

**Surrey County Council Minerals, Waste  
and County Development Planning**

# **Statement of Community Involvement**

Draft for consultation

May 2019



**SURREY**

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## Executive Summary

- Involving local communities and interested parties is an essential part of the planning process and is seen as a priority by Surrey County Council. We want to make the planning process more accessible and increase community participation.
- The Statement of Community Involvement (SCI) outlines the policy for involving local communities and interested parties in matters relating to minerals, waste and County Council developments within the local area.
- The SCI sets out how the Council will involve the local community:
  - In preparing, altering and reviewing minerals and waste planning policy documents; and
  - In determining planning applications for minerals, waste and Surrey County Council developments.
- The SCI will undergo a public consultation between the 7th of May and the 18<sup>th</sup> of June, 2019. Once adopted the revised SCI will replace the SCI adopted in 2015.

# 1 Introduction

## 1.1 What is a Statement of Community Involvement

- 1.1.1 The statement of community involvement (SCI) sets out the ways in which you can comment on planning applications, and how and when you can influence the content of new planning policy documents.
- 1.1.2 Surrey County Council is the County Planning Authority (CPA) responsible for determining planning applications for Minerals, Waste and the Council's own service developments<sup>1</sup> and developing planning policies for minerals and waste matters. All other planning matters are dealt with by Surrey's district and borough councils.
- 1.1.3 Planning is a statutory function and any information is held on the lawful basis of public task (in accordance with the Town and Country Planning Act 1990, as amended, related orders and regulations). The names, addresses and contact details of those who have submitted a planning application to Surrey County Council or made a comment on a planning application will be saved in our files, electronic and paper. We do this so we can notify the public about amendments to the proposal, the outcome of the application, if an appeal is lodged against the application, and subsequent applications in respect of the site. This information will be retained indefinitely as part of the background information on which the planning decision has been based. Additionally, all submissions are sent to the relevant Borough or District Council to be placed on the Planning Register as this is their responsibility. In the event of an appeal or a 'call-in' by the Secretary of State, submissions may be copied to the Planning Inspectorate or the National Planning Casework Unit and the appellant.

## 1.2 Our approach

- 1.2.1 The SCI takes forward the County Council's commitment to public involvement. It is based on the following principles:
- a. Encouraging everyone who may be directly or indirectly affected by planning decisions to get involved;
  - b. Encouraging involvement at the earliest stage and throughout the planning process;
  - c. Using methods of involvement that suit different people and that are appropriate to the stage of the planning process;
  - d. Making sure that all information relevant to plans or planning applications is easily accessible to as many people as possible;
  - e. Ensuring the process of consultation is open and transparent;
  - f. Giving feedback so that those involved are aware of the contribution they have made to the process; and

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<sup>1</sup> Regulation 3 of the Town & Country Planning General Regulations 1992 enables the County Council to make planning applications to be determined by itself, as long as the development is to be carried out by (or on behalf of) the Council. See also the [General Permitted Development Order 2018](#).

- g. Making sure the limits of what we can realistically achieve is fully understood.

1.2.2 The SCI also conforms to statutory requirements<sup>2</sup> and takes account of government planning practice guidance<sup>3</sup>.

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<sup>2</sup> [The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#)

<sup>3</sup> [Planning Practice Guidance](#)

## 1.3 Who we will involve

- 1.3.1 We will involve groups, organisations and people who may be directly or indirectly affected by planning decisions in Surrey. This may include:
- a. Individuals;
  - b. Residents' associations, local community groups, action groups and other voluntary bodies (such as sporting and leisure groups) and environmental groups (such as Surrey Wildlife Trust or The Royal Society for the Protection of Birds);
  - c. Businesses (such as chambers of commerce and minerals and waste companies and trade associations); and
  - d. Statutory organisations such as district and borough councils, parish councils, including those adjoining the administrative boundary of the county, and, for example, the Environment Agency.
- 1.3.2 For more information regarding the organisations we consult see Appendix 1.

