Statement setting out who was involved in the public consultation, the main issues and other matters raised, and how the Council has addressed these in preparing the SPD.</p>
3	<b>Adoption</b>	Once an SPD is adopted, the Council will make publicly available the SPD and an Adoption Statement.

## Strategic Environmental Assessment

- 5.20. SPDs do not require Sustainability Appraisals but may in exceptional circumstances require a Strategic Environmental Assessment (SEA) if they are likely to have significant environmental effects that have not already been assessed during the preparation of the Local plan or other development plan documents.
- 5.21. Where relevant, the Council will consult and invite representations on SEAs, including for screening reports, or other associated statements alongside the consultation of SPDs.

## Neighbourhood planning

- 5.22. Neighbourhood planning was introduced under the Localism Act 2011. It gives local communities statutory powers to create planning policy documents that can help shape development within a local area. This can be achieved through the preparation of Neighbourhood Plans and Neighbourhood Development Orders.
- 5.23. The NPPF (2021) states that Neighbourhood Plans “should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies”<sup>1</sup>.
- 5.24. Neighbourhood Plans are prepared by local community groups called Neighbourhood Forums, which are formally designated by the Council. The Council has a duty to support those who are preparing Neighbourhood Plans.<sup>2</sup> To be clear, the responsibility for preparing a plan lies with a Neighbourhood Forum. However, we will support all Forums with a view to ensuring their policy proposals have the best chance of succeeding at independent examination, so that the plan can be brought into force.
- 5.25. The process for preparing a Neighbourhood Plan is set out in legislation. In summary, the process involves five main stages:
1. Initiation (including designation of a Neighbourhood Forum and Area)
  2. Preparation of the plan (including public consultations)
  3. Independent examination
  4. Referendum
  5. Adoption by the Council

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<sup>1</sup> NPPF (2021), paragraph 13

<sup>2</sup> A requirement under Section 6 of the Neighbourhood Planning Act 2017

5.26. We will seek to provide the local community and Neighbourhood Forums with guidance and advice at all stages of the plan-making process, and carry out the Council's statutory functions within the resources available. Some of this support is set out in in planning regulations<sup>3</sup>, which reflect that the Council will have a more active role at key stages in the plan process. This support includes:

- Checking, publicising and determining applications for Neighbourhood Areas and Neighbourhood Forums;
- Publicising Neighbourhood Plan proposals in order to provide the local community and other stakeholders with an opportunity to comment on them;
- Appointing a plan examiner to undertake a public examination of the Neighbourhood Plan proposals; and where appropriate;
- Coordinating, carrying out and paying for a local referendum, in which members of the public can decide whether to support the Neighbourhood Plan so that it becomes part of Lewisham's Development Plan.

5.27. In addition, the Council will provide Neighbourhood Forums with planning and other technical advice, and share information (such as evidence base documents), to help support preparation of the Neighbourhood Plan.

5.28. It is vital that Neighbourhood Plans reflect the aspirations of the wider community. Community groups or other bodies interested in establishing a Forum, as well as designated Forums themselves, will therefore have an important role in engaging with the community at different stages in the plan process. Effective and inclusive consultation with the community (and others likely to be affected by a Neighbourhood Plan proposal) is therefore strongly encouraged, whilst recognising that the nature of consultation will depend on the stage in the plan-making process.

5.29. Further information on neighbourhood planning is available from:

- Lewisham Council's planning webpage
- The National Planning Practice Guidance (NPPG)<sup>4</sup>
- The Locality webpage<sup>5</sup>

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<sup>3</sup> The Neighbourhood Planning (General) Regulations 2012

<sup>4</sup> The NPPG is issued by the Department for Levelling UP, Housing and Communities (DLUHC)

<sup>5</sup> Locality also provides information on grant funding that may be available for community groups – see [www.locality.org.uk](http://www.locality.org.uk)

## Other planning documents

5.30. The Council may produce of a number of other planning documents, where there will be an opportunity for the public involvement and/or consultation.

