

Statement of Community Involvement Consultation Responses

Consultation in the planning process is vital. It can bring significant benefits by: strengthening the evidence base for plan making and decision taking; ensuring community commitment to the further development of an area; promoting regeneration and investment; and increasing ownership and strength of delivery. The current Statement of Community Involvement (SCI) was adopted in 2016 and in order to comply with regulatory requirements, must be reviewed at least every five years.

Since that version of the SCI was published, there was a need to principally reflect on three matters:

- The Covid-19 pandemic, temporary changes to how documents are required to be made available under Regulations and how the Council is able to comply with its SCI in a socially distanced way;
- Establish a consistent message about the progression of the Greater Manchester Spatial Framework and the role of the Combined Authority; and
- Other technical updates since 2016.

It was timely therefore that the above updates and consequential amendments were made to the SCI and that a revision was undertaken and presented for public consultation to reflect an approach that needs to be taken for consultation moving forward.

The Council undertook a 6 week period of consultation on the updated draft SCI between Thursday 20 August and Thursday 1 October 2020. A wide range of stakeholders were consulted including landowners, developers, key agencies, service providers, individuals and other interested parties. Methods of consultation comprised:

- press notice and press release displayed in the 20 August 2020 issue of the Tameside Reporter newspaper;
- direct email or letter to contacts on the Planning Policy consultation database;
- publication online on the Council's 'Big Conversation' webpage;
- mention in the Chief Executive's weekly brief;
- article displayed in the Council's Livewire newsletter;
- mention to the Council's Partnership Engagement Network
- the draft SCI was made available to view online on the Council's website.

Comments were invited in writing no later than Thursday 1 October by either post, email or as part of an online questionnaire available through the Council's Big Conversation portal.

The Council has so far received 12 consultation responses from the following:

1. Historic England
2. Canal and River Trust
3. Peak and Northern Footpath Society
4. Mossley Town Council
5. Peak District National Park Authority
6. Natural England
7. Homes England
8. Member of the public
9. Member of the public
10. Member of the public
11. Member of the public
12. Member of the public

Comments received on the Consultation Draft SCI have been considered and revisions made where considered appropriate as detailed below.

No.	From	Precis of Comments	Council Response
1	Historic England	<p>Historic England is the Government's statutory adviser on all matters relating to the historic environment in England. We are a non-departmental public body established under the National Heritage Act 1983 and sponsored by the Department for Culture, Media and Sport (DCMS). We champion and protect England's historic places, providing expert advice to local planning authorities, developers, owners and communities to help ensure our historic environment is properly understood, enjoyed and cared for.</p> <p>Thanks you for consulting Historic England on the above document. At this stage we have no comments to make on its content.</p>	The Council welcomes the comments received from Historic England.
2	Canal and River Trust	Thank you for your consultation on the revised Statement of Community Involvement. Having reviewed the draft the Canal & River Trust has no comment to make.	The Council welcomes the comments received from the Canal and River Trust.
3	Peak and Northern Footpath Society	<p>Thank you for the opportunity to comment on the above statement.</p> <p>This response is being sent on behalf of Peak and Northern Footpath Society, a registered charity founded in 1894 which exists to protect and improve public footpaths. We are statutory consultees with respect to public path orders in five northern counties which includes the borough of Tameside. In recent years we have extended our activities to include the monitoring of planning applications affecting public rights of way. This enables us to comment on the application where we have concerns about the effect of the development on public rights of way and also to suggest improvements which would benefit walkers. It is better for all concerned for comments to be considered at the earliest stage in the planning process, thus reducing the possibility of conflict when a draft order is subject to formal consultation as required by law. Opposition at this stage can delay the development or require a new order to be processed under the Highways Act 1980 should the development already have taken place.</p>	<p>The Council welcomes the comments received from the Peak and Northern Footpath Society and notes that amendment to the statement is not required.</p> <p>The points of working practice have been shared with the Development Manager and consideration given to the issues raised.</p>

	<p>Paragraph 7.6 of DEFRA Rights of Way Circular 1/09. Guidance for Local Authorities makes the same point. I quote “Any potential disadvantages to the public arising from alternative arrangements proposed for an affected right of way can be minimised by means of early liaison between the developer, planning and highway authorities. Local amenity groups, prescribed organisation and affected individuals”.</p> <p>The position on consultation in Tameside is dealt with in the draft statement in para 3.19. Table 2 Statutory minimum and Tameside publicity requirements for planning and heritage applications. The fourth entry refers to “Applications which would affect a right of way to which part 3 of the Wildlife and Countryside Act 1981 applies” . These applications, which are the ones of interest to the Society are subject to a site notice, press advertisement and on the Council’s website. Whilst it is the case that all planning applications are included in the weekly list on the website this does not enable us to identify which applications potentially affect a right of way. For this method of advertisement to be effective there needs to be a list of notices published under Article 15 (2)(c) on the Council’s website which will identify the paths potentially affected . This would enable us and other interested amenity groups in Tameside to look at the planning application on line and consider whether it is appropriate for us to make a comment. The standard entry on the website for a planning application does not identify which applications potentially affect a public right of way. This is particularly important following the abolition of the requirement in the national validation requirements to include on the site plan of a planning application the line of any public right of way within or adjoining the development site. A list of Article 15 (2)(c) applications will have to be produced to comply with the requirement for a site notice and entry in a local newspaper. This could then be placed on the Council’s website.</p> <p>What the Society is asking for will not require any amendment to the statement but will require a change in practice so that amenity groups and others can examine planning applications of interest and make comments</p>	
--	---	--