## 1.4 Electronic communications

- 1.4.1 Electronic communication provides a way to disseminate large amounts of information. This is especially important for the more rural areas of the county where it can be difficult for some residents to get to local district and borough council offices or Surrey County Council offices.
- 1.4.2 By the end of 2014 more than 99% of premises in Surrey had access to fibre based broadband following the county council's Superfast Broadband initiative. This will make it easier for people to access information on planning applications, minerals and planning policy documents and make representations to the Council.
- 1.4.3 The Planning Authority is committed to making the most appropriate use of electronic communication when undertaking consultation and notification activities. Where appropriate email or use of the internet will be the primary method of communication when engaging communities during the plan making process or consulting on planning applications.
- 1.4.4 Nevertheless, reliance on electronic communication will not always be appropriate and we will still rely on site notices and letters where these are necessary to ensure effective communication.

## 1.5 Hard-to-reach groups

- 1.5.1 For some people it may be difficult to get involved in planning decisions and plan-making for all sorts of reasons. These bodies are sometimes called 'hard-to-reach groups'. Hard-to-reach groups may change over time, but the groups that we have identified include elderly people, young people, people who speak little or no English, people who do not have access to the internet, commuters, and people who have disabilities.
- 1.5.2 The following methods will be used to facilitate the involvement of 'hard to reach' groups in the planning process:
- a. Officers will assess the involvement of hard to reach groups or individuals during the production of planning policy documents and the consideration of planning applications and decide how best to contact and involve them;
  - b. Use of 'plain English' in documents and other published material;
  - c. Ensuring that our online documents and information can be accessed using assistive technologies;
  - d. Provide contact details which are accessible in a range of ways e.g. textphone/minicom.
- 1.5.3 Our documents can be produced in other formats on request and where the demand is significant and resources allow (this would include Braille, large print and documents in languages other than English).

## 1.6 When we consult on planning matters

- 1.6.1 Our approach to consultation and publicity encourages people and organisations to be involved in planning decisions that could affect them. There are three different stages of the planning process when this is necessary:
- a. **Determining planning applications and other submissions:** We are responsible for making decisions on planning applications for minerals and waste developments and our own service development proposals (such as new schools). In this SCI, we set out how we will involve the community when considering applications for development.
  - b. **Preparing Planning Policy Documents** (Local Plans and supporting documents): We prepare minerals and waste local plans that provide a framework for future development. In this SCI we set out the stages of developing these plans and how we will involve the community at each stage.
  - c. **Involving the community in the long term:** Involving the community does not end with publishing a plan or making a decision on a planning application. In this SCI we set out how we will continue to work with the community once facilities are up and running and when monitoring how well the minerals and waste local plans are being put into practice.

## 2 Planning applications

### 2.1 Our Role as the planning authority

2.1.1 Surrey County Council is required to undertake consultation and publicise planning applications and this varies according to type of application. This section sets out how we will involve the local community who may be affected by a proposal in the planning application process.

### 2.2 Pre-application discussions

2.2.1 The National Planning Policy Framework (NPPF) encourages pre-application discussions and states that 'early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties'.

2.2.2 Surrey County Council encourages developers to enter into pre-application discussions with the Council to establish the information that will be required, and to identify key issues and policies associated with any potential application. Further information on pre-application discussions is available on the website<sup>4</sup>.

2.2.3 The Council operates a charging scheme for pre-application advice relating to Minerals and Waste development only. The pre-application discussions for planning applications webpage also provides more information on the charging scheme in the form of a minerals and waste pre-application advice guidance document. This sets out the benefits to developers of seeking planning advice on applications prior to submission and the arrangements for providing advice.

2.2.4 Pre-application discussions take place between the developer and the County Planning Authority as they are largely technical exercises. However, they can provide an opportunity for the local community/local residents to be engaged in the planning application process. The council encourages developers to talk to the community, to inform them of their plans and so ensure that a link with the local community is established at an early stage in the process. The onus is on the developer, and we as the County Planning Authority will not normally carry out pre-application consultations with individuals or communities. Where a developer has undertaken community engagement prior to submission of a planning application, this information should be provided in the planning application. Pre-planning application discussions between counties and their districts is strongly encouraged by the government.

