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Mark Newcombe
Stroud District Council
Council Offices
Ebley Mill
Stroud
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Your Ref:

Our Ref: PINS/C1625/429/3

Date: 31st July 2007

Dear Mark,

STROUD DISTRICT COUNCIL STATEMENT OF COMMUNITY INVOLVEMENT EXAMINATION – INSPECTOR’S REPORT

I am pleased to enclose two copies the draft report prepared by Inspector Ben Linscott BSc MRTPI following the written representations examination to consider the soundness of Stroud District Council’s Statement of Community Involvement.

On behalf of the Inspector I would like to thank your Authority for its assistance. I feel sure that this has helped the Inspector minimise the time taken to produce this report that in turn has made an effective contribution towards achieving the Inspectorate’s objective of expediting its part of the overall Plan-preparation process.

Your Authority should now carry out a factual check of the draft report. Local Planning Authorities may request an amended report within 10 working days from the date of receipt of the Inspector’s draft report, although such amendments must be confined to matters of clarification, or omissions, which need to be resolved. The final report, with amendments from the draft where necessary, will be issued to you without additional charge to the LPA, within 20 working days of the Inspector being asked to consider any amendments. If you do not require clarification, would you please inform the Planning Inspectorate by the end of the 10 day period that you are prepared to accept the draft report as the final version.

The report will be binding upon the Local Planning Authority and will give specific recommendations as to how the Statement of Community Involvement must be changed. I would be grateful if you could notify the Inspectorate beforehand of the



date on which the Inspector's final report is to be published. I also welcome, in due course, 2 copies of the adopted Statement of Community Involvement.

Yours sincerely

Steve Carnaby
Local Developments Framework Team

INSPECTOR'S REPORT
STROUD DISTRICT COUNCIL
STATEMENT OF COMMUNITY INVOLVEMENT

Inspector: Ben Linscott BSc MRTPI

Date: 31st July 2007

Stroud District Council Statement of Community Involvement (March 2007)

INSPECTOR'S REPORT

Introduction

- 1.1 An independent examination of Stroud District Council's Statement of Community Involvement (SCI) has been carried out in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004 (the Act), as applied by s18(4) of the Act.
- 1.2 Section 20(5) indicates the two purposes of the independent examination in parts (a) and (b). With regard to part (a) I am satisfied that the SCI satisfies the requirements of the relevant sections of the Act, in particular that its preparation has accorded with the Local Development Scheme as required by s19(1) of the Act.
- 1.3 Part (b) is whether the SCI is sound. Following Paragraph 3.10 of Planning Policy Statement 12: Local Development Frameworks, the examination has been based on the 9 tests set out (see Appendix A). The starting point for the assessment is that the SCI is sound. Accordingly changes are made in this binding report only where there is clear need in the light of tests in PPS12.
- 1.4 A total of 13 representations were received, all of which have been considered. The Council proposed a number of amendments to the SCI in response to representations received and these have been taken into account in the preparation of this report. Further information was requested from the Council in relation to Test iv and this information is contained in Appendix B to this Report.

Test 1

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

Test 2

- 3.1 Paragraph 6.6 of the SCI acknowledges that the Local Development Framework (LDF) is a way of delivering the aims of the Community Strategy and states that the Council will work with the Stroud Local Strategic Partnership to deliver the objectives of the Community Strategy. The SCI also explains in Appendix 7 the structure of the Local Strategic Partnership.
- 3.2 This test is met.

Test 3

4.1 The Council has set out in Appendix 5 and Appendix 6 of the SCI those groups which will be consulted. This list includes the statutory bodies from PPS12 Annex E. However, Appendix 5 lists certain bodies as statutory consultees who are not defined as such in PPS12. I therefore have the following recommendation to make in this regard:

(R1) Remove the following bodies from Appendix 5 and replace them in Appendix 6:

Ancient Monument Society
Council for British Archaeology
Georgian Group
Health & Safety Executive
Society for the Protection of Ancient Buildings
Stroud District Council for Voluntary Services
Twentieth Century Society
Victorian Society

Also add NHS South West to Appendix 5.

Remove the following entry from Appendix 6:

'Neighbouring Local Authorities'

Finally add Project Stroud and Gloucestershire Race Equality Council to Appendix 7.

4.2 It is stated in Paragraph 7.3 of the SCI that the Council holds a database of consultee details and that this will be updated as necessary. Furthermore, the Council states in Appendix 5 that they will consult with additional local stakeholders where appropriate.

4.3 The re-organisation of certain consultation bodies, such as the Strategic Rail Authority, should be acknowledged in the SCI and I recommend an additional sentence be added to this effect.