Document	Our commitment
Community Infrastructure Levy (CIL) Charging Schedule	<p>The process of preparing and bringing into force a CIL Charging Schedule is set out in legislation. The Council will follow the relevant legal procedures.</p> <p>The Council will publish a draft Charging Schedule on its website and notify relevant stakeholders (such as local residents, community organisations, landowners and developers). The necessary periods of consultation(s) in line with statutory requirements will be carried out. Relevant Consultation Statement(s) will be published on the Council website, showing who submitted representations and how these representations have been addressed by the Council. A final draft Charging Schedule, which will then be submitted to an independent examiner.</p>
Neighbourhood Community Infrastructure Levy (NCIL)	<p>To consult on spending priorities with the wider community for a minimum 6-week period. The results of the consultation will be made publically available. Priorities for NCIL spend will be agreed through community meetings, that will be published through the Council website and, where possible, social media.</p>
Brownfield Land register	<p>The Council will consult for 42 days the first time Part 2 is published, and 21 days thereafter. For sites included in Part 2, where the Council receives an application for Technical Details Consent, there is a requirement to display a notice under Article 15(a) of the Permissions in Principle Order 2017 on or near the site.</p>
Other documents	<p>To consult on with the public and relevant stakeholders on planning policy documents according to the scale, details and nature of these documents also taking into account legislative requirements. These documents may include, but are not limited to, Conservation Area Appraisals; Masterplans; Area Action Plans; and Article 4 directions.</p>

## 6 Planning Applications

### What is Development Management?

- 6.1. Development Management is an integral part of the planning process. Policies are used to achieve sustainable, high quality and inclusive development. Development Management includes all **applications** submitted for planning permission (and Listed building Consent, Advert Consent and Prior Approvals).
- 6.2. Development Management also includes **pre-applications** where applicants seek advice on how their schemes can best meet policy and deal with key planning issues. The Council strongly promotes the use of pre-application engagement but there is no legal requirement for an applicant to do so.
- 6.3. The Council strongly believes that pre-application engagement leads to a better-quality development, increases the likelihood of a successful application, and better informs affected communities.
- 6.4. Development Management also includes planning **enforcement**, and the Council intends to prepare an Enforcement Plan which explains how we will carry out those duties.
- 6.5. The Planning Service also carries out continuous engagement via the Community Forum, which is a meeting of Community Groups and Amenity Societies held quarterly. The purpose of this forum is to seek a positive working relationship between the Planning Service and our community groups, update on changes to the Planning System and Council policies/strategies, provide direct feedback to Officers and discuss planning issues thematically.
- 6.6. Applications for planning permission (regardless of the applicant) are assessed against policies in the adopted Development Plan, National Planning Policy, adopted Guidance and all other material planning considerations, including representations received from consultation.

#### **Development Management process summary**

##### **1. Pre-application Stage**

The Council has a range of pre-application services for potential applicants. The Council will provide written feedback on a proposed development.

The applicant is expected to undertake pre-application engagement with their local community which includes residents, businesses and visitors. Pre-application engagement should include relevant ward Councillors, other Council service areas formal and other stakeholders where appropriate.

##### **2. Application Stage**



The Council will carry out consultation on an application where required by legislation. Consultation will meet the legal minimum standards and in some cases be expanded depending on the type of application.

Council Officers will assess the application against planning policy and any representations received from consultation. A formal recommendation will be made to approved or refuse permission.

### **3. Decision Making Stage**

A final decision issued. The majority of applications are determined by senior officers with delegated authority. Applications with high public interest are decided by planning committee.