### 2.3 Environmental Impact Assessment

2.3.1 Under the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended<sup>5</sup>) (the EIA Regulations) prospective applicants may seek our opinion on the need for environmental impact assessment (EIA) (a Screening Opinion under Regulation 6), or where EIA is required our opinion on the matters that need to be

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<sup>4</sup> [Pre-application discussions for planning applications](#)

<sup>5</sup> As of 1 October 2018 the EIA Regulations were amended by the Town & Country Planning & Infrastructure Planning (Environmental Impact Assessment) (Amendment) Regulations 2018 (Statutory Instrument 2018 No.695)

covered in the Environmental Statement (ES) that is to be submitted with the planning application (a Scoping Opinion under Regulation 15).

- 2.3.2 For Screening Opinions we have to respond to such requests within a minimum period of 3 weeks, and are not required to undertake any consultation or publicity prior to the adoption of the Opinion. Once adopted the Screening Opinion will be made available for public inspection at the offices of the relevant borough or district council). Where a prospective applicant, or a third party, disagrees with the conclusions of our screening opinion they have the right (under Regulation 7 for prospective applicants, and under Regulation 5(6)(b) for third parties) to seek a Screening Direction from the Secretary of State.
- 2.3.3 For Scoping Opinions, which are requested at the prospective applicant's discretion, we have to respond to such requests within a minimum period of 5 weeks. As part of Scoping Opinion preparation we are required to undertake consultation with Natural England, the Environment Agency, Historic England, the relevant local planning authority, and any other body that we would be required to consult if an application for the proposed development were before us (as listed in Schedule 4 of the Town & Country Planning (General Development Management Procedure) Order 2015). Once adopted the Scoping Opinion will be made available for public inspection at the offices of the relevant borough or district council.

## 2.4 The planning application

- 2.4.1 Consultation and publicity on planning applications has different purposes. We ask some bodies (for example, the Environment Agency) to provide professional advice and to assess technical work. Other people (for example, local residents' groups) are often able to provide local knowledge and may want to give us their views on the likely effects of the development. We will take account of the range of roles and expertise of different people so that we can identify all possible issues and consider them in further detail.
- 2.4.2 The nature of the consultation on planning applications will be related to the type and size of the proposal, the location and the likely effects on the environment. Smaller proposals (which may have less impact) have different consultation requirements from larger proposals.
- 2.4.3 We must consult certain organisations on planning applications (statutory consultees) and can decide whether or not to consult others (non-statutory consultees). For more information regarding the organisations we consult see Appendix 1. Who we are required to consult may change over time and therefore a comprehensive list of consultee groups and organisations is not included in this document.
- 2.4.4 Once a planning application has been received, together with all the relevant information that will enable the process of determination to begin<sup>6</sup>, we will:

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<sup>6</sup> The County Council has adopted a Local List which sets out the type and extent of information required as part of any planning application.

- Publicise planning applications in line with Table 1 and as appropriate by letters<sup>7</sup> / site notices / newspaper advertisements<sup>8</sup>;
- Consult statutory and non-statutory consultees<sup>9</sup> by email over and above those we must consult in line with regulations, where appropriate for the application; and
- Ensure details of planning applications are available in our online register of applications and appeals<sup>10</sup>.

2.4.5 Copies<sup>11</sup> of planning applications together with all supporting documents can also be viewed<sup>12</sup> at our main offices (County Hall) and at the offices of the relevant borough or district council. All planning application documents will be handled in electronic form and be available to view through the Surrey County Council's web site.

2.4.6 Comments on planning applications should be made in writing by the date specified in the publicity, which is normally 21 days from the date of the site notice sent with our notification letter or within 21 days from the date of a newspaper advert or site notice appearing. In the case of EIA development, where an Environmental Statement has been submitted with the planning application, the consultation period is 30 days. Comments received will be acknowledged. Comments can be made by letter, email or using our online comments form<sup>13</sup>. Comments must also include a name and address in order for the comments to be recorded. Nevertheless, we will endeavour to ensure all relevant comments are made available to decision makers<sup>14</sup> if received by 12 noon the day before the relevant planning and regulatory committee or up to the point of a delegated decision being made.

