

**Oldham**

**Local**

**Development**

**Framework**

**Review Statement of Community  
Involvement**

**July 2010**



**Oldham**  
Council

## OLDHAM METROPOLITAN BOROUGH LOCAL DEVELOPMENT FRAMEWORK

Through the enactment of the Planning Act 2008, the Government has made a number of reforms to the Planning and Compulsory Purchase Act 2004. Further to this, national guidance in PPS12 was updated and published in September 2008. This Review Statement of Community Involvement (SCI) has been produced as a result of these changes and represents a review of the 2007 SCI.

The Government has reformed the system of development planning in England. Development Plans are used to control and guide the development and use of land. As part of the reformed system, Oldham Metropolitan Borough Council must prepare a 'Local Development Framework'.

The Local Development Framework will be a folder of different documents, one of which will be the 'Review SCI'. The Review SCI will set out how the council will involve the community in the preparation and revision of the Local Development Framework and the consideration of planning applications.

The council's Vision for the Review SCI is to "enable, empower and encourage all residents and other stakeholders of Oldham Metropolitan Borough to actively participate in the planning to improve their borough".

If you would like further help in interpreting the Review SCI please contact the Strategic Planning and Information section on the following telephone numbers: 0161 770 4151/4163

You can also email the team on [spi@oldham.gov.uk](mailto:spi@oldham.gov.uk).

All documents connected with the Local Development Framework and the SCI are available on the council's web site at [www.oldham.gov.uk](http://www.oldham.gov.uk).

***To obtain a copy of this document in an alternative format please call 0161 770 4061***

Please note that references to Regulation 32 in this document are now removed in accordance with the Amendment Regulations.

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|   |   |    |
|---|---|----|
| 1 | Introduction  | 3  |
| 2 | The Planning System and Community Involvement                                   | 6  |
| 3 | The Council and Community Involvement   | 8  |
| 4 | Community Involvement and the Local Development Framework                       | 13 |
| 5 | Reporting Back  | 27 |
| 6 | Community Involvement and Development Management                                | 28 |
| 7 | Minerals and Waste Management   | 34 |
| 8 | Resources and Management of Community Involvement in Planning                   | 35 |
| 9 | Review and Monitoring   | 36 |
|   | Appendix 1 Tests of "Soundness" for Development Plan Document                   | 37 |
|   | Appendix 2 Consultees on Local Development Framework and Development Management | 38 |
|   | Appendix 3 Glossary of Terms  | 43 |
|   | Appendix 4 Contact Details  | 44 |
|   | Appendix 5 Useful Contacts and Websites   | 46 |

# 1 Introduction

- 1.1** In September 2004, the Planning and Compulsory Purchase Act 2004 came into effect. This legislation reforms the system of development planning in England. Development Plans are used to control and guide the development and use of land in the area they cover.
- 1.2** As a consequence of the new legislation, Oldham Metropolitan Borough Council, in its role as Local Planning Authority, must prepare a '**Local Development Framework**'.

## LOCAL DEVELOPMENT FRAMEWORK

- 1.3** The Local Development Framework (LDF) is a folder of different documents as follows:
- a. '**Local Development Scheme**' – This is a project plan which sets out how and when the council will prepare the various documents making up the LDF. The latest Oldham Metropolitan Borough Local Development Scheme can be viewed on the council's website at [www.oldham.gov.uk](http://www.oldham.gov.uk).
  - b. '**Statement of Community Involvement**' – This sets out how the council will engage the community in the preparation and revision of LDF documents and in determining planning applications.
  - c. '**Development Plan Documents**' – A series of spatial planning documents which set out the council's approach to future development of the borough.
  - d. '**Supplementary Planning Documents**' – These may expand on policy outlined in a Development Plan Document or provide more detail on it to help in its implementation. These are not formally part of the statutory Development Plan, but are material considerations in determining planning applications.
  - e. '**Annual Monitoring Report**' – This will be produced each December and which will review progress towards achieving the targets and milestones set out in the Local Development Scheme. It will also assess the impact and effectiveness of planning policies.
- 1.4** All constituent parts of the LDF are called '**Local Development Documents**'. Although the documents share this generic name, they have differing legal status.

## THE DEVELOPMENT PLAN

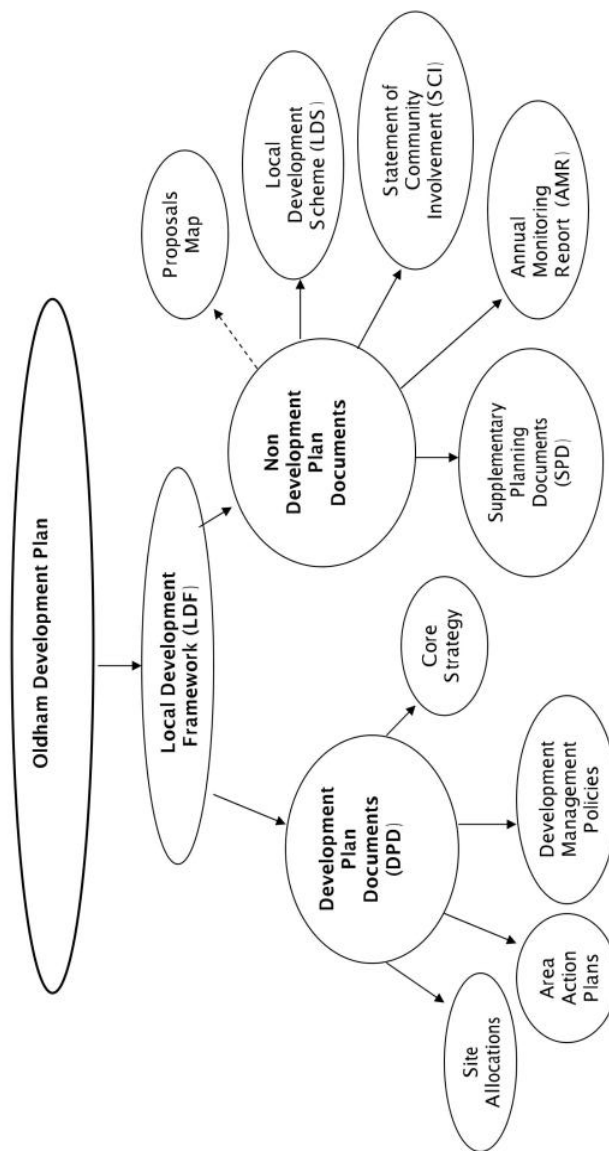
- 1.5** Planning decisions are made in accordance with the Development Plan unless there are other material considerations (Section 38(6) of the Planning and Compulsory Purchase Act 2004).
- 1.6** The LDF Development Plan Documents will include:
- a. '**Core Strategy**' – which sets out a spatial vision and strategic objectives for the borough, incorporating a preferred way forward for the LDF, core policies and a monitoring and implementation framework with clear objectives for achieving delivery.
  - b. '**Site-specific allocations of land**' – a document that identifies where land is allocated for a specific use such as residential or business or retail or open space.

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- c. **‘Area Action Plans’** – these provide the planning framework for areas where significant change or conservation is needed.
  - d. **‘Development Management policies’** – these are policies setting out criteria against which planning applications for development and use of land or buildings will be assessed.
- 1.7** The Core Strategy and Development Management Policies are being prepared jointly as a single document here in Oldham Metropolitan Borough.
- 1.8** In May 2010 the coalition Government announced its intention to abolish the regional planning tier. Until the Regional Spatial Strategy (RSS) is revoked by legislation, it is still technically part of the borough's development plan. Upon its formal abolition the RSS will no longer be a material planning consideration. RSS was formally revoked in July 2010.

## **ASSESSMENT OF PLANS AND PROGRAMMES**

- 1.9** A key part of the reformed planning system is the requirement for an assessment of plans and programmes that are likely to have significant effects on the environment. Development Plan Documents will therefore be subject to a **‘Sustainability Appraisal / Strategic Environmental Assessment’**. This is explained in Section 4.

**Figure 1 Development Planning System**



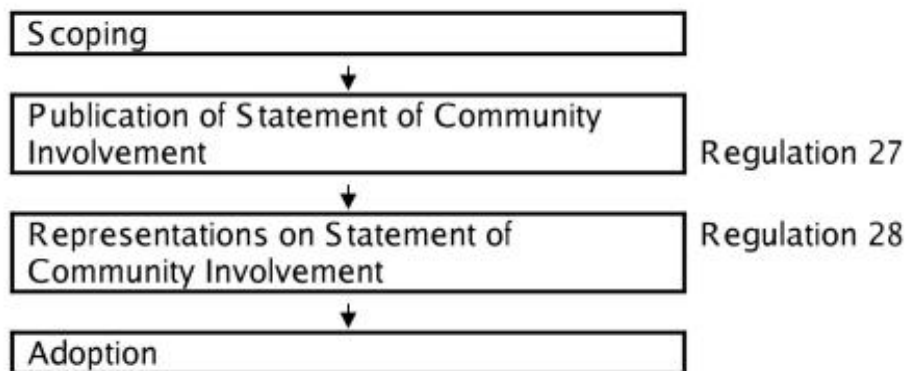
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## 2 The Planning System and Community Involvement

### STATEMENT OF COMMUNITY INVOLVEMENT

- 2.1 The reformed planning system places a particular emphasis on Community Involvement in the plan-making process and development management. A key part of the Local Development Framework will be the '**Statement of Community Involvement**' (SCI), which sets out how the council will involve the community in the preparation and revision of the Local Development Documents and the consideration of planning applications.
- 2.2 This Review SCI defines 'community' as all stakeholders with an interest in the future development of the borough, which includes the general public, community and interest groups, organisations, businesses, land owners, developers, consultants and statutory consultees.
- 2.3 Engaging the community will allow stakeholders the opportunity to participate in the planning processes that will produce a range of benefits including that the fullest range of views are taken into consideration when forming land-use development proposals, strengthening the evidence base, fostering commitment and ownership and strengthening delivery.
- 2.4 The Review SCI outlines the techniques that may be used to engage the community at the various stages of preparation of Development Plan Documents, Supplementary Planning Documents and Sustainability Appraisal/Strategic Environmental Assessment, as well as the Review SCI itself. (See Section 4.)
- 2.5 Opportunities for Community Involvement on planning applications are outlined in the Review SCI. (See Section 6.)
- 2.6 A Draft SCI (the 'Pre-Submission' document) was published for consultation for six-weeks during April-June 2006. The SCI was submitted to the Secretary of State for independent examination (the 'Submission' document), which was followed by a six-week consultation period during September-November 2006. Following independent examination, the Inspector produced a report that included binding recommendations. The SCI was amended to incorporate the Inspector's recommendations. The SCI was adopted as council policy in April 2007. This document is the Review SCI as is required in light of revised Regulations and Guidance that was published in 2008. Under The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008 the Review SCI was not subject to an independent examination. This Review SCI was adopted as council policy in July 2010 and supersedes the 2007 SCI.