#### **Pre-Application**

6.7. The Council has a range of pre-application services that suit all types and scale of proposed development. This service offers professional planning advice and has any benefits in contributing to quality outcomes and avoiding delay through:

- Early identification of key issues
- Opportunity to give early advice on policies
- Advice on the level of pre-application engagement with the local community
- Potential for higher quality applications
- Deal with issues upfront which will lead to quicker and more straightforward processing of applications
- Identify key risks that may avoid refusal of planning permission and appeals
- Potential to save time and money

6.8. Details of the Councils pre-application advice service and charges are on the [website](#).

6.9. Major and complex proposals should be managed via Planning Performance Agreements.

6.10. The Council expects that developers/ applicants undertake pre-application engagement with those affected by development proposals, the level of which should be proportionate to the scale of the scheme. This could include speaking to neighbours on smaller scale residential proposals up to the holding of meetings and exhibitions to give information about schemes, where larger. Applicants should refer to the Councils guidance on good practice consultation, published on the website. Additional details on requirements for those schemes proposing over 50 units are outlined below.

6.11. Applicants are strongly encouraged to discuss their pre-application

engagement plans with the Planning Service who can advise on the type and extent of consultation including identification of key stakeholders in the community, and that any queries from the community directed to the Council can be readily responded to. Discussions should include what steps are taken to minimise digital exclusion.

6.12. Engagement that is taken only just prior to submission is likely to be viewed as tokenistic, with limited chance for the community to engage and influence a proposal.

#### Design Review Panel

6.13. The Council expects that all new development is of the highest design quality to enhance townscape and the quality of place for its residents and visitors. The Council has an established Design Review Panel who will assist and encourage developers and their design teams to achieve high quality design.

6.14. The Design Review Panel referral should be undertaken at an appropriate stage during pre-application discussions, to ensure schemes deliver high quality developments and ensures that design review is undertaken early enough to inform a scheme.

6.15. The following pre-application schemes will be referred to the Design Review Panel:

- Major new developments and significant alterations to existing buildings with scope to impact the boroughs townscape.
- Proposals for Listed Building Consent involving substantial demolition or alteration of any Grade II \* and Grade 1 listed buildings
- Proposals for any significant new buildings within Conservation Areas
- Any other proposals as considered necessary by the Director of Planning

6.16. Applicants would be expected to show how their scheme has evolved as a result of local engagement and consultation including the Lewisham Design Review Panel in their submissions, most likely as part of the Design and Access Statement/ Planning Statement.

6.17. Details of Lewisham Design Review Panel service and its charges are available on the [website](#).

#### Local Meetings

6.18. Local Meetings will be expected for major development schemes of 50 or more new residential units. A Local Meeting will be held prior to submission and attended by a Council Officer. This is an opportunity for those affected by development proposals to find out more information about a proposed development and give communities the chance to influence a design prior to the submission of a planning application.

- 6.19. Applicants should discuss the most appropriate timing with Council Officers as part of pre-application discussions. Applicants are expected to invite properties within a 50m radius of the site (or more where considered necessary such as where tall buildings are proposed or where multiple users/ groups from a wider area may be impacted), local Ward Members and stakeholders.
- 6.20. Local Meetings are anticipated to be held via online platforms, with other formats being considered to address issues of digital exclusion. A note of the meeting will be available to all attendees and posted online.
- 6.21. An overview of the Local Meeting and its outcomes must form part of a planning application submission including details of how the feedback from the Local Meeting has influenced the scheme and its design.
- 6.22. Applicants should refer to the Councils website for consultation and engagement guidance including the expectation of Local Meetings.

## **Application Consultation**

- 6.23. The Council has a number of procedures in place to involve the community in the Development Management planning process. Consultation will depend on the nature of the application but may include:
- Notification to occupiers of adjoining properties (that share a boundary) – this could include, but is not limited to letters, communal foyer notices, and emails
  - Display of a Site Notice
  - Upload of all application documents to the Councils website
  - Publication of notice in local press.
  - Notification to ward Members
  - Consultation with relevant statutory and non-statutory stakeholders
  - Automatic notification via customer self-registration on the website
- 6.24. National legislation in the Town and Country Planning (General Development Management) Order 2015 sets out situations where site and press notices must be used and situations where there is discretion to use either site notices or letters to notify people occupying nearby properties that an application has been received. This legislation says that letters must be sent to the occupiers of “adjoining land or properties”, but there is no definition of what this means.
- 6.25. The Council takes a proportionate approach to consultation to suit the specifics of the application and may consider additional approaches where necessary.
- 6.26. An individual or organisation does not need to be specifically consulted in order to make their formal views on an application. Anyone is open to make

representations on applications.