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<sup>7</sup> Publicity will rely heavily on Neighbour Notification letters since this is the only way that we can ensure that those most affected by a proposed development are informed.

<sup>8</sup> We will use newspaper advertisements in accordance with the current relevant regulations

<sup>9</sup> Our approach will be to notify consultees by email once applications are available online giving them at least 21 days in which to comment (or 28 days for Natural England in the case of a planning application potentially affecting a Site of Special Scientific Interest (SSSI) or in a SSSI consultation area).

<sup>10</sup> See [the online register of planning applications, decisions and appeals](#) for minerals, waste and county developments.

<sup>11</sup> The format in which these copies are made available is decided by the district/borough and may involve electronic copies only.

<sup>12</sup> Details are available of planning applications and/or appeals in our online register. All application documents following the introduction of our online facility will be available to view online.

<sup>13</sup> The Online Form for making comments is available on the Councils [website](#)

<sup>14</sup> Applications are either determined by the Planning & Regulatory Committee or the Head of Planning Service under powers delegated by the Planning and Regulatory Committee under the council's Constitution. (See [Part 3, Section 3 Part 3A of the latest version of the Constitution](#)).

**Table 1 Publicising planning applications**

Type of development	Method used by Surrey County Council
<ul style="list-style-type: none"> <li>• All minerals and waste development.</li> <li>• Major County Development<sup>15</sup>.</li> <li>• The application is for development that requires an environmental impact assessment (EIA) and comes with an environmental statement<sup>16</sup>.</li> <li>• The development is not in line with the Development Plan.</li> <li>• The development affects a public right of way.</li> <li>• The development affects the setting of a listed building.</li> <li>• The development affects the character or appearance of a conservation area.</li> </ul>	<p>Newspaper advert, site notice <b>and</b> letter to neighbours<sup>17</sup> generally within 90 metres of the application site boundary<sup>18</sup>.</p>
<p>All other County development (minor).</p>	<p>Site notice or letter to adjoining neighbours, wider publicity at the case officer's discretion.</p>

2.4.8 Conditions normally apply to most planning permissions we grant. Under some of these conditions, we may need to approve further details within specific timescales (examples include detailed working and restoration schemes for quarries, and colours and finishes to be used on the outside of buildings). By law, we do not need to publicise or consult on these details. Any consultation we do undertake will largely be in respect of technical matters and will usually involve relevant statutory or non-statutory consultees only.

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<sup>15</sup> Buildings over 1000 square metres or more, or a development on a site larger than 1ha

<sup>16</sup> [The Town and Country Planning \(Environmental Impact Assessment\) Regulations 2017](#) (as amended) (or predecessor regulations where applicable)

<sup>17</sup> Letters to neighbours must give at least 21 days for comments to be made

<sup>18</sup> The distance of 90 metres is not statutory but will be applied as a general minimum and increased at the discretion of the case officer if the proposed development has the potential to affect the wider area

## 2.5 Amendments to planning applications

a) Non-EIA Applications:

- 2.5.1 Amendments to a development proposal are often made during the process of considering a planning application. There is no statutory obligation on local authorities to consult on or publicise changes to planning applications that are not accompanied by an Environmental Statement. It is up to the local planning authority to decide whether further consultation and publicity is necessary and, when undertaken, to set the timeframe for responses, balancing the need for people to be given time to consider and respond to the amendment against the need for efficient decision making.
- 2.5.2 Where it is decided further consultation is necessary, only those consultees with an interest in the proposed amendment will be consulted. It will be down to the case officer's discretion which consultees have an interest, depending on the amendment.
- 2.5.3 All those notified and who have made representations will be made aware of how they can keep up to date with the progress of an application, including whether the application is amended before it is determined. Table 2 below sets out how the council will publicise amendments to non-EIA planning applications. Letters to neighbours relating to amendments will give at least 7 days for comments to be made.