(R2) Insert the following to the beginning of Appendix 5:

"Please note this list also relates to successor bodies where re-organisations occur."

Additionally, remove references to (1) the Countryside Agency and English Nature and (2) the Strategic Rail Authority from Appendix 5 and replace them with Natural England and Network Rail respectively.

4.4 Subject to the recommendations above, this test is met.

Test 4

- 5.1 Section 8 of the SCI read in conjunction with Table 2b shows that the Council will involve and inform people from the early stages of Local Development Document (LDD) preparation and Appendix 3 sets out the range of methods the Council will employ to do this. The Council clarifies in Table 2b the stages at which consultation will take place and who will be consulted at those stages. It shows that consultation will take place with the key stakeholders during the issues and options stage of Development Plan Document (DPD) production in accordance with Regulation 25.
- 5.2 However the SCI omits a key stage in the DPD production process (advertising representations suggesting site allocation changes) if the document is concerned with allocations of land. The Council was, therefore asked to provide amendments to Table 2b, Figure 3 and Paragraph 8.5 to take this stage of the process into account and I recommend accordingly below:

(R3) Make the following changes to the SCI:

Amend the DPD preparation stage column to read:

“Statutory consultation on submission to secretary of state including consultation on any site allocation representations received.”

Amend the ‘Stage 3’ box of Figure 3 to read as follows:

“We prepare and publish the document and submit to government. Any alternative representations on allocations of land received during the submission consultations will be advertised.”

Add the following to the ‘Stage 3 Submission’ section of Paragraph 8.5 to read:

“At this stage further advertising will include any site allocation representations received.”

- 5.3 As a result, I am satisfied that, providing these stages are followed, the consultation proposed will be undertaken in a timely and accessible manner.
- 5.4 Subject to the recommendation above, this test is met.

Test 5

- 6.1 Appendix 3 of the SCI sets out the methods that the Council propose to use to involve the community and stakeholders. These cover a variety of recognised consultation techniques that will present information via a range of different media. The Council

acknowledge the benefits and disadvantages of the different methods and indicate through Table 2b at what stages of LDD preparation the various methods might be employed.

- 6.2 The SCI acknowledges in Paragraph 5.3 and Appendix 2 that the Council may have to provide extra support to facilitate consultation with certain groups or individuals and proposes, through a selection of methods within Appendix 3 how it might do this. Appendix 2 explains how the Council will make its information accessible to all members of society and sets out how they will meet requirements of the Race Relations Act 2000 and the Disability Discrimination Act 1995.
- 6.3 I am satisfied that the methods of consultation proposed in the SCI are suitable for the intended audiences and for the different stages in LDD preparation.
- 6.4 This test is met.

Test 6

- 7.1 Section 11 of the SCI explains how the Council will seek to ensure that sufficient resources are put in place to achieve the scale of consultation envisaged. I am satisfied that the Council is alert to the resource implications of the SCI.
- 7.2 This test is met.

Test 7

- 8.1 Section 10 explains how the results of community involvement will be taken into account by the Council and used to inform decisions. The Council also proposes to prepare reports at the end of the consultation period explaining how views have been considered and documents changed in light of the community involvement. The SCI states at the end of Paragraph 10.2 where these will be made publicly available.
- 8.2 However, the over reliance on electronic dissemination of this information is potentially exclusive. These reports should be made more widely available and I therefore have the following recommendation to make.

(R4) Amend the final sentence of Paragraph 10.2 to read as follows:

"These will be published and appear on the Council's website and will also be made available at the locations detailed in Appendix 1.
- 8.3 Subject to the recommendation above, this test is met.

Test 8

- 9.1 Paragraph 2.7 explains that the Council will monitor and review the SCI which will be formally reviewed as part of this process and reported on through the Annual Monitoring Report.
- 9.2 I am satisfied that the Council has mechanisms for reviewing the SCI and has identified potential triggers for the review of the SCI.
- 9.3 This test is met.

Test 9

- 10.1 Section 12 of the SCI describes the Council's policy for consultation on planning applications. Paragraph 12.9 meets the minimum requirements and provides information on additional methods of consultation. This paragraph also distinguishes between procedures appropriate to different types and scale of application and Paragraphs 12.15 – 12.18 include information on how the consultation results will inform decisions.
- 10.2 The SCI does not address the longer statutory time period for consultation that may be applicable in certain circumstances and I recommend a change to acknowledge this.

(R5) Insert the following at the end of Paragraph 12.2:

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

- 10.3 As a result of a representation received on the submission document the Council proposes the following minor amendment to Paragraph 12.12 which I agree should be made.

(R6) Amend the second sentence of Paragraph 12.12 to read as follows:

Local libraries and some parish and Town Councils provide public access to the Internet for those without home access to the Internet.”