6.27. The Councils website will provide further information on good practice consultation.

#### Notification

6.28. All occupiers who adjoin a site boundary (typically to the side and rear) will be notified of planning applications, this is typically via letter addressed to the property, but could include foyer notices for blocks of flats, emails and/or site notices as appropriate.

6.29. Extended consultation (i.e. beyond just those adjoining the site boundary) will take place for larger scale development with potentially wide-ranging impacts. Notifications will contain details of the proposals, where plans can be viewed and how comments can be made. The Council will allow at least 21 days for interested parties to respond.

#### Site notices

6.30. Some types of applications require the display of a site notice in or around the application site. This will contain information on the proposal, where the plans can be viewed and how, and by when, to comment. The Council will ensure that the notices are as visible as possible. More than one notice may be required for major applications or large sites.

#### Website

6.31. All applications received will be uploaded to the Councils website. All plans and documents can be viewed and downloaded. Comments can also be made via the website online form.

6.32. Previous applications on a site can also be viewed and [personal notifications](#) can be set up that will send a user an email alert when an application is received in a certain street.

#### Public Notice in local press

6.33. Certain applications require the Council to put advertisements in a local newspaper. These include applications within a Conservation Area, applications affecting or adjacent to a Listed Building and where an application is contrary to the development plan. All Major development involving 10 or more dwellings or on sites of over 0.5 hectares will also be advertised.

#### Notification to ward Members

6.34. Elected Members will be notified of applications in their ward and have the chance to comment on applications.

Automatic notification via website

6.35. The website allows anyone to register for automatic notification of an application at an address point using an email address.

### **Guidance on revised submissions**

6.36. Where revised plans are submitted the Council may seek to notify interested parties of the amended plans, particularly where the changes to a development are considered material in terms of impact to neighbouring properties. The length of time for re-consultation is normally 14 days, although this will depend on the revisions proposed.

### **Negotiation with the applicant**

6.37. The Council will negotiate with an applicant as appropriate to achieve an acceptable outcome on the application, having regard for the representations received, the Local Development Framework and any other material considerations. This negotiation may not take place where an application is to be recommended for refusal.

6.38. For clarity, the Council will negotiate only on applications for Planning Permission. Applications for Lawful Development Certificates and Prior Approval are assessed as set out in legislation.

6.39. The Council will not negotiate on applications for Approval of Details/ Conditions and will consider all material submitted as valid on receipt.

6.40. Applicants will be directed to the pre-application service where negotiation during the formal application process is not possible or appropriate.

### **Decision Making**

6.41. The majority of applications are decided using delegated powers, meaning that decisions are made and issued by senior officers in accordance with the adopted Scheme of Delegation.

6.42. Certain applications that are of high public interest are dealt with by Planning Committee, which is formed of elected Members.

6.43. The Scheme of Delegation and details of Planning Committees are contained within the [Councils Constitution](#).

## **7 Resources and monitoring**

7.1. Resourcing consultation activities is important if the Council is to achieve the consultation standards set out in this document. The Statement of Community Involvement envisages using consultation tools which operate at a corporate level and at the Planning Service level.