**Table 2 Publicising amendments to non-EIA planning applications**

	<b>On amendments to applications</b>	<b>Publicity</b>
A	We have received no comments on the original application.	No publicity.
B	The amendments are minor and/or the level of public interest in the proposal is small.	Further publicity at the discretion of the case officer.
C	Further publicity is needed because the level of public interest in the proposal is high and people have objected to the original application.	Letters to those who made comments on the original planning application together with letters to all properties notified on the original application (together with any new properties within the original area).
D	Further publicity is needed because the amendments are significant, public interest in the proposal is high and people have objected to the original application.	Site notices together with letters involving either B or C.

- 2.5.4 Details of all amendments to planning applications will be placed on the County Council's [register of planning applications, decisions and appeals](#) and sent to the relevant District and Borough to be made available on the statutory planning register. Details of the date

the applications will be considered at Committee (if appropriate) will be placed on the County Council's [register of planning applications, decisions and appeals](#).

b) EIA Applications:

- 2.5.5 When further information is submitted relating to an EIA application and Environmental Statement, we will consult in accordance with Regulation 25 of the EIA Regulations 2017 (as amended), or where relevant the appropriate predecessor regulations, and publicise the information. Under the EIA Regulations we can request further information and evidence in relation to Environmental Statements when considering EIA planning applications.

## 2.6 Making decisions on planning applications

- 2.6.1 A committee of councillors (the Planning and Regulatory Committee) or designated officers<sup>19</sup> make decisions on planning applications.
- 2.6.2 Officers prepare a report for all applications (whether delegated or not), which includes an outline of the consultation, the publicity carried out and a summary of the comments received.
- 2.6.3 Meetings of the Planning & Regulatory Committee are held in public and future meeting dates, agendas, committee reports and minutes can be viewed on the council's [website](#). All meetings are webcast live or are available to view at a later date<sup>20</sup>. An induction loop facility is available at meetings of County Council committees at County Hall.
- 2.6.4 We run a '[public speaking](#)' scheme that allows people who have made written comments to speak to the Committee. Under the current scheme written comments (by email, letter and online form) have to be from you as an individual and you would not be eligible to speak if you only signed a petition or a standard proforma response. Up to five people who support and five who object to a proposal may speak. The applicant also has the right to respond to comments made by those speakers who object to the proposal.
- 2.6.5 We will place reports on planning applications determined by designated officers (under delegated powers) on our [register of planning applications, decisions and appeals](#). After a decision on the application has been made, we issue a decision notice that contains details of any conditions the applicant must meet if we have granted planning permission. If we have refused the application, the decision notice explains the reasons why. We place a copy of all decision notices on our register of planning applications, decisions and appeals.

## 2.7 Other Approvals

- 2.7.1 The County Council also deals with a number of other matters in addition to applications for planning permission. These include non-material amendments to existing planning permissions, hazardous substance consents, applications for prior approval and certificates of lawfulness. Consultation on these matters will largely be in respect of technical matters and will usually involve statutory and non-statutory consultees only.

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<sup>19</sup> Under powers delegated by the Planning and Regulatory Committee. See the council's scheme of delegation as part of its [constitution](#).

<sup>20</sup> Webcasts are available on the website for 6 months after the meeting.

## 2.8 Appeals

- 2.8.1 If we refuse to give planning permission, the applicant has the right to appeal against the CPA's decision to the Secretary of State<sup>21</sup>. Appeals must be made to the Planning Inspectorate<sup>22</sup> who manages the process on behalf of the Secretary of State. If we receive notification of an appeal from the Planning Inspectorate we publicise it in line with the legal requirements. Any written comments received relating to the original application will be forwarded by us to the Planning Inspectorate and the appellant for consideration as part of the appeal process. We must write to statutory and non-statutory consultees, and everyone who was originally notified or made comments on the planning application so that they have the opportunity to participate in the appeal. In addition we may give further publicity by newspaper advert or site notice if this is required by the Planning Inspectorate. Appeal decisions can be viewed on the Planning Inspectorate website

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<sup>21</sup> There are other circumstances when an applicant may make an appeal (i) when a decision on their application has not been made within the statutory timescale (non-determination of an application), (ii) against a planning condition that has been attached to a planning permission. Appeals may also be made in relation to enforcement notices and stop notices.

<sup>22</sup> For more information on the Planning Inspectorate visit the [Planning Inspectorate webpage](#).