		to better allow the council to consider public rights of way as a material planning consideration.	
4	Mossley Town Council	The Town Council endorses the revised SCI but considers that there is a need for enhanced engagement opportunities between area planning teams and local people when considering planning applications. In particular, objectors to planning applications do not receive any further information once the consultation period has expired until the application has been determined often leading to frustration and bad feeling. It is hoped that the Borough Council will address this issue as part of the revisions to the SCI.	<p>The Council welcomes the comments from Mossley Town Council.</p> <p>Respondents to planning applications are consulted on amendments to development proposals where the Officer considers such amendments to be significant or if they consider it would be unfair to deny respondents the opportunity to further comment.</p> <p>Objectors can also request updates directly by contacting the case Officer, an approach that the Council considers pragmatic, compared to writing to each respondent individually.</p>
5	Peak District National Park Authority	It would be useful to us to be consulted on major local road developments in the Borough since this could have knock on effects for traffic movement in the National Park. We note that we are on your consultee list (and don't doubt that you would consult us on development plan documents) but I would appreciate you consulting us on planning applications for such schemes as a matter of course.	<p>The Council welcomes the comments from the Peak District National Park Authority and looks forward to continuing to work with them in the future.</p> <p>The Council consults with statutory consultees as well as a range of non-statutory bodies as a matter of course on planning applications, in particular where a relevant cross boundary matter is considered to exist.</p>
6	Natural England	Thank you for your consultation which was received by Natural England on 21 August 2020.	The Council welcomes the comments received from Natural England.

		<p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>We are supportive of the principle of meaningful and early engagement of the general community, community organisations and statutory bodies in local planning matters, both in terms of shaping policy and participating in the process of determining planning applications.</p> <p>We regret we are unable to comment, in detail, on individual Statements of Community Involvement but information on the planning service we offer, including advice on how to consult us, can be found at: https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals.</p> <p>We now ask that all planning consultations are sent electronically to the central hub for our planning and development advisory service at the following address: consultations@naturalengland.org.uk. This system enables us to deliver the most efficient and effective service to our customers.</p>	
7	Homes England	<p>Homes England is the government's housing accelerator. We have the appetite, influence, expertise and resources to drive positive market change. By releasing more land to developers who want to make a difference, we're making possible the new homes England needs, helping to improve neighbourhoods and grow communities.</p> <p>Homes England does not wish to make any representation on the Statement of Community Involvement consultation. We will however continue to engage with you as appropriate.</p>	The Council welcomes the comments received from Homes England and looks forward to continuing to work with them in the future.
8	Member of the public	<p>I have been involved professionally in transport planning for over 40 years. I know TMBC is required to undertake this exercise, but it is already out-of-date given Jenrick's announcement on 06/08/20. It is also being</p>	The Council welcomes the comments from the member of the public.

		<p>conducted in a manner that is incredibly off-putting for ordinary mortals and is bound to alienate them from the Council yet further. Not sure what the answer is, but this is not it.</p>	<p>The Council publicised the consultation on the draft SCI via a number of methods, including press release, press notice, on its website and through its Partnership Engagement Network. In addition emails or letters were sent directly to individuals and organisations who have either previously commented on planning policy documents or have asked to be notified via the Council's website. The following link also allows anyone to register to receive planning policy communications:</p> <p>http://www.tameside.gov.uk/planning/ldf/sci</p> <p>The council has prepared its revised SCI in accordance with current guidance and legislative framework.</p>
9	Member of the public	<p>Need to consult footpath organisations eg Tameside Ramblers, PNFS Appendix pp 23-24.</p>	<p>The Council welcomes the comments from the member of the public.</p> <p>The Council consults with statutory consultees as well as a range of non-statutory bodies as a matter of course on planning applications. The point of working practice has been shared with the Development Manager and consideration given to the issue raised. The Council considers amendment to the Statement is not required.</p>
10	Member of the public	<p>We need to ensure that we protect open spaces for people to relax within Greater Manchester.</p>	<p>The Council welcomes the comments from the member of the public.</p>