- 7.2. Corporate consultation tools are undertaken by other departments and by the Council's partners, such as the Lewisham Strategic Partnership, community groups and statutory authorities. It is considered that this consultation will not have any resource implications, as it is not funded by the Planning Service and is consultation that would take place anyway.
- 7.3. Consultation operated and funded by the Planning Service generally comprises planning-specific consultation exercises. The Council anticipates savings (time and cost) on consultation by investing in consultation early in the plan-making process and achieving savings towards the end of the process. Where appropriate, the Council will seek to link community involvement initiatives on different Local Development Documents, for example where a Supplementary Planning Document (SPD) and a Development Plan Document (DPD) are prepared in parallel because the details set out in the former are fundamental to the early delivery of the policies in the latter. Overall, it is expected that consultation will be resourced within existing budgets but this will be continually monitored.
- 7.4. The Statement of Community Involvement will be subject to periodic review in accordance with the statutory requirements and updated where necessary, for example, to respond to changes in legislation or local circumstances. To facilitate meaningful information, the Council will also periodically seek information from those participating in consultation activities on who they are so as to ensure consultation is reaching all of the community. The Council will refer to and use good practice guidance to inform the gathering of this information.
- 7.5. There is no requirement in legislation for local planning authorities to consult when reviewing and updating their Statement of Community Involvement. However, as a matter of good practice the Council will seek to inform the public of its intentions to update this document.

## Appendix 1 Sustainability / sustainability appraisal

1. The Planning and Compulsory Purchase Act 2004 requires the Council, in its capacity as a local planning authority, to carry out a sustainability appraisal of each of the proposals in a plan during its preparation.
2. Sustainability appraisal is a process that is carried out during the preparation of local plan documents. Its main purpose is to promote sustainable development by assessing the extent to which the emerging plan, when considered against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives. Sustainability appraisal is undertaken as an iterative process throughout the plan-making process. It is an opportunity to consider ways by which the plan can contribute to improvements in environmental, social and economic conditions, as well as a means of identifying and mitigating any potential adverse impacts. Sustainability appraisal reports are prepared and made publicly available at key stages throughout the plan process.
3. Sustainability appraisal normally incorporates the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 (also known as the 'Strategic Environmental Assessment (SEA) Regulations'). The scope of SEA is focussed on assessment of environmental effects. Where SEA is fully integrated with the sustainability appraisal, this ensures that potential environmental effects are considered alongside social and economic issues.
4. Strategic Environmental Assessment can be required in some circumstances, even where sustainability appraisal is not needed. This is usually only where either neighbourhood plans or supplementary planning documents could have significant environmental effects. To establish whether a document requires a full SEA, a 'screening' exercise is carried out in line with the relevant legislation.
5. This Appendix has been compiled drawing from the National Planning Practice Guidance (NPPG), which should be referred to for further information. The NPPG is regularly updated to reflect changes in legislation and policy.

## Appendix 2 Tests of soundness

### Local plans

1. Local plans are subject to an independent public examination, where a Planning Inspector will assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound.
2. Paragraph 35 of the National Planning Policy Framework (2019) sets out that plans are 'sound' if they are:
  - Positively Prepared – Providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development
  - Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence
  - Effective – deliverable over the plan period, and based on effective joint working on cross – boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
  - Consistent with national policy – enabling the delivery of sustainable development in accordance with policies in this framework
3. The NPPF (2021) also provides that 'non-strategic' policies will be subject to the test of soundness in a proportionate way, taking into consideration the extent to which they are consistent with relevant strategic policies for the area.

### Neighbourhood plans

4. Before a neighbourhood plan can come into force, it must meet certain 'basic conditions' and other legal requirements set out in paragraph 8, schedule 4B of the Town and Country Planning act 1990 (as amended). These are tested through an independent examination before the neighbourhood plan may proceed to a referendum.



## Further information

Further information about planning consultations and accessing consultation materials, the Statement of Community Involvement, and other planning policy documents is available:

### **Online**

By accessing our planning webpages at <https://lewisham.gov.uk/planning>.

### **Email**

By contacting the planning policy team at [planning.policy@lewisham.gov.uk](mailto:planning.policy@lewisham.gov.uk).

### **Telephone**

Alternatively, you can request to speak with an officer by calling the Council's automated switchboard on 020 8314 6000.

### **Post**

Planning Service - Laurence House, 1 Catford Road, London, SE6 4RU