### 3 Planning policy documents

#### 3.1 Development Plan Documents (Local Plans)

3.1.1 Surrey County Council has adopted a full set of Development Plan Documents (Local Plans) as follows:

- [Surrey Waste Plan](#) adopted 6 May 2008
- [Surrey Minerals Plan Core Strategy DPD](#) adopted 19 July 2011
- [Surrey Minerals Plan Primary Aggregates DPD](#) adopted 19 July 2011
- [Aggregates Recycling Joint DPD](#) adopted 12 February 2013

3.1.2 The [Minerals and Waste Development Scheme](#) (MWDS) sets out the arrangements for the monitoring and review of the Local Plans listed above.

3.1.3 When Local Plans are reviewed, we will undertake consultation at the key stages of the plan making process as required by statutory requirements<sup>23</sup> and government planning practice guidance<sup>24</sup>.

3.1.4 The following illustrates those key stages and shows when you can get involved in the process of preparing planning documents. We will ask for your views as early as possible so that you have the greatest opportunity to influence the policy making process. The stages and consultation periods are set out below:

Stage	Consultation period (minimum):
Gathering of evidence and public consultation on what the Local Plan should contain	12 weeks
Public consultation on the soundness of the Local Plan prior to submission of the local plan (known as the Local Plan submission draft) to the Secretary of State and the Planning Inspectorate	6 weeks
Independent public Examination of submitted Local Plan	6 weeks
Publication of modifications to the submission draft Local Plan if required	6 weeks

<sup>23</sup> [Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#)

<sup>24</sup> [Planning Practice Guidance](#)

Adoption of local plan by County Council	N/A
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- 3.1.5 We will publicise details of formal consultation by:
  - Sending an email<sup>25</sup> or letter to all statutory organisations and other organisations or groups on our minerals and waste database<sup>26</sup>;
  - Updating our website with details of current consultations and upcoming consultations.
- 3.1.6 We may also use other methods including: media e.g. Surrey Matters magazine, social media and workshops or meetings to make you aware of consultations.
- 3.1.7 We will make it clear in our communication details of:
  - The consultation period,
  - How to comment
  - Where and when we will make documents available.
- 3.1.8 In order to submit comments individuals will be required to give their name and address. All representations will be acknowledged and treated as public documents. It will not be possible to respond to every letter in detail. What we will do is publish a summary of the results of consultations on our website and show how we have considered them. For more information about how we process your data please refer to our [Minerals and Waste Planning Policy Consultations Privacy Notice](#) on our website.

### 3.2 Supplementary Planning Documents (SPDs)

- 3.2.1 In addition to local plans the Council will occasionally produce supplementary planning documents (SPDs) which explain the implementation of planning policy. An example is the [Minerals Site Restoration SPD](#). The process of preparation and adoption is shorter and involves fewer stages, set out below.

Stage	Consultation period (minimum):
Public consultation on draft Supplementary Planning Document	6 weeks
Public consultation on any significant amendments to draft Supplementary Planning Document	6 weeks

<sup>25</sup> Email will be the preferred method of communication with letters used only where email addresses are not available or unreliable.

<sup>26</sup> Our database will be reviewed with a list of organisations and groups who will be consulted made public on our website

Adoption of Supplementary Planning Document  
by County Council

N/A

### 3.3 Local Development Scheme

- 3.3.1 The Council is responsible for producing and keeping up to date a Local Development Scheme.
- 3.3.2 For more information, please see our [Surrey Minerals and Waste Development Scheme](#) that is available on our website.
- 3.3.3 We invite comments to be made on the scheme. All comments will be taken into consideration when making decisions concerning reviewing the Development Scheme.

### 3.4 Assessment and Appraisal

- 3.4.1 The plan preparation process is subject to requirements for the assessment of the environmental and wider sustainability impacts of the proposed plan.
- 3.4.2 The assessment of environmental effects is undertaken through the strategic environmental assessment (SEA) process, whilst the evaluation of wider sustainability effects is carried out through sustainability appraisal (SA). In practice the two processes are combined and are carried out in parallel to the preparation of new plans.
- 3.4.3 Plans may also be subject to a requirement for Habitats Regulations Assessment (HRA)<sup>27</sup>, which is concerned with identifying and addressing the extent to which implementation of the plan could give rise to significant adverse impacts on species and habitats of nature conservation importance at the European level.