**Figure 2 Statement of Community Involvement Process**



- 2.7** All Development Plan Documents and Supplementary Planning Documents that are prepared will have to take account of the procedures for Community Involvement.
- 2.8** A '**Statement**' will have to be issued for each Development Plan Document, showing how it meets the requirements outlined in the Review SCI, when it is submitted to the Secretary of State.
- 2.9** All planning applications that are determined by the council will also have to meet the requirements outlined in the Review SCI.
- 2.10** This Review SCI has taken account of the following Government legislation and guidance:
- a. Planning and Compulsory Purchase Act 2004
  - b. Town and Country Planning (Local Development) (England) Regulations 2004 (as amended in 2008)
  - c. Planning Policy Statement 1: Delivering Sustainable Development
  - d. Planning Policy Statement 12: Local Spatial Planning
  - e. Creating Local Development Frameworks: A Companion Guide to PPS12 (ODPM, 2004)
  - f. Diversity and Equality in Planning: A Good Practice Guide (ODPM, 2005)
  - g. Development Plans Examination – a Guide to the Process of Assessing the Soundness of Statements of Community Involvement (The Planning Inspectorate, 2005)
  - h. Plan Making Manual on the Planning Advisory Service (PAS) website.
- 2.11** The Review SCI covers the whole borough except that part which falls within the Peak District National Park.



## 3 The Council and Community Involvement

3.1 Oldham Council's four corporate objectives are:

- a. A confident place - with safe neighbourhoods and clean, green spaces for all to enjoy.
- b. A university town – with good education, learning and training to improve the skills and choices of our citizens.
- c. An address of choice – a healthy and active place, with suitable housing for all.
- d. Services of choice – quality services that provide value for citizens.

(source: *Oldham Corporate Plan 2009 – 2013*)

3.2 The vision for 2020 in Oldham's Sustainable Community Strategy<sup>(1)</sup> is to make:

***“Oldham a place where everybody is proud to belong by increasing life opportunities for all”.***

(source: *Oldham Sustainable Community Strategy for 2008–2020 and Local Area Agreement for 2008-2011*)

3.3 The council's vision for the Review SCI is to:

***“enable, empower and encourage all residents and other stakeholders of Oldham Metropolitan Borough to actively participate in the planning to improve their borough”.***

### OLDHAM COUNCIL'S APPROACH TO CONSULTATION

3.4 It is proposed to establish an Oldham Partnership<sup>(2)</sup> Consultation Network that will develop a partnership approach to coordinating consultation, reducing duplication and sharing information about consultation activity, results and methods across the borough. The Oldham Partnership Consultation Network aims to:

- a. coordinate consultation, including cross-cutting consultation where relevant, across the Oldham Partnership;
- b. develop a cross-cutting consultation strategy and action plan (with appropriate links to other strategies) as appropriate for the Oldham Partnership, to ensure that consultation needs are met effectively and consultation gaps addressed;
- c. develop mechanisms and resources, including guidance, to support consultation activity across the partnership;
- d. help identify and advise on the consultation needs of the Oldham Partnership generally and the Local Area Agreement in particular;
- e. promote effective consultation through sharing best practice about consultation methods, and evaluation and dissemination of consultations, and sign-posting to existing governance structures where appropriate;
- f. promote the effective use of consultation to inform decision-making and service improvement;
- g. support the dissemination of consultation findings to decision-makers, those involved in service improvement and delivery and the public.

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1 Oldham Sustainable Community Strategy for 2008-2020 and Local Area Agreement for 2008-2011  
2 the name of the borough's Local Strategic Partnership

- 3.5** It is envisaged that the network will be a subgroup of, and report to, the Oldham Partnership Strategic Research Working Group (OPSRWG). The network will report to other bodies such as the Oldham Partnership's Steering Group and the Executive Group on an 'as and when needed' basis. Membership of the network will include officers across the Partnership with responsibilities for consultation.

## **RELATIONSHIP BETWEEN THE LOCAL DEVELOPMENT FRAMEWORK AND OTHER COMMUNITY INVOLVEMENT INITIATIVES**

### **LINKS TO THE COMMUNITY STRATEGY**

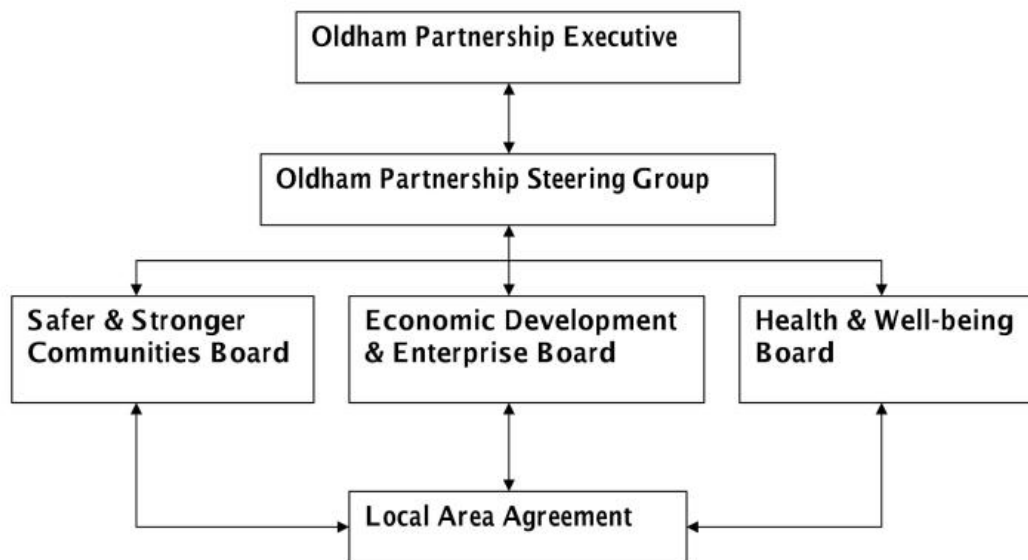
- 3.6** The Oldham Partnership (through the OPSRWG and the Oldham Partnership Consultation Network) are currently commissioning a research and consultation database and management system in order to:
- a. enable research and consultation to be targeted effectively with relevant groups of residents;
  - b. promote and support coordinated consultation;
  - c. help reduce consultation fatigue by enabling better communication with residents.
- 3.7** The research and consultation database and management system will enable local management and administration of the content contained within the system and will provide a secure environment for data storage.
- 3.8** Oldham Partnership is currently developing a Citizen Engagement Strategy that will shape how partners engage with local people. The scope of the strategy would deliver the statutory elements of the duty to involve, which are:
- a. informing
    - i. information should be provided which supports people to have their say and get involved;
    - ii. information should be accessible, easy to understand and tailored to different audiences.
  - b. consulting
    - i. representatives of local persons should have appropriate and genuine opportunities to have their say and get involved;
    - ii. authorities should ensure there is clarity of purpose and scope for every consultation i.e. it should be clear what the potential influence is;
    - iii. the outcomes of consultation should be fed back.
  - c. involving in other ways
    - i. involvement should give representatives greater influence over decisions and/or delivery of services.
- 3.9** In addition the strategy will include other work that partners choose to undertake which can be considered 'engagement' in the broader sense.

- 3.10** Oldham's Sustainable Community Strategy for 2008-2020 and Local Area Agreement for 2008-2011 represent the vision and blueprint for significantly improving the borough for all its residents.
- 3.11** The LDF is the key mechanism for delivering the land-use elements of Oldham's Sustainable Community Strategy. Oldham's Sustainable Community Strategy identifies a number of key outcomes, which the Oldham Partnership commits itself to deliver over the coming years.
- 3.12** The Sustainable Community Strategy and the LDF must be closely aligned. Spatial planning must help to deliver the borough's priorities. This may be through finding the right locations for facilities from which quality services can be delivered, or enabling the well planned, sustainable, physical regeneration of the borough. Equally the actions set out in the Sustainable Community Strategy need to be based, for instance, upon a good appreciation of land availability and the competing demands upon land and buildings.
- 3.13** The Oldham Partnership is committed to sustainable development and has indeed won national recognition for its work on this issue. It undertook a sustainability appraisal exercise of the Sustainable Community Strategy to ensure that its commitment to sustainable development ran right through the strategy and was deliverable.