- 10.4 Subject to the recommendations above, this test is met.

Conclusions

- 11.1 The Council has set out in its Regulation 31 a small number of proposed changes to the SCI in response to representations received on the submission document. These suggested amendments do not affect the substance of the SCI but they do improve the clarity and transparency of the submission SCI. I have therefore agreed that they be included in the body of this report.

11.2 The Council has provided a list of factual changes which also includes information of the removal or amendment of text that would become redundant once the document is adopted. This information is given in Appendix B to this report and I recommend accordingly below.

(R7) Implement the changes proposed in Appendix B to this report.

11.3 In the event of any doubt, please note that I am content for such matters as any minor spelling, grammatical or factual matters to be amended by the Council, so long as this does not affect the substance of the SCI.

11.4 Subject to the implementation of the recommendations set out in this Report, Stroud District Council's SCI (March 2007) is sound.

Inspector

Ben Linscott

Ben Linscott BSc MRTPI

APPENDIX A
TESTS OF SOUNDNESS

Examination of the soundness of the statement of community involvement

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

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

From: Planning Policy Statement 12: Local Development Frameworks

¹ The Town and Country Planning (Local Development) (England) Regulations, 2004.

INSPECTOR'S REPORT

APPENDIX B – CORRESPONDENCE



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Mark Newcombe
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GL8 4UB

Your Ref:

Our Ref: PINS/C1625/429/3

Date: 7th July 2007.

STROUD DISTRICT COUNCIL- STATEMENT OF COMMUNITY INVOLVEMENT

Dear Mr.Newcombe,

As the appointed Inspector for your Authority's Statement of Community Involvement I am requesting comments from the Council on the following points in order to assist in assessing the soundness of Stroud District Council's Statement of Community Involvement.

Test iv

The SCI omits a key stage in the DPD production process if the document is concerned with allocations of land. Could the Council, therefore, provide details of the Regulation 32 stage as amendments to Table 2b, Figure 3 and Paragraph 8.5 so that this stage of the process is taken into account?

Other Matters

There are areas of the SCI that would become redundant once the document is adopted – for example Figure 1 and the footer information on each page of the document. Could the Council, therefore, provide a schedule of editorial changes to deal with this issue? This, with regard to Figure 1, should result in an amended figure that should contain text that indicates that this would be the process the Council would follow should a review of the SCI be necessary. To that end the specific dates should be removed and the Regulation 25 stage added.

These answers are to assist in the production of a binding report. Once you have submitted your response to these questions, the report will be produced as quickly as possible. Please reply to Steve Carnaby whose details are given above. Thank you for your assistance in this matter.

Yours sincerely,

Keith Holland

Keith Holland BA(Hons) Dip TP MRTPI ARICS



Stroud District Council – Statement of Community Involvement – Schedule of changes – July 2007

| Page/Paragraph No | Reason for change | Details of change. |
|---------------------------------------|--------------------------------------|---|
| | | |
| Page 18, Para 12.12 | Representation by Cam Parish Council | Delete "provide free" and replace with "and some Parish and Town Council's provide public" |
| Appendix 5 | Representation by English Nature | Delete "English Nature" and "Countryside Agency" and replace with "Natural England" |
| Appendix 7 | Representation by Project Stroud | Include "Project Stroud" in Appendix 7 |
| Appendix 7 | Omission by SDC | Include "Gloucestershire Race Equality Council" |
| Front cover, page i, all page footers | Inspector's request/Redundant text | Delete "Submission Version" |
| Text box at bottom of Page 1 | Inspector's request/Redundant text | Delete text beginning/ending "An independent....its plans" |
| Section 2 | Inspector's request/Redundant text | Delete Paragraphs 2.2, 2.3, 2.4, 2.5, 2.6 |
| Section 2 | Inspector's request/Redundant text | Delete Figure 1 and replace with an amended Figure 1 showing process of any necessary review of the SCI |
| Section 2 Para 2.7 | Inspector's request/Redundant text | Delete " in the adopted" and replace with "in this" add "See Figure 1 for the main stages." |
| Page 9 Table 2b | Inspector's request | In the DPD preparation Stage column, in box containing wording "Statutory consultation on submission to secretary of state" continue with "including consultation on any site allocation representations received." |
| Page 11 Fig 3 | Inspector's request | In Stage 3 box. Amend text to read "We prepare and publish document and advertise any site allocations representations for comment and submit document to Government." |
| Page 12 Para 8.5 | Inspector's request | In "Stage 3 Submission" section of chart, add the following sentence after the existing text. " At this stage further advertising will include any site allocation representations received." |