#### Strategic environmental assessment

- 3.4.4 SEA<sup>28</sup> is a process that can help to inform the development of new plans, by providing information about the potential environmental consequences of the options and alternatives (e.g. for spatial strategy, for policies, for site allocations etc.) that are under consideration. The primary aim of the SEA process is to provide a high level of protection for the environment, and it can be used to build appropriate safeguards into plans (e.g. in the form of environmental protection policies).

#### Sustainability Appraisal

- 3.4.5 The requirement for development plans produced in England to undergo SA as part of the plan preparation process derives from section 19(5) of the Planning & Compulsory Purchase Act 2004 (as amended by the Planning Act 2008). The requirement for sustainability appraisal does not apply to supplementary planning documents (SPDs).

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<sup>27</sup> The Conservation of Habitats & Species Regulations 2017 (as amended) (Statutory Instrument 2017 No.1012). The HRA assessment is focused exclusively on sites designated, or proposed for designation as either Special Areas of Conservation (SACs) (under the EU Habitats Directive) or as Special Protection Areas (SPAs) (under the EU Wild Birds Directive).

<sup>28</sup> The Environmental Assessment of Plans & Programmes Regulations 2004 (Statutory Instrument 2004 No.1633). Which implements into English law EU Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment.

**Consultation**

- 3.4.6 Regulation 12 of the SEA Regulations specifies the first step in the SEA process is a scoping exercise, which involves consultation with Natural England, the Environment Agency, and Historic England (as identified under Regulation 4 of those Regulations). Regulation 12 specifies a period of 5 weeks for consultation on the SEA scoping report.
- 3.4.7 The length of time for which consultation should be carried out in respect of draft plans for which environmental reports have been prepared under the SEA Regulations is not specified in those Regulations<sup>29</sup>. For our plans the final version of the relevant SEA/SA report will be consulted on alongside the Regulation 19<sup>30</sup> version of the plan in accordance with the timescale defined under Regulation 17 of the Town & Country Planning (Local Planning) Regulations 2012.

Stage	Consultation period (minimum):
SEA/SA Scoping Reports	5 weeks
Final SEA/SA Scoping Reports	6 weeks

## 4 Neighbourhood Planning

### 4.1 What is neighbourhood planning

- 4.1.1 Since the 2011 Localism Act was introduced, neighbourhood forums and parish councils have been encouraged to develop their own neighbourhood development plans. Neighbourhood plans provide an opportunity for communities to guide and shape development in their local areas.

### 4.2 What is our role in neighbourhood planning

- 4.2.1 Neighbourhood plans must be in general conformity with national and local planning policy, including local plans. This means that neighbourhood forums and parish councils will need to engage with the county council particularly where there are any sites/issues that raise minerals and waste safeguarding issues or involve County Council land or services such as schools and libraries.
- 4.2.2 Surrey County Council can support neighbourhood planning in the following ways:

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<sup>29</sup> Regulation 13(3) of the Environmental Assessment of Plans and Programmes Regulations 2004 requires that the period allowed for consultation, "...be of such length as to ensure that the consultation bodies and the public consultees are given an effective opportunity to express their opinion on the relevant documents."

<sup>30</sup> Regulation 19 of the Town & Country Planning (Local Planning) Regulations 2012

- Respond to consultations on neighbourhood plans, including checking the compatibility of the draft neighbourhood plan with the county's adopted and draft DPDs;
- Provide advice on county council service related issues;
- Highlight where the Community Infrastructure Levy (CIL)<sup>31</sup> investment could help fund improvements to county council infrastructure and services for the local community.

4.2.3 More information on the county council's role in neighbourhood planning is provided in our [Neighbourhood Planning Guide](#) available on our website.

## 5 Longer term engagement

### 5.1 Monitoring the Statement of Community Involvement

5.1.1 Involving the community does not end with adopting a local plan or making a decision on a planning application. This section covers opportunities for involving people to help measure the effectiveness of the planning process and improve the quality of our decisions.