#### **OLDHAM PARTNERSHIP**

- 3.14** The Oldham Partnership includes representatives of public sector organisations, private sector businesses, and voluntary, community and faith groups, who are committed to working together to deliver the aims of the Sustainable Community Strategy and Local Area Agreement.
- 3.15** Within the Oldham Partnership there is an Executive and a Steering Group.
- 3.16** The Steering Group is responsible for the policy and performance management of the Partnership. There are three partnership boards beneath the Steering Group and Executive, each focusing on one of the themes of the Sustainable Community Strategy: economic prosperity, safer and stronger communities and health and wellbeing.
- 3.17** Figure 3 below shows the structure of the Oldham Partnership. The strategic decision making core of the Partnership is represented by the Executive and the Steering Group.

**Figure 3 Oldham Partnership Structure**



- 3.18** The Oldham Partnership will be used as a mechanism to engage with key stakeholders as part of the consultation process for Local Development Documents.
- 3.19** The thematic boards within the Partnership may in some instances provide an appropriate means of securing multi agency engagement about specific aspects of the LDF.
- 3.20** In developing the Development Plan Documents and Supplementary Planning Documents, the council will endeavour to undertake joint working with organisations represented on the Oldham Partnership, so as to maximise resources and reduce consultation fatigue. The Oldham Partnership has a proven track record in engaging stakeholders and members of the community on a range of social, economic and environmental issues facing local communities.
- 3.21** See Appendix 4 for details of how to contact the Oldham Partnership.

## **DISTRICT PARTNERSHIPS AND PARTNER AND COMMUNITIES TOGETHER MEETINGS**

- 3.22** The borough has six District Partnerships and an Oldham Town Centre Partnership.
- 3.23** District Partnerships are made up of ward councillors and senior representatives of the council and key organisations in the area. Each District Partnership area is supported by a Councillor Champion and Neighbourhood Manager. Their primary role is in setting priorities, allocating resources and reviewing progress.
- 3.24** The District Partnerships will act as champions for their area in discussions about the boroughwide priorities, and develop a District Plan for the district reflecting both particular local concerns and how the boroughwide priorities will be delivered within the district. Resources will be allocated in support of these District Plans. District Partnerships will listen to the views of local people and feedback to them through the Partner and Communities Together (PACT) meetings.

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- 3.25** Members of the public are able to observe proceedings at the District Partnership meetings and may comment on topics of discussion when appropriate.
  - 3.26** The primary role of the PACT meetings is community engagement. They will provide a regular mechanism for residents and businesses to meet representatives of the council and its partners. This provides a way for the council to both listen to the views of residents, and feed back to them what is happening in the borough. PACT meetings are effectively the communication and influencing arm of the District Partnerships.
  - 3.27** PACT meetings will be used as a mechanism for sharing information and consulting on matters relating to the LDF with communities, ward councillors, co-opted members and business representatives.

## 4 Community Involvement and the Local Development Framework

### WHAT TO CONSULT ON

- 4.1** Community Involvement will take place on the preparation and revision of all Development Plan Documents, Supplementary Planning Documents and the Statement of Community Involvement (SCI). The reformed planning system specifies various stages for public participation in the preparation of Development Plan Documents and Supplementary Planning Documents.

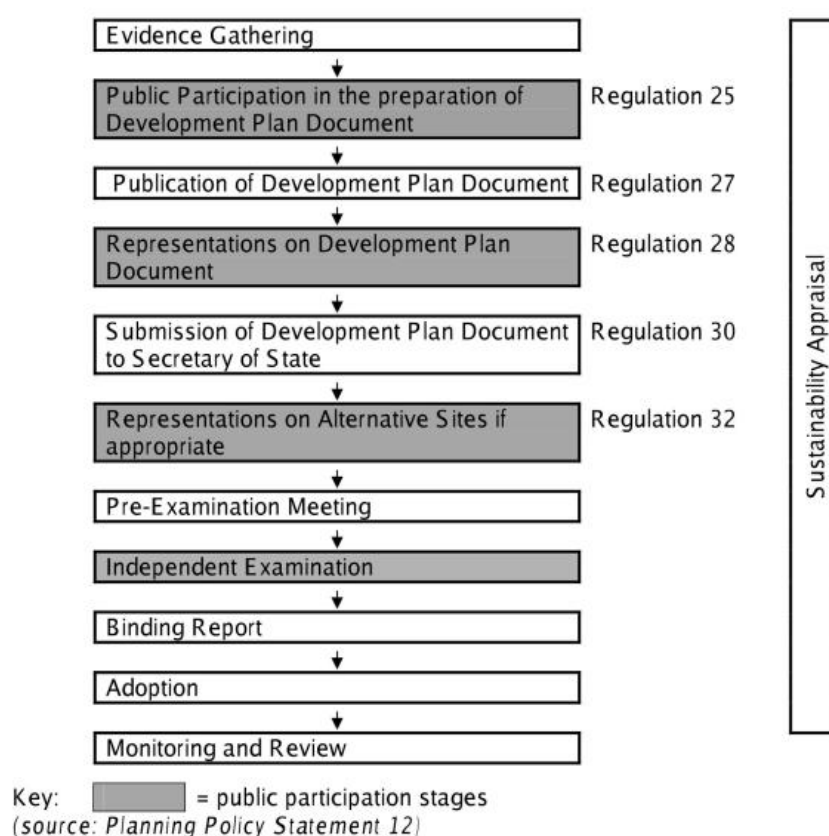
### DEVELOPMENT PLAN DOCUMENTS – THE PROCESS

- 4.2** There will be four stages in the preparation of Development Plan Documents - Pre-Production, Production, Examination and Adoption. Figure 4 outlines the stages involved in the preparation of the Development Plan Document, including the public participation stages.
- 4.3** Pre-Production – This stage involves gathering of baseline information to assist preparation of the Development Plan Document. For example, information about the characteristics of the borough's population.
- 4.4** Production – The evidence gathering stage will inform the production of the Draft Development Plan Document. There will be public participation during this stage of the process as appropriate. Frontloading, whereby the potential participants are encouraged to engage early in the preparation process, will assist with these stages.
- 4.5** The council will then prepare a Publication/Submission Development Plan Document and Final Sustainability Appraisal Report (see paragraphs 4.13-4.21 for explanation). Comments will be invited before it is submitted to the Secretary of State.
- 4.6** Additional consultation will be undertaken if alternative sites are proposed after the consultation referred to in paragraph 4.5 above for any Site-specific Allocations of Land Development Plan Document, as required by Regulation 32 of the Town and Country Planning (Local Development) (England) Regulations 2004 and as amended 2008. This additional consultation will involve the following:
- a. details of the alternative site representations will be made available for inspection;
  - b. representations will be invited on these alternative sites;
  - c. a notice will be prepared detailing the period in which representations can be made and to whom they should be sent;
  - d. a statement will be prepared indicating the venues and times where the alternative site allocation representations can be viewed;
  - e. details of all the above will be made available on the council's website, at the Civic Centre and public libraries, and any other venues where the original consultation documents were also made available;
  - f. details of the alternative site representations, and the notice and statement will be sent to the 'specific', 'general' and 'other' consultees;
  - g. individuals and organisations on the LDF mailing list will be notified about the additional consultation period;
  - h. an advertisement will be placed in a local newspaper with details of the period in which representations on the alternative sites can be made, to whom any

representations should be sent, and where and when the alternative site representations can be viewed.

- 4.7 Examination** – The Publication/Submission Development Plan Document will be subject to Independent Examination by a Planning Inspector who will test its “soundness”. (Appendix 1 sets out the tests for assessing “soundness”).
- 4.8 Adoption** – The Inspector will produce a report that will be binding upon the council. The Inspector’s report will be published. Any recommended changes would have to be incorporated into the Development Plan Document before the council formally adopts and publishes it.

**Figure 4 Development Plan Document Process**



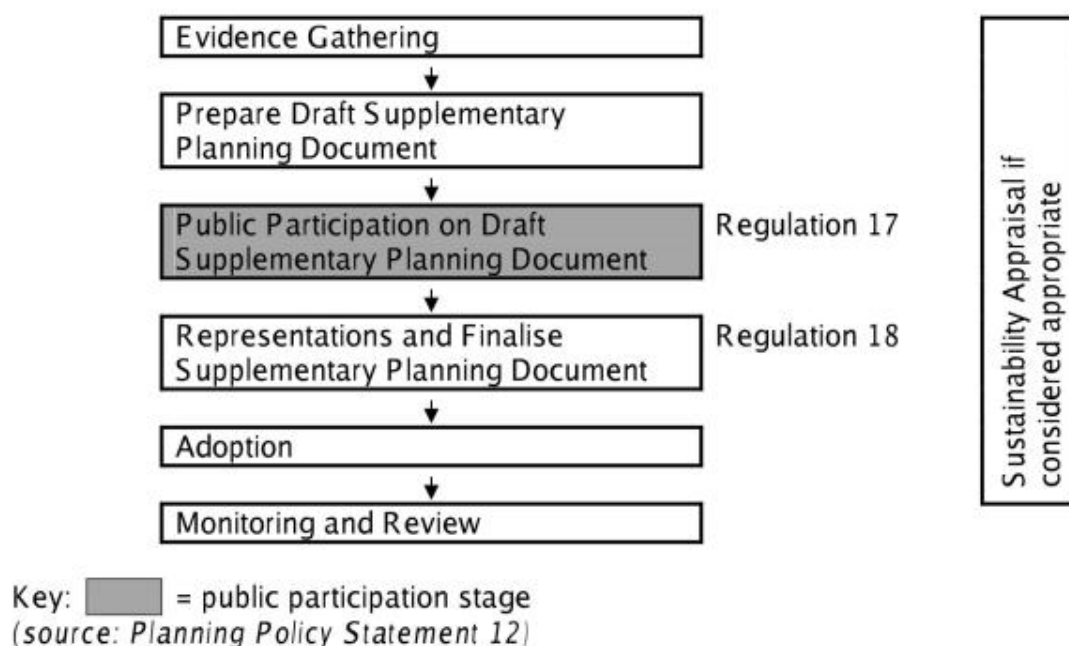
*Please note that additional consultation will be undertaken if alternative sites are proposed as part of the public consultation stage for any Site-specific Allocations of Land Development Plan Document. This is required under Regulation 32 of the Town and Country Planning (Local Development) (England) Regulations 2004 and is explained more fully in paragraphs 4.24-4.25.)*

## **SUPPLEMENTARY PLANNING DOCUMENTS – THE PROCESS**



- 4.9** There will be three stages in the preparation of Supplementary Planning Documents - Pre-Production, Production and Adoption. They are not subject to Independent Examination. Figure 5 outlines the various stages involved in preparing each Supplementary Planning Document, including the public participation stages.

**Figure 5 Supplementary Planning Document Process**



- 4.10** Pre-Production – This stage involves gathering of baseline information to assist preparation of the Supplementary Planning Document. For example, information about the number of listed buildings in the borough.
- 4.11** Production – The council will prepare a Draft Supplementary Planning Document, taking account of the evidence gathering. A Sustainability Appraisal Report testing its environmental, social and economic effects will be prepared when considered appropriate. Frontloading, whereby the potential participants are encouraged to engage early in the preparation process, will assist with these stages. Comments will then be invited.
- 4.12** Adoption – The council will have regard to any comments received on the Draft Supplementary Planning Document and may make revisions, where appropriate, before it proceeds to adopt the Supplementary Planning Document.

## **SUSTAINABILITY APPRAISAL AND STRATEGIC ENVIRONMENTAL ASSESSMENT**

- 4.13** Under the Planning and Compulsory Purchase Act 2004, a sustainability appraisal is mandatory for a Development Plan Document. The council may also choose to prepare a sustainability appraisal for a Supplementary Planning Document when appropriate. In essence, sustainability appraisal ensures the council fulfils the objective of contributing to the achievement of sustainable development.



- 4.14** The Brundtland Report created a widely used and accepted definition of sustainable development in 1987. That definition is:

*“development which meets the needs of the present without compromising the ability of future generations to meet their own needs”* (‘The Brundtland Report’, United Nations World Commission on Environment and Development (WCED), 1987: 43)

- 4.15** When preparing Development Plan Documents, the council must also conduct an environmental assessment in accordance with the European Directive 2001/42/EC on the ‘assessment of the effects of certain plans and programmes on the environment’. The aim of the Directive is to provide for a high level of protection of the environment and to integrate environmental considerations into the preparation and adoption of plans and programmes, with a view to promoting sustainable development. This requirement for an environmental assessment is met through ‘Strategic Environmental Assessment’.
- 4.16** It is envisaged that the requirements for the sustainability appraisal and strategic environmental assessment can be met through the same process.
- 4.17** There are several opportunities for community involvement during the stages of the Sustainability Appraisal of Development Plan Documents. These are explained below.

### **Pre-production**

- 4.18** The council will carry out evidence gathering at this stage and in some instances, where data gaps exist, the community may be an appropriate source of this information.

### **Consulting on the Scope of the Sustainability Appraisal**

- 4.19** This consultation stage may also give an opportunity for community involvement, however these documents will tend to be targeted at key stakeholders relative to their appropriateness of the subject being covered by the Development Plan Document or Supplementary Planning Document. This stage involves consulting on the scope of the Sustainability Appraisal for five weeks with Natural England, the Environment Agency and English Heritage (or any successor bodies).

### **Production**

- 4.20** During the production of the Development Plan Document, an opportunity for community involvement will also be available. This will be during the development of the Development Plan Document options. The options are essentially the approaches that the Development Plan Document could take. In order to ensure that the widest possible options available are considered at this stage, community involvement is essential. The methods that may be applied during this informal consultation are outlined in Table 1 (See page 19).

### **Formal Consultation**

- 4.21** The final opportunity for community involvement in Sustainability Appraisal is the formal consultation period. For Development Plan Documents this is during the public participation in its preparation.

## **REPRESENTATIONS ON LOCAL DEVELOPMENT DOCUMENTS**

- 4.22** Any representations made about the Local Development Documents should relate to the “soundness” of the document. Appendix 1 sets out the tests for assessing “soundness”. Representations made will be considered in the Inspector’s examination of the document. If representations seek changes to the Local Development Document, they should specify the changes being sought to inform the Inspector.
- 4.23** Any representations made may be considered by the Inspector by way of written representations, although individuals may exercise their right to attend the examination and be heard.
- 4.24** Where representations seek to offer alternative site allocations or to change a boundary of a site allocation identified in a submitted Development Plan Document, the council will have to advertise these separately after the period for making representations has expired, in accordance with Regulation 32 of the Town and Country Planning (Local Development) (England) Regulations 2004 and as amended 2008.
- 4.25** Those promoting alternative sites should indicate how it complies with the tests of soundness and how the sustainability appraisal process has been or is to be carried out prior to consideration at the examination. It is the responsibility of those promoting alternative sites, not the council’s, to make clear what the effects of the alternative site would be on sustainable development objectives and to show that proper procedures have been undertaken.

## WHO TO CONSULT

- 4.26** The Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Development) (England) Regulations 2004 and as amended 2008, outline the types of ‘**specific**’, ‘**general**’ and ‘**other**’ consultation bodies and Government Departments that should be consulted on the LDF.
- 4.27** In line with Government advice, this Review SCI does not identify all the separate agencies, organisations or individuals that the council will consult during the plan-making process. It does, however, provide guidance on the type of stakeholder that the council will consult. Appendix 2 lists the types of specific, general and other consultation bodies and Government Departments that will be consulted, where appropriate. The specific consultation bodies include the borough’s two parish councils – Saddleworth and Shaw & Crompton - that will be consulted at all formal consultation stages during the preparation of the LDF.

## TALKING TO PEOPLE

- 4.28** The diverse population of the borough have differing needs that need to be considered when engaging in any consultation exercise. It is recognised that many people and groups that are known about in the borough are hard to engage in the planning processes. The council’s aspiration, as set out in the Review SCI vision, is to “enable, empower and encourage all residents and other stakeholders of the borough to actively participate in the planning to improve their borough”. The reformed planning system also places emphasis on Community Involvement that will work to engage with all groups and individuals including those that may not have traditionally been engaged within the planning processes.
- 4.29** This Review SCI defines these groups as:

- a. A range of communities experiencing social and economic exclusion
- b. Black and Minority Ethnic communities
- c. Gypsy and Travellers
- d. People with physical disabilities
- e. People with learning disabilities
- f. Young People (under 21)
- g. Older People
- h. Lesbian, Gay, Bisexual and Transgender (LGBT)
- i. Faith Groups
- j. Gender Groups

- 4.30** Engaging with all communities including those sections of the community that have not traditionally participated in the planning process will ensure that the widest range of views are taken into consideration when forming land use development proposals. The council will arrange for the Local Development Documents to be made available in alternative formats (such as large print, electronically, minority ethnic community languages etc), where appropriate, in order to facilitate understanding of the Local Development Documents, if requested and resources permitting.
- 4.31** The council will also comply with appropriate equality legislation when preparing the LDF. An Equality Impact Assessment, which is a thorough and systematic analysis to determine the extent of impact of a new policy upon the equalities strands (gender, disability, sexual orientation, age, religious belief and transgendered and transsexual people), was undertaken in preparing the 2007 SCI. The Equality Impact Assessment sought to establish whether all communities and the consultation methods identified are appropriate.
- 4.32** As the proposed consultation methods and identified equality groups have not altered between the 2007 SCI and this Review SCI, then the findings of the original Equality Impact Assessment are still appropriate and relevant.
- 4.33** Equalities Impact Assessments will be undertaken for the Development Plan Documents and Supplementary Planning Documents.

## **LOCAL DEVELOPMENT FRAMEWORK MAILING LIST**

- 4.34** The council has established a mailing list containing details of the specific, general and other consultation bodies and Government Departments specified in the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Development) (England) Regulations 2004 and as amended 2008 that will be consulted on the LDF. (See Appendix 2 for details of the consultation bodies.)
- 4.35** The mailing list also contains details of individuals and organisations that have specifically requested to be kept informed about preparation of the LDF.
- 4.36** Anyone can be added to, or removed from, the LDF mailing list at any time by contacting the council's Strategic Planning and Information section. (See Appendix 4 for contact details.)

## **HOW TO CONSULT**

### **CONSULTATION METHODS AND THE LOCAL DEVELOPMENT FRAMEWORK**

**4.37** There are a range of consultation methods that the council could use to engage the community in the preparation of the Local Development Documents. However, it has to be recognised that different consultation methods may be better suited to engaging different sections of the community. The consultation methods used may also depend on the type of Local Development Document in preparation.

**4.38** As a minimum, however, all draft Local Development Documents, at the relevant formal stages for public consultation with the community, will benefit from the following approaches to engaging the community:

- a. a Public Notice outlining details of the Local Development Document will be published
- b. a press release with details of the Local Development Document will be issued.
- c. the Local Development Document will be published on the council's website.
- d. the Local Development Document will be made available at public libraries.
- e. the Local Development Document will be made available at the council's principal offices, i.e. Civic Centre Access Oldham and Planning Reception.
- f. the Local Development Document will be sent to all relevant Statutory Consultees.
- g. all Oldham Metropolitan Borough Council Councillors will be sent a copy of the Local Development Document.
- h. the Oldham Partnership will be sent a copy of the Local Development Document.
- i. a letter or email will be sent to those relevant parties on the LDF mailing list, or those that have expressed a particular interest, explaining that the Local Development Document is available for consultation.

**4.39** Table 1 details the main consultation methods that the council will use as a minimum standard as listed above in paragraph 4.38. These methods may be informing, involving or consulting the relevant people. It also details the consultation techniques that the council may make use of over and above this minimum, if appropriate and resources permitting. The table provides a summary of the benefits of each consultation method available to the council and also gives an indication of which section of the community the consultation method could be most appropriate at targeting.

**Table 1 Types of Consultation Methods - Benefits and Groups Most likely to Benefit**

| How we get in touch with people                          | Benefits  | Groups most likely to benefit from consultation method                                    |
|--|---|---|
| <b>Consultation Document</b>                             | Publication of Draft and Submission Documents to allow public participation.                        | All   |
| <b>Statutory Notice / Letter to Statutory Consultees</b> | Legal requirement to notify about document preparation and consultation dates.                      | Statutory Consultees  |
| <b>Council Website / Limehouse Consultation Portal</b>   | Legal requirement. Document made available on the council's website can be accessed 24 hours a day. | General Public. Interested Individuals and Organisations. Agents. Developers. Landowners. |

| How we get in touch with people                      | Benefits   | Groups most likely to benefit from consultation method  |
|--|--|---|
| <b>Council Offices</b>                               | Legal requirement. Document made available at principal council offices during opening hours.  | General Public. Interested Individuals and Organisations.                                       |
| <b>Councillors</b>                                   | Community representatives' input and endorsement for the Document.   | Councillors   |
| <b>Letter / Email to Parties on LDF Mailing List</b> | Individuals and organisations that expressed interest in being informed can easily be notified about document preparation and consultation dates.                                    | Interested Individuals and Organisations. Agents. Developers. Landowners.                       |
| <b>Press Release</b>                                 | Notification of document preparation and consultation dates can achieve wide coverage.   | General Public. Interested Individuals and Organisations.                                       |
| <b>Public Libraries</b>                              | Copies of Document can be displayed in local libraries to inform the community.  | General Public. Interested Individuals and Organisations.                                       |
| <b>Council Magazine</b>                              | "One Magazine" produced every two/three months. Opportunity for articles about Local Development Framework preparation and consultation dates.                                       | General Public  |
| <b>District Partnerships/PACT Meetings</b>           | Exhibition about Document can be displayed in venues across the borough to generate publicity. Also an opportunity to present to the meeting and respond to queries, if appropriate. | General Public. Interested Individuals and Organisations.                                       |
| <b>Focus Groups</b>                                  | Meetings of specific stakeholders with relevant interest in area/topic invited to provide input into Document.   | Statutory Consultees. Agents. Developers. Oldham Partnership. Landowners.                       |
| <b>Public Meetings</b>                               | Meetings with community to provide input into Document.  | General Public. Interested Individuals and Organisations.                                       |
| <b>Meetings of Interested Parties</b>                | Meetings of stakeholders with relevant interest in area/topic invited to provide input into Document.  | Statutory Consultees. Interested Individuals and Organisations. Agents. Developers. Landowners. |

| How we get in touch with people | Benefits   | Groups most likely to benefit from consultation method                  |
|---------------------------------|--|---|
| <b>Survey / Questionnaire</b>   | Surveys/questionnaires of general public and stakeholders with relevant interest in area/topic invited to provide input into Document.   | General Public. Interested Individuals and Organisations.               |
| <b>Exhibition</b>               | Exhibition about Document can be displayed in venues across the borough to generate publicity.   | General Public. Interested Individuals and Organisations.               |
| <b>Leaflets</b>                 | Leaflets about Document can be prepared and circulated around the community to generate publicity.   | General Public  |
| <b>LDF Helpline</b>             | Telephone numbers of council officers available for people wanting details about Document.   | General Public. Interested Individuals and Organisations.               |
| <b>Oldham Partnership</b>       | Local Development Framework is spatial expression of the Community Strategy. Partnership structure allows relevant stakeholders to be involved in Local Development Framework preparation. | Business, Black and Minority Ethnic, Voluntary, Faith, Community groups |

**4.40** Table 2 provides an overview of when the different consultation methods could be used for the different types of Local Development Documents, if appropriate and resources permitting.

**Table 2 Consultation Methods and the Local Development Framework**

| How we get in touch with people | Type of Local Development Document |               |                           |                   |                                 |                                  |
|---------------------------------|------------------------------------|---------------|---------------------------|-------------------|---------------------------------|----------------------------------|
|                                 | Statement of Community Involvement | Core Strategy | Site Specific Allocations | Area Action Plans | Development Management Policies | Supplementary Planning Documents |
| <b>Consultation Document</b>    | yes                                | yes           | yes                       | yes               | yes                             | yes                              |
| <b>Statutory Notice</b>         | yes                                | yes           | yes                       | yes               | yes                             | yes                              |
| <b>Council Website</b>          | yes                                | yes           | yes                       | yes               | yes                             | yes                              |
| <b>Council Offices</b>          | yes                                | yes           | yes                       | yes               | yes                             | yes                              |

| Type of Local Development Document                     |          |          |          |          |          |          |
|--|----------|----------|----------|----------|----------|----------|
| <b>Councillors</b>                                     | yes      | yes      | yes      | yes      | yes      | yes      |
| <b>Letters<br/>Email</b>                               | yes      | yes      | yes      | yes      | yes      | yes      |
| <b>Press<br/>Release</b>                               | yes      | yes      | yes      | yes      | yes      | yes      |
| <b>Libraries</b>                                       | yes      | yes      | yes      | yes      | yes      | yes      |
| <b>Council<br/>Newspaper</b>                           | possibly | possibly | possibly | possibly | possibly | possibly |
| <b>District<br/>Partnership/<br/>PACT<br/>Meetings</b> | possibly | possibly | possibly | possibly | possibly | possibly |
| <b>Focus<br/>Groups</b>                                | possibly | possibly | possibly | yes      | possibly | possibly |
| <b>Public<br/>Meeting</b>                              | possibly | possibly | possibly | possibly | possibly | possibly |
| <b>Meetings<br/>of<br/>Interested<br/>Parties</b>      | possibly | possibly | possibly | possibly | possibly | possibly |
| <b>Survey/<br/>Questionnaire</b>                       | possibly | possibly | possibly | possibly | possibly | possibly |
| <b>Exhibition</b>                                      | possibly | possibly | possibly | possibly | possibly | possibly |
| <b>Leaflets</b>  | possibly | possibly | possibly | possibly | possibly | possibly |
| <b>LDF<br/>Helpline</b>                                | yes      | yes      | yes      | yes      | yes      | yes      |
| <b>Oldham<br/>Partnership</b>                          | yes      | yes      | yes      | yes      | yes      | yes      |

## WHEN TO CONSULT

**4.41** There will be different stages for Community Involvement in the preparation of the Local Development Documents. Each Development Plan Document will have formal opportunities for consultation and public participation during the preparation of the draft Development Plan Document and the Submission Development Plan Document stage, whilst each Supplementary Planning Document will have formal opportunities for public participation at the Draft stage. The council will also encourage 'frontloading' consultation, which means that potential participants are to be encouraged to engage as early as possible in the preparation process. (See Table 3)

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- 4.42** As referred to previously (see paragraph 4.6) there will also be additional consultation if alternative sites are proposed as part of the public consultation stage on a Site-specific Allocations of Land Development Plan Document.
- 4.43** Different consultation methods may be better suited to the different stages of preparation of the Local Development Documents as shown in Table 3.



Table 3 Consultation Methods for Different Stages of Local Development Document Preparation

| How we get in touch with people                | Local Development Documents         |                             |   |                                |                         |  |                                     |  |                 |  |
|--|-------------------------------------|-----------------------------|---|--------------------------------|-------------------------|--|-------------------------------------|--|-----------------|--|
|  | Development Plan Documents (DPD)    |                             |   |                                |                         | Supplementary Planning Documents (SPD) |                                     |  |                 |  |
|  | Pre-Production - Evidence Gathering | Production - Draft Document | Production - Submission DPD / 6 week public participation | Alternative Sites Consultation | Independent Examination | Adoption of DPD                        | Pre-Production - Evidence Gathering | Production - public participation on Draft SPD | Adoption of SPD |  |
| Consultation Document                          |                                     | yes                         | yes   |                                |                         |  |                                     | yes  |                 |  |
| Statutory Notice                               |                                     | possibly                    | yes   | yes                            | yes                     | yes                                    |                                     | yes  | yes             |  |
| Council Website/ Limehouse Consultation Portal |                                     | yes                         | yes   | yes                            | yes                     | yes                                    |                                     | yes  | yes             |  |
| Councillors                                    | possibly                            | yes                         | yes   | yes                            | yes                     | yes                                    | possibly                            | yes  | yes             |  |
| Letter/ Email                                  |                                     | yes                         | yes   | yes                            | yes                     | yes                                    |                                     | yes  | yes             |  |
| Press Release                                  |                                     | possibly                    | yes   | yes                            | yes                     | yes                                    |                                     | yes  | yes             |  |
| Public Libraries                               |                                     | yes                         | yes   | yes                            | yes                     | yes                                    |                                     | yes  | yes             |  |

| Local Development Documents                |          |          |          |          |          |     |     |          |          |     |
|--|----------|----------|----------|----------|----------|-----|-----|----------|----------|-----|
| <b>Council Newspaper</b>                   |          | possibly | possibly | possibly | possibly |     | yes |          | possibly | yes |
| <b>District Partnership/ PACT Meetings</b> | possibly | possibly | possibly | possibly | possibly |     |     | possibly | possibly |     |
| <b>Focus Groups</b>                        | possibly | possibly | possibly | possibly | possibly |     |     | possibly | possibly |     |
| <b>Public Meeting</b>                      | possibly | possibly | possibly | possibly | possibly |     |     | possibly | possibly |     |
| <b>Meetings of Interested Parties</b>      | possibly | possibly | possibly | possibly | possibly |     |     | possibly | possibly |     |
| <b>Survey/ Questionnaire</b>               | possibly | possibly | possibly | possibly | possibly |     |     | possibly | possibly |     |
| <b>Exhibition</b>                          | possibly | possibly | possibly | possibly | possibly |     |     | possibly | possibly |     |
| <b>Leaflets</b>                            | possibly | possibly | possibly | possibly | possibly |     |     | possibly | possibly |     |
| <b>Helpline</b>                            |          | yes      | yes      | yes      | yes      |     |     |          | yes      |     |
| <b>Oldham Partnership</b>                  | possibly | yes      | yes      | yes      | yes      | yes | yes | possibly | yes      | yes |

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## HOW TO COMMENT

- 4.44** All formal LDF consultation documents can now be viewed and comments submitted interactively online during the consultation period via Limehouse Consultation Portal which respondents will be encouraged to use. To access Limehouse, please register online at <http://oldham-consult.limehouse.co.uk/portal>. The council will also prepare official comments forms for the public participation stages of Local Development Documents. The comments forms will be available in both paper format at all formal deposit points and on the council's website. However, comments will also be accepted by email, letter and fax (see Appendix 4).

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## 5 Reporting Back

- 5.1 The council will acknowledge all comments submitted at public participation stages about Local Development Documents. Any comments submitted cannot be treated as confidential.
- 5.2 All comments will be summarised in a '**Public Schedule of Representations Report**'. Where changes are being sought to the Local Development Document, a '**Responses Report**' will indicate whether or not the council agrees that the Local Development Document should be changed along the lines being suggested before the document is submitted for examination. These two reports may be combined into a single document.
- 5.3 The Reports will be made available on the council's website as well as in hard copy at Access Oldham, the Civic Centre Planning Reception and public libraries.
- 5.4 Organisations and individuals that have made comments on the Local Development Document will be informed that the Reports are available.
- 5.5 All Local Development Documents will be subject to the approval processes outlined in the Local Development Framework Scheme of Delegation that has been approved by the full council.

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## 6 Community Involvement and Development Management

- 6.1 The council is responsible for the processing of all planning applications within the borough. To ensure that people within the borough are aware of proposals and that they have the chance to be involved in decision-making, notification and engagement is vital.
- 6.2 As well as setting out the ways in which the council will involve the community in the preparation of the LDF, the Review Statement of Community Involvement (SCI) will also set out the ways in which the council will involve the community in the decision making process for determining planning applications.
- 6.3 The purpose of this section is to set out what the council's decision-making process involves in relation to planning applications and to explain the council's approach to community involvement.

### PRE-APPLICATION DISCUSSIONS

- 6.4 Developers are encouraged to contact the council prior to the submission of a major planning application, to discuss a development proposal and any issues that may arise from it. Developers are also encouraged to discuss their proposal with ward councillors and other specific consultation bodies, where appropriate, before submitting a planning application. This has the benefits of allowing relevant issues to be raised and resolved early, providing more time to consider and develop better quality solutions, and removing delay to the formal planning process.
- 6.5 Entering into pre-application discussions with potential developers does not indicate endorsement by the council for a particular application. It simply enables effective communication between the developer, the council and interested parties.
- 6.6 Where the council considers a proposal to be of a scale and/or nature that it is likely to generate significant levels of public interest, the prospective developer will be encouraged to engage with ward councillors, the local community and undertake wide consultation.
- 6.7 The developer will be expected to submit a statement outlining the extent of the consultation completed with the planning application, and explain how the feedback from the consultation process has influenced the submitted scheme.

### HOW LONG DOES IT TAKE TO PROCESS PLANNING APPLICATIONS?

- 6.8 The council aims to process planning applications within the Government's target periods. For example, at least 60% of major planning applications determined within 13 weeks, 65% of minor planning applications within 8 weeks and 80% of other planning applications within 8 weeks.

### METHODS OF PUBLICITY

- 6.9 Consultation and publicity on planning applications does not just involve the public. The council must also consult the appropriate statutory bodies. In deciding which statutory body is consulted, the council must take into account the nature and location of the proposal and the relevant legislative context. Statutory consultees have 21 days in which to respond, however they will be allowed a longer period of time to comment

on applications where this is prescribed by legislation. There are also a number of non-statutory bodies, which the council will consult, in appropriate circumstances. Consultation periods on planning applications will be time-limited because the council is under a duty to meet the targets outlined in paragraph 6.8.

**6.10** The statutory requirements for publicity for all planning applications are laid out in Article 8 of the Town and Country Planning (General Development Procedure) Order 1995, (as amended), the GDPO.

**6.11** There are several stages following the receipt of, and during the processing of a planning application, where the council will instigate community publicity and involvement and these are described below.

**6.12** Planning applications and the accompanying plans are available for inspection at the Planning Services reception in the Civic Centre.

**6.13** Copies of new planning applications, including forms and plans, have been available on Oldham Council's website since December 2005.

**6.14** A weekly list of all planning applications received by the council is made available and publicised in the following ways:

- a. copy emailed to all councillors and groups and individuals who request to be on the mailing list
- b. the council's website (which will seek to continually improve its functionality for users and develop in line with best practice to ensure that it is more user friendly, up to date and accurate and simple to navigate, funding for the required improvements is in place), and
- c. printed copies can be made available for those who do not have access to the Internet.

**6.15** The list will categorise applications by Ward and contain an initial assessment of the level at which the decision will be taken.

**6.16** Site Notices are posted on, or near to, the application site in all circumstances and are displayed for not less than 21 days, during which time representations may be made.

**6.17** Press advertisements are undertaken in the following circumstances and normally request that any representations are made within 14 days of their publication:

- a. applications with an Environmental Statement
- b. departures from the Development Plan
- c. applications that affect a right of way as defined by the Wildlife and Countryside Act
- d. development affecting the character or appearance of a Conservation Area
- e. development affecting the setting of a Listed Building
- f. applications for Listed Building Consent or Conservation Area Consent
- g. Major Development

Major applications are defined as follows:

- a. Residential Development

- i. ten or more dwellings; or
- ii. on a site of 0.5 hectares or more
- b. Other development
  - i. with a floor space of 1000 square metres or above; or
  - ii. on a site of 1 hectare or more
- c. Mineral applications
- d. Waste applications

**6.18** The local press is used for such notices.

## **NEIGHBOUR NOTIFICATION LETTERS**

**6.19** Letters are sent to all 'adjoining' occupiers in respect of every planning application. 'Adjoining' in this sense means, as a minimum:

- a. any properties which share a boundary with the application site
- b. in the case of developments or extensions adjoining a highway, properties that are directly across the road from the proposed development
- c. in the case of proposals that may have a significant impact on neighbours, the notification will be extended to include other properties close by. The Development Management case officer will make a judgement as to who will be notified.

**6.20** If you comment online about a planning application, either via the council website or by email directly to the case officer, you will receive an electronic acknowledgement.

**6.21** Site notices are also displayed where the address details of adjoining properties or land are not known or are unclear.

**6.22** Individual occupiers are invited to inspect the application and make written observations within 21 days.

## **WHEN IS WIDER CONSULTATION NECESSARY?**

**6.23** In the case of major planning applications, additional methods of publicity may be used to involve the community in the decision making process in addition to the statutory requirements detailed above.

**6.24** Government guidance has categorised significant/major developments into three tiers, each of which will require a different level of consultation.

**6.25** The categorisation will depend upon the characteristics of the application and its conformity with national and local planning policy.

**6.26** The identification of the nature of the planning application allows the council to determine the type and extent of consultation that needs to be undertaken to ensure the residents of the borough are adequately informed and are able to provide comments that inform the decision making process.

**6.27** The preparation of the Review SCI has allowed consideration of the council's current practice for notification and consultation on planning applications. The current practice for many applications is appropriate and will continue.

**6.28** The council appreciates that it is very often major planning applications that can, in certain instances, be of concern to the residents in the borough. The Review SCI seeks to widen its consultation and engagement practices in these instances. However, this needs to be balanced with available resources and be within financial budgets.

**6.29** The council will adopt a three-tiered approach, in line with Government advice, which will set out the framework for those applications that will be subject to wider community involvement. Table 4 intends to set out the approaches to community involvement that may be appropriate in each instance.

**Table 4 Approaches to Significant / Major Planning Applications**

| Approach                  | TIER 1 - Applications where there are issues of scale and controversy, or are contrary to / out of line with LDF policy | TIER 2 - Applications broadly in accordance with the LDF but raising controversial issue or detail | TIER 3- Applications of a scale or on a site for which the authority requires local community involvement |
|---------------------------|---|--|---|
| <b>Public Meetings</b>    | yes   | yes  |   |
| <b>Public Exhibition</b>  | yes   | yes  |   |
| <b>Development Briefs</b> | yes   |  |   |
| <b>Design Exercises</b>   | yes   |  |   |
| <b>Website</b>            | yes   | yes  | yes   |
| <b>Media / Leaflets</b>   | yes   | yes  | yes   |

**6.30** The tiered approach allows the council to set out which of the planning applications that it receives need wider consultation, and what degree of wider consultation is appropriate. This will be determined on a case-by-case basis.

#### **Tier Level 1**

**6.31** Planning applications will be subject to the widest level of community consultation. Appropriate levels of consultation for this tier may include such techniques as public meetings, design type exercises and more wide scale media.

#### **Tier Level 2**

**6.32** Planning applications in this level will be given 'medium' level wider consultation. Appropriate levels of consultation at this tier may be such methods as general public meetings or exhibitions. The involvement of the community in the area of the proposal will be more appropriate.

#### **Tier Level 3**



- 6.33** These are major developments, which will only have implications at a local level on a site-by-site basis, and therefore only the local community, near the proposal site need to be involved through consultation.

## **PROCESS OF INVOLVEMENT**

- 6.34** Where neighbour notification has taken place, the council will not determine planning applications within 21 days of the date of the notification letter. The results of any such notification will be reported and taken into account in decisions made by, and on behalf of, the council.
- 6.35** Consideration will be given to all representations received later than 21 days provided the planning application has not been determined.
- 6.36** All representations need to be made in writing, or by email, giving the name and address of the respondent. Anonymous or verbal representations cannot be considered in the determination of a planning application.
- 6.37** Planning applications will often generate much public interest and lead to a large number of objections. The negotiation stage will often result in the submission of amendments to overcome some of these objections. Re-notification of neighbours on minor amendments, which can significantly delay consideration of an application, is left to the discretion of the Executive Director and/or Head of Service. Minor amendments are often made to overcome a particular objection or concern so there may be no need to re-notify in such circumstances.
- 6.38** More significant alterations will require neighbour re-notification and those persons re-notified will be given a further minimum seven working days to make representations.
- 6.39** Once a decision has been made on a planning application, legislation allows for applications to be made to the Local Planning Authority for both material and non-material changes. Where material changes are proposed full consultation and notification procedures will be applied.

## **DECISION PROCESS**

- 6.40** More than 90% of all planning applications are determined under delegated powers by the Executive Director and/or Head of Service. However, the Planning Committee determines most of the larger, more complex planning applications.
- 6.41** When ward councillors require a planning application to be determined by the Planning Committee they must submit their request in writing, either by letter or email, to the Executive Director and/or Head of Service, stating the reasons for referral within 21 days of the date of the relevant list of planning applications registered.
- 6.42** The Planning Committee meets approximately every four weeks in the Civic Centre at 6.00pm. Members of the public can attend if they so wish.
- 6.43** If a planning application is going to be considered by the Planning Committee, the council inform the applicant/agent, individuals who were notified and anyone else who submitted comments on the proposal.

- 
- 6.44** The letter will inform them of the date of the meeting and that they can attend and have a right to speak. The council allows one objector and one supporter to speak on each planning application, each for a maximum of three minutes.
  - 6.45** An elected ward councillor can also address the Planning Committee, but there is no time restriction placed on how long they can speak for.
  - 6.46** Those wishing to speak at Planning Committee must inform the council's Committee Services Section in advance and by no later than noon on the date of the meeting.
  - 6.47** Planning Committee reports are made available on the council's website five working days before the Planning Committee meeting. Copies of the Planning Committee agenda can also be obtained from the Council's Committee Services Section.
  - 6.48** At the Planning Committee meeting, the Chair will introduce each item and will invite those wishing to speak to do so.
  - 6.49** The Planning Officer in attendance will then bring any necessary information, in addition to that contained in the report, to the Planning Committee's attention.
  - 6.50** A further discussion by Planning Committee Members will follow but members of the public cannot take part in the debate. A decision will then be made.

## **POST APPLICATION**

- 6.51** All decisions relating to planning applications are published on the council's website at [www.oldham.gov.uk](http://www.oldham.gov.uk) then click on 'View Planning Applications'.

## **PLANNING APPEALS**

- 6.52** Only applicants have a right to appeal against a refusal of planning permission, against conditions imposed on a planning approval or after certain time periods against the non-determination of a planning application. There are no third party rights of appeal.
- 6.53** All individuals and organisations that were notified at the time the planning application was originally submitted and all those who subsequently made comments in relation to the planning application, will be notified in writing of any appeal and how to make their views known. All letters received by the council will be copied and sent to the Planning Inspectorate.
- 6.54** Where an appeal is to be heard at a public inquiry the council will also erect a site notice and publicise the details in the press.

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## 7 Minerals and Waste Management

- 7.1** The ten authorities in Greater Manchester have decided to produce a Joint Waste Development Plan Document for Greater Manchester, the JWDPD. At the end of 2009 the local authorities also agreed on the preparation of a Joint Minerals Plan, the JMDPD. The Greater Manchester local authorities consider that this arrangement offers the most potential for effective joint working in the production of the JWDPD and the JMDPD.
- 7.2** The JWDPD will include detailed development management policies and the identification of sites and preferred areas for a range of waste management facilities. The JMDPD will also identify mineral extraction and processing sites in addition to development management policies and safeguarding areas. Each will form an integral part of each of the ten Greater Manchester local authorities' LDFs.
- 7.3** A planning team located within the Greater Manchester Geological Unit is responsible for the production of the Plan including consultation with assistance from the ten authorities as and when required. A consultation strategy has been prepared detailing methods for engagement with stakeholder and the community on the JWDPD. The consultation methods being used in preparing the JWDPD will be consistent across the Greater Manchester area, and in conformity with the ten Statements of Community Involvement (SCI) of Greater Manchester. For further information please visit the JWDPD website at [www.gmwastedpd.co.uk](http://www.gmwastedpd.co.uk) or the JMDPD website at [www.gmineralsplan.co.uk](http://www.gmineralsplan.co.uk).

### MINERALS AND WASTE MANAGEMENT PLANNING APPLICATIONS

- 7.4** Details of how the council will determine minerals and waste management planning applications are addressed in Section 6.

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## 8 Resources and Management of Community Involvement in Planning

- 8.1** There will be resource implications, both financial and staff time, for the council depending on the type of consultation method used for each Local Development Document. The council's planning policy team will lead on the consultation for Local Development Documents, with input from other sections of the council and the Oldham Partnership as appropriate.
- 8.2** The planning policy team currently comprises six planners. However, it has to be recognised that its workload also encompasses other planning and corporate work in addition to the LDF. Therefore, the staff resources that will be available for public consultation may vary during the preparation of the different Local Development Documents.
- 8.3** The planning policy team's budget will include an element for consultations on Local Development Documents.
- 8.4** The council's Development Management section is responsible for managing the public consultation processes on planning applications, as outlined in Section 6.
- 8.5** The work on the LDF may be subject to call-in by the relevant Overview and Scrutiny Commission.

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## 9 Review and Monitoring

- 9.1** Planning Policy Statement 12: Local Spatial Planning emphasises that review and monitoring are important elements of the reformed planning system and, as such, monitoring will be required to check that the targets and milestones set out in the Local Development Scheme are being met in order to implement the spatial vision and objectives of the LDF.
- 9.2** The council will monitor, through the LDF Annual Monitoring Report (AMR), the Review Statement of Community Involvement (SCI) to see how it is performing in terms of involving the community. As part of this the council will evaluate the consultations undertaken in terms of resources used and response rates. The council will also review the success and effectiveness of the various community involvement techniques used and will use the findings to review the appropriateness of the methods and procedures used. If we need to make significant changes to our consultation techniques and methods, we will prepare a new SCI.
- 9.3** The AMR has to be prepared for each December and covers the previous financial year period.

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## Appendix 1 Tests of "Soundness" for Development Plan Document

**A.1.1** Planning Policy Statement 12: Local Spatial Planning sets out the tests against which an independent Planning Inspector will assess the "soundness" of Development Plan Documents. The assumption will be that the Development Plan Document is "sound", unless it is shown to be otherwise as a result of evidence considered at the Examination. To be "sound" a Development Plan Document must be "justified", "effective" and "consistent with national policy".

**A.1.2** "Justified" means that the document must be:

- a. founded on a robust and credible evidence base
- b. the most appropriate strategy when considered against the reasonable alternatives

**A.1.3** "Effective" means that the document must be:

- a. deliverable
- b. flexible
- c. able to be monitored

## Appendix 2 Consultees on Local Development Framework and Development Management

**A.2.1** Please note, this list is not exhaustive and also relates to successor bodies where re-organisations occur.

### LOCAL DEVELOPMENT FRAMEWORK

#### Specific Consultation Bodies

**A.2.2** The following bodies are specific consultation bodies and will be consulted by the council in accordance with the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Development)(England) Regulations 2004 and as amended 2008:

- The Environment Agency
- The Historic Buildings and Monuments Commission for England (English Heritage)
- Natural England
- The Highways Agency
- The Secretary of State for Transport
- Local Planning Authorities, County Councils or Parish Councils, any part of whose area is in or adjoins the borough
- A Regional Development Agency whose area is in or adjoins the borough
- Any person to whom the electronic communications code applies by virtue of a direction given under Section 106 (3) (a) of the Communications Act 2003
- Any person who owns or controls electronic communications apparatus situated in any part of the area of the borough
- Primary Care Trust
- A person to whom a licence has been granted under the Section 6(1)(b) or (c) of the Electricity Act 1989
- A person to whom a licence has been granted under Section 7(2) of the Gas Act 1986
- A sewage undertaker
- A water undertaker
- Coal Authority

#### Government Departments

**A.2.3** The **Government Office for the North West** will be consulted by the council and will be the first point of contact for consultation with the following Government Departments:

- Department for Communities and Local Government (DCLG)
- Department for Culture, Media and Sport (DCMS)
- Department for Education
- Department for Environment, Food and Rural Affairs (Defra)
- Department for Business, Innovation and Skills (BIS)
- Department for Transport (DfT)
- Home Office

**A.2.4** In addition, the council will also consult the following Government Departments, where appropriate:

- Department of Health (through Regional Public Health Group)
- Ministry of Defence
- Department of Work and Pensions
- Ministry of Justice
- Office of Government Commerce (Property Advisers to the Civil Estate)

## General Consultation Bodies

**A.2.5** The following bodies are general consultation bodies and will be consulted by the council, where appropriate, in accordance with the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Development) (England) Regulations 2004 and as amended 2008:

- Voluntary bodies some or all of whose activities benefit any part of the borough
- Bodies which represent the interests of different racial, ethnic or national groups in the borough
- Bodies which represent the interests of different religious groups in the borough
- Bodies which represent the interests of disabled persons in the borough
- Bodies which represent the interests of persons carrying out business in the borough

## Other Consultees

**A.2.6** The council will also consult the following agencies and organisations, where appropriate:

- Age UK
- Airport Operators
- British Chemical Distributors and Traders Association
- British Geological Survey
- British Waterways, canal owners and navigation authorities
- Centre for Ecology and Hydrology
- Chambers of Commerce, local Confederation of British Industry and local branches of Institute of Directors
- Church Commissioners
- Civil Aviation Authority
- Commission for Architecture and the Built Environment
- Commission for New Towns and English Partnerships
- Crown Estate Office
- Diocesan Board of Finance
- Disabled Persons Transport Advisory Committee (now part of the Inclusive Environment Group)
- Electricity, Gas and Telecommunications Undertakers, and the National Grid Company
- Environmental groups at national, regional and local level, including:
  - i. Campaign to Protect Rural England (Lancashire branch only)
  - ii. Friends of the Earth
  - iii. Royal Society for the Protection of Birds
  - iv. Wildlife Trusts



- Equality and Human Rights Commission
- Fields In Trust
- Fire and Rescue Services
- Forestry Commission
- Freight Transport Association
- Gypsy Council
- Health and Safety Executive
- Home Builders Federation
- Homes and Communities Agency
- Learning and Skills Councils
- Local Agenda 21 including:
  - i. Civic Societies
  - ii. Community Groups
  - iii. Local Transport Authorities
  - iv. Local Transport Operators
  - v. Local Race Equality Councils and other local equality groups
- National Trust
- Passenger Transport Authorities
- Passenger Transport Executives
- Police Architectural Liaison Officers / Crime Prevention Design Advisors
- Port Operators
- Rail Companies and the Rail Freight Group
- Regional Housing Boards
- Regional Sports Boards
- Road Haulage Association
- Royal Mail Group plc
- Sport England
- Traveller Law Reform Coalition
- Water Companies
- Women's National Commission

## **DEVELOPMENT MANAGEMENT**

- Ancient Monuments Society
- British Rail Property
- British Telecommunications plc
- British Waterways
- CABE
- Campaign to Protect Rural England
- Chadderton Historical Society
- Civil Aviation Authority
- Council for National Parks
- Greater Manchester Fire and Rescue Service
- EGS Design
- English Heritage
- Natural England
- English Sports Council (North West)

- Environment Agency
- First Choice Homes Oldham
- Forestry Commission
- FRCA (Farming and Rural Conservation Agency)
- Greater Manchester Police
- Greater Manchester Passenger Transport Executive
- Greater Manchester Ambulance Service
- Greater Manchester Archaeology Unit
- Greater Manchester Ecology Unit
- Greater Manchester Geological Unit
- Health and Safety Executive
- Highways Agency
- Huddersfield Canal Society
- Lancashire Wildlife Trust
- Manchester Methodist Housing Association
- Medlock and Tame Valley Conservation Association
- National Grid
- National Power plc
- Network Rail
- New Deal for Communities
- North West Civic Trust
- Northwest Regional Development Agency
- North West Tourist Board
- OMBCTOA (Taxi Operators Association)
- Oldham Area Civic Society
- Oldham Disability Alliance
- Oldham Health Authority
- Oldham NHS Trust
- Oldham Playing Fields Association
- Oldham Primary Care Trust
- Oldham / Rochdale Housing Market Renewal Initiative Executive
- Oldham Sports Council
- Oldham Town Centre Manager
- Oldham Town Centre Partnership
- Peak and Northern Footpaths Society
- Planning Inspectorate
- Ramblers Association
- Royal Mail plc (Post Office Property Holdings)
- Rochdale Canal Society
- Sport England
- Tameside Community Nursing
- The Coal Authority
- The Council for British Archaeology
- The Garden Historical Society
- The Georgian Group
- The Society for the Protection of Ancient Buildings
- The Spindles Town Square Shopping Centre Manager
- The Theatres Trust

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- The Victorian Society
  - United Utilities
  - West Pennine Bridleways Association
  - West Pennine Health Authority

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## Appendix 3 Glossary of Terms

**Core Strategy** - A Development Plan Document that sets out a long-term spatial vision and strategic objectives for the borough. It also contains a spatial strategy, core policies and a monitoring and implementation framework.

**Development Management Policies** – These are criteria based policies that are required to ensure that all development taking place within the borough meets the spatial vision and objectives set out in the core strategy.

**Development Plan** – The Development Plan for the borough consists of saved policies in the Oldham Unitary Development Plan, and/or Development Plan Documents that replace the saved policies.

**Development Plan Document** - A spatial planning document that is subject to Independent Examination and forms part of the Development Plan. They can include Core Strategy, Site Specific Allocations of Land and Area Action Plans.

**Local Area Agreement** - A Local Area Agreement is a three year agreement that sets out the priorities for a local area agreed between Central Government, represented by the Government Office, and a local area, represented by the local authority and Local Strategic Partnership (LSP) and other key partners at a local level.

**Local Development Document (LDD)** – The generic term given to all constituent documents of the Local Development Framework.

**Local Development Framework (LDF)** – A folder of Local Development Documents, some of which form part of the Development Plan for the borough.

**Local Development Scheme (LDS)** – A project plan for the preparation of the Local Development Framework. It is a rolling three year programme which the council should review and update each year.

**Proposals Map** – A map with an Ordnance Survey base that illustrates the policies and proposals of a Development Plan Document.

**Saved policies or plans** – Existing adopted plans that are saved for three years or until replaced by a more up-to-date replacement plan.

**Statement of Community Involvement (SCI)** – This sets out the standards that the council will achieve in terms of engaging communities in the preparation of the Local Development Framework and development management decisions.

**Supplementary Planning Document (SPD)** – A Supplementary Planning Document provides additional information in respect of policies contained in the Development Plan Documents. It is not subject to Independent Examination and does not form part of the Development Plan, although it can be a material consideration when determining planning applications.

**Sustainable Community Strategy** – This sets out a vision, strategic objectives and targets for the long-term future of the borough.

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## Appendix 4 Contact Details

### LOCAL DEVELOPMENT FRAMEWORK

If you require further information about the Local Development Framework, including the Statement of Community Involvement, please:

- a. Visit the council's website at <http://www.oldham.gov.uk/living/planbuildmatters/planning-lds.htm> or
- b. Visit the limehouse consultation portal at <http://oldham-consult.limehouse.co.uk/portal>
- c. Contact the council's planning policy section at:

#### Address:

- Oldham Metropolitan Borough Council
- Economy, Place and Skills Directorate
- PO Box 452
- Oldham Business Centre
- Cromwell Street
- OLDHAM
- OL1 1WR

Please note, after September 2010 the council's planning policy section will be relocated to the Civic Centre and the new postal address will be:

- Oldham Metropolitan Borough Council
- Economy, Place and Skills Directorate
- Level 3
- Civic Centre
- West Street
- Oldham
- OL1 1UH

Telephone: 0161 770 4151/4163

Fax: 0161 770 5172

Email: [spi@oldham.gov.uk](mailto:spi@oldham.gov.uk)

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## DEVELOPMENT MANAGEMENT

If you have any queries relating to planning applications, please contact the Development Management section at:

**Address:**

- Oldham Metropolitan Borough Council
- Economy, Place and Skills Directorate
- Civic Centre
- PO Box 30
- West Street
- OLDHAM
- OL1 1UQ

Telephone: 0161 770 4105

Email: [planning@oldham.gov.uk](mailto:planning@oldham.gov.uk)

## OLDHAM SUSTAINABLE COMMUNITY STRATEGY

If you have any queries about Oldham's Sustainable Community Strategy, please contact the Oldham Partnership at:

**Address:**

- Oldham Partnership Support Team
- Room 441
- Civic Centre
- West Street
- Oldham
- OL1 1UL

Telephone 0161 770 5256

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

Further details about the work of the Oldham Partnership can be viewed on its website at [www.oldhampartnership.org.uk](http://www.oldhampartnership.org.uk).

## Appendix 5 Useful Contacts and Websites

**Table 5 Useful contacts and websites**

| <b>Contacts</b>   | <b>Websites</b>  |
|---|--|
| Department for Communities and Local Government                       | <a href="http://www.communities.gov.uk">www.communities.gov.uk</a>                     |
| Northwest Regional Development Agency                                 | <a href="http://www.nwda.co.uk">www.nwda.co.uk</a>                                     |
| Planning Inspectorate   | <a href="http://www.planning-inspectorate.gov.uk">www.planning-inspectorate.gov.uk</a> |
| Planning Portal   | <a href="http://www.planningportal.gov.uk">www.planningportal.gov.uk</a>               |
| Planning Aid North West   | <a href="http://northwest.rtpi.org.uk/">http://northwest.rtpi.org.uk/</a>              |
| Royal Town Planning Institute   | <a href="http://www.rtpi.org.uk">www.rtpi.org.uk</a>                                   |
| Joint Waste Development Plan Document for Greater Manchester (JWDPD). | <a href="http://www.gmwastedpd.co.uk">www.gmwastedpd.co.uk</a>                         |
| Joint Minerals Plan for Greater Manchester (JMDPD).                   | <a href="http://www.gmineralsplan.co.uk">www.gmineralsplan.co.uk</a> .                 |