11	Member of the public	<p>Open spaces to be kept open, for the community we live in. Brown sites and derelict buildings to be considered for future planning as a priority. Planning policy section 2.40 where a wide range of bodies etc. will be involved. At 2.50 to include any community group who has contacted the council prior covid and due to gatherings have had difficulty meeting with low resources.</p>	<p>The Council welcomes the comments from the member of the public.</p> <p>The SCI sets out when and how the Council will consult on proposed planning policy documents, this includes contacting groups and individuals on the Planning Policy consultation database. Where individuals and community groups have previously asked to be placed on the database and consulted on policy documents, the Council will continue to do so in accordance with the methods set out in the SCI.</p>
12	Member of the public	<p>1) As the Speakers panel is heavily influenced by the Planning Officers reports when reaching a decision on a Planning application from a developer which significantly affects a village, might it be possible to grade the Planning Applications according to the level of importance. The success of this Policy document is dependent upon the confidence of the Public for it to be meaningful. It is important therefore that a discretionary and selective adherence to some of the provisions of this Policy document by the Planning Officer, which may not reflect the true picture of the effect of the Planning application on the community, be avoided when considered by the Speakers panel.</p> <p>2) The 2016 Policy (para 3.6, 3.7, 3.8, & 3.9) encourages a dialogue which should include the local community, where appropriate, the Developer and Planning. My experiences indicate that all too often any dialogue which takes place, occurs between the Developer and the Planning Officer which allows the developer to modify the proposed development to remove potential obstacles to a successful application. In circumstances where a development may affect a wider community, might it not be useful for the developer to actually demonstrate that community groups have been consulted, views considered and accepted or rejected when the application is considered by the Speakers panel.</p>	<p>The Council welcomes the comments from the member of the public.</p> <p>Planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. An Officer will prepare a report setting out a recommendation based on an assessment against the relevant policies and taking into account relevant material planning considerations. The report is reviewed by either a Senior Officer under delegated powers or by the Speakers Panel for those applications where their decision is required. It is not possible to grade applications.</p> <p>Developers are encouraged to engage with the community on large or complex applications. Upon receipt of a valid planning application, local planning</p>

		<p>The results of Notifications to single homeowners directly affected by a proposed development by the Planning Office do not always reflect the wider ramifications of a successful application to a village community. My own experiences where a proposed development would affect a village, involved discussion with Council Officers, Ward Councillors and Member of Parliament for two years, but the Planning Officers report to the Speakers Panel made no reference to this or any dialogue between the Developer and the local Community Group (para 5.2).</p> <p>3) Paragraph 3.33 offers an opportunity for the Public to address the Speakers panel, but restricts access to five minutes. This in my view needs to be reconsidered for the process to have meaning. My concerns may be misplaced but having observed the actual Speakers Panel in operation it seemed to me that little value was given to contributions from objectors by the Panel. It seemed that decisions by the Panel may have been made prior to the actual meeting, and the absence of any discussion of the points raised by objectors by the Panel brings into question the actual purpose of this opportunity and the significance of the Planning Officers report to this process.</p> <p>The limit on the number of objectors permitted to address the panel needs to be addressed. When a potential objector to a Planning application is allowed to submit a request to address the Panel and to then fail to provide any contact details, and to then fail to present, disenfranchises anyone else, with legitimate objections from the addressing the Panel. It would seem sensible to have a backup list of potential objectors to place on standby in the event of a no show by a scheduled objector.</p> <p>4) There seems to be a case for ensuring that an application from a Developer which may involve the alteration to a village landscape, demolition of an historic building, whether listed or not, which has or had an historically significant value to a local community, or substantially affects the community infrastructure in which it is to be located, should</p>	<p>authorities are required to undertake a formal period of public consultation as prescribed in Article 15 of the Development Management Procedure Order (as amended). This could include site notices/press notices in addition to notification letters, to be used in circumstances as set out within the regulations and the SCI. The Officer's report will include a summary of representations received under the consultation.</p> <p>Objectors and applicants are permitted five minutes in which to address the Speakers Panel on planning applications referred to them for determination, however this period can be extended at the Chair's discretion. Where multiple people wish to address the Speakers Panel meeting, they are advised by Democratic Services to nominate a single spokesperson. Arrangements for a backup spokesperson would need to be considered by Democratic Services on a case by case basis.</p> <p>The Council consults with Historic England and other statutory consultees on planning applications in accordance with legislation and government guidance. Proposals for the demolition of an unlisted building do not require consultation with Historic England. The effect of an application on the significance of a non-designated heritage</p>
--	--	---	---

		<p>result in a mandatory referral to the relevant Consultee, and not be left to the discretion of the Planning Officer.</p> <p>A number of Planning applications from Developers that I am aware of proposed the demolition of what Historic England described as a "building of significant historical interest". The building fell short of a qualification for a listing, but its demolition would have had a significant effect upon the village landscape. I saw no evidence that either the Planning Officer or the Developer initiated any contact with Historic England, although the intervention of Historic England in the Planning application process resulted in its preservation.</p>	<p>asset can be afforded weight under paragraph 197 of the National Planning Policy Framework.</p> <p>Planning applications that are not automatically required to be determined at Speakers Panel are subject to the referral process whereby the applicant, elected Member or an objector can request the application be determined at Panel rather than by delegated powers.</p>
--	--	--	---

Post Consultation amendments

Having reviewed the comments submitted as part of the public consultation it is not considered that any further amendments to the SCI are required.