### 5.2 Annual Monitoring Report

5.2.1 The annual monitoring report is a useful way of keeping people up to date on how effectively we are achieving the planning objectives in our minerals and waste local plans.

5.2.2 We will produce an annual monitoring report that provides information on:

- Preparing and reviewing the Minerals and Waste Local Plans and other planning documents;
- Planning applications for minerals and waste development and our own proposals for development; and
- Monitoring minerals and waste policies and enforcement work.

5.2.3 The annual monitoring report is available to download on our [website](#).

### 5.3 Liaison Groups

5.3.1 We will continue to liaise with local communities through bodies such as action groups, parish and town councils and where they exist, community liaison groups, in dealing with any issues arising at minerals and waste sites.

5.3.2 Liaison groups are an effective way of involving the community in dealing with issues at minerals and waste sites. These groups meet regularly and may be chaired by a county councillor. Planning officers, county councillors, the site operator and other interested people (such as representatives of local communities) take part in these groups. The

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<sup>31</sup> Further information is available on the [planning portal Community Infrastructure Levy page](#)

liaison groups provide a forum for discussing future developments and an opportunity to deal with any ongoing issues at the site.

- 5.3.3 They are generally organised by the applicant or site operator for large sites, or for developments that were particularly controversial during the planning process.

## 5.4 Monitoring and enforcement

5.4.1 The Council carries out monitoring and enforcement of minerals and waste sites in order to ensure compliance with planning permissions. Regular site visits and other contact with both mineral and waste operators helps us to identify possible issues and address them as early as possible. Where development is taking place without planning permission it will seek to resolve the situation in the most appropriate way through one or more of the following:

- encouraging the submission of a retrospective planning application
- negotiating the cessation of activity and the restoration of the site
- initiating formal enforcement action where negotiation fails

5.4.2 The County Council is both applicant and determining planning authority in respect of schools, infrastructure and other investment programmes. This is permitted under Regulation 3 of the Town and Country Planning Act. Where irreconcilable planning disputes arise, there is no direct way of resolving matters. The County Council is unable to take enforcement action against itself and therefore the County Council Development (Regulation 3) Monitoring and Enforcement Protocol<sup>32</sup> is used as a way of addressing concerns in respect of non-compliance with planning permission.

5.4.3 Further guidance on the principles and standards of the County Planning Authority, and what factors are taken into account in relation to a breach of planning control is available in the Planning Enforcement Protocol on Surrey County Council's website.<sup>32</sup>

5.4.4 If you have concerns that there is a breach of planning control or unauthorised activity at a site you can contact the council's enforcement team using the following methods:

- [Online Form](#)
- Email: [mwcd@surreycc.gov.uk](mailto:mwcd@surreycc.gov.uk)
- Telephone: 03456 009 009
- Fax: 020 8541 9399

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<sup>32</sup> [The Planning Enforcement of Minerals, Waste and County Development](#)

## Appendix 1

### 5.5 Statutory Organisations

5.5.1 Government regulations require us to consult certain bodies and organisations when carrying out particular stages of the planning process, and we can decide whether to consult others.

5.5.2 The regulations for preparing local development plan documents<sup>33</sup> define these organisations as:

- Specific consultation bodies, such as parish and town councils, and government departments; and
- General consultation bodies, including voluntary bodies (such as residents' associations) and organisations which represent the interests of disabled people, businesses, and religious, ethnic groups.

5.5.3 The regulations<sup>34</sup> for planning applications define these organisations as:

- Statutory consultees: such as district and borough councils, parish and town councils, and technical specialists such as the Highways Authority and the Environment Agency, also gas, water and electricity suppliers and neighbouring local authorities; and
- Non-statutory consultees<sup>35</sup>: such as established community and residents' organisations and rights of way interest groups (for example, the Ramblers' Association and the Open Spaces Society).

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<sup>33</sup> [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#)

<sup>34</sup> [The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#)

<sup>35</sup> [Other Organisations \(non-statutory consultees\) consultation and pre decision matters guidance](